MINUTES

MONTANA HOUSE OF REPRESENTATIVES
64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Gerald (Jerry) Bennett, on April 11, 2015 at 10:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Rep. Gerald (Jerry) Bennett, Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Alan Doane, Vice Chair (R)
Rep. Seth Berglee (R)
Rep. Jennifer Eck (D)
Rep. Clayton Fiscus (R)
Rep. Stephanie Hess (R)
Rep. Ellie Boldman Hill (D)
Rep. Kathy Kelker (D)
Rep. Sarah Laszloffy (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. G. Bruce Meyers (R)
Rep. Matthew Monforton (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Zac Perry (D)
Rep. Andrew Person (D)
Rep. Randall Pinocci (R)
Rep. Keith Regier (R)
Rep. Kirk Wagoner (R)

Members Excused: None

Members Absent: None

Staff Present: McKenzie Chambers, Committee Secretary
Helen Thigpen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:
Hearing & Date Posted: SB 262, 3/24/2015

00:01:26 Chair J. Bennett

00:03:24 Recessed
00:06:00 Reconvened

00:06:03 Chair J. Bennett

HEARING ON SB 262

Opening Statement by Sponsor:
00:09:43 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 262, Implement CSKT water rights settlement.
EXHIBIT(juh73a01)

Proponents' Testimony:
00:27:10 Patrick Pierre, Confederated Salish & Kootenai Tribes (CSKT)
00:33:17 Andrew Huff, Chief Legal Counsel, Governor's Office
00:37:46 Louis Adams, Confederated Salish & Kootenai Tribes (CSKT)
00:47:27 Vernon Finley, Confederated Salish & Kootenai Tribes (CSKT)
00:53:10 Melissa Hornbein, Legal Counsel, Reserved Water Rights Compact Commission (RWRCC), Legal Services Office, Department of Natural Resources and Conservation (DNRC)
EXHIBIT(juh73a02)
01:14:44 Cory Swanson, Office of the Attorney General (AG)
EXHIBIT(juh73a03)
01:25:14 Dale Schowengerdt, Solicitor General, Office of the Attorney General (AG)
01:28:00 Rep. Salomon, HD 93, Reserved Water Rights Compact Commission (RWRCC)
01:32:18 Colleen Coyle, Self
01:39:03 Chair J. Bennett
01:39:22 Seth Makepeace, Confederated Salish & Kootenai Tribes (CSKT)
01:47:25 Jim Gilman, Self
01:50:32 Chair J. Bennett
01:51:55 Rhonda Swaney, Confederated Salish & Kootenai Tribes (CSKT)
01:56:38 John Carter, Confederated Salish & Kootenai Tribes (CSKT)
02:02:46 Chair J. Bennett
02:03:05 John Youngberg, Montana Farm Bureau Federation (MFBF)
02:05:25 Kathryn Kelly, Self
02:08:12 Russ Nelson, Mayor, City of Belgrade
EXHIBIT(juh73a04)
EXHIBIT(juh73a05)
02:09:49 Rick Smith, Century 21 Big Sky
02:12:18 Jack Horner, Self
02:13:59 Gene Curry, Montana Stockgrowers Association (MSGA)
EXHIBIT(juh73a06)
02:17:39 Ed Berry, Self
02:20:52 Paul Guenzler, Self
02:22:13 Krista Lee Evans, Senior Water Rights Coalition (SrWRC)
EXHIBIT(juh73a07)
02:26:55 Roger Starkel, Self

02:27:43 Ken Cornelius, Self
02:32:15 Karen Raisland, Self
02:33:17 Jerry Johnson, Self
02:34:42 Jim Hagenbarth, Self
EXHIBIT(juh73a08)
02:37:31 Sen. Hamlett, SD 50
02:39:22 Sen. Whitford, SD 8, American Indian Caucus
02:40:03 Ann Brower, Commissioner, Lake County
02:43:26 Rep. Peppers, HD 41
02:43:44 Rep. Smith, HD 31
02:44:03 Clark Matt, Self
02:45:50 Rick Moy, Self
02:48:38 Walter Schock, Self
02:52:27 Greg Schrock, Self
02:53:27 Chuck Jarecki, Self
EXHIBIT(juh73a09)
02:55:41 Steve Hughes, Self
02:56:20 Gordon Wind, Self
EXHIBIT(juh73a10)
EXHIBIT(juh73a11)
03:02:44 John Crowley, Bitterroot Irrigation District and Montana Water Users Association
03:04:34 Thompson Smith, Self
03:08:29 Bill Greiman, Self
03:10:03 Hans McPherson, Self
03:10:40 Jim Simpson, Lake County Conservation District and Flathead Basin Commission (FBC)
03:11:27 Marty Lundstrom, Montana Agricultural Business Association (MABA)
EXHIBIT(juh73a12)
03:12:56 Sam Sill, Missoula Area Chamber of Commerce
03:13:49 Tom Beck, Self
03:14:32 Jim Peterson, Self
03:16:59 Chuck Stipe, Self
03:18:45 John Rouane, Self
EXHIBIT(juh73a13)
03:21:03 J. R. Iman, Painted Rocks Water Users Association
03:22:36 Denny Iverson, Self
03:23:37 Terry Lee Tanner, Confederated Salish & Kootenai Tribes (CSKT)
03:24:26 Darcia Patten, Self
03:24:59 Gary Heibertshausen, Self
03:25:34 Hertha Lund, Common Sense Citizens for the CSKT Water Compact
EXHIBIT(juh73a14)
03:28:26 Ken McAlpin, Self
03:29:49 Dave Frewitt, Self
03:30:27 Dorothy Bradley, Self
03:32:04 Walt Sales, Association of Gallatin County Agricultural Irrigators (AGAI)
EXHIBIT(juh73a15)
03:33:04 Craig Wood, City of Bozeman
03:34:07 Holly Franz, Billings Chamber of Commerce and Mountain Water Co.
EXHIBIT(juh73a16)

03:35:08 Dorene Vallee, Confederated Salish & Kootenai Tribes (CSKT)
03:35:30 Louise Stasso, Confederated Salish & Kootenai Tribes (CSKT)
03:35:54 David Schmidt, Water Rights Solutions, Inc.
03:36:22 Ruth Swaney, Self
EXHIBIT(juh73a17)
03:37:56 Sherwin Leep, Gallatin Conservation District
03:38:54 Dan Kihm, Self
03:40:00 Matt Flikkema, Self
03:40:49 John Anderson, Ruby Valley Conservation District (RVCD)
EXHIBIT(juh73a18)
03:42:32 Claudia McCready, Self
03:43:13 Carol Weidenaar, Weidenaar Ranches, Inc.
03:43:58 Lloyd Irvine, Confederated Salish & Kootenai Tribes (CSKT)
03:44:54 Richard Janssen, Confederated Salish & Kootenai Tribes (CSKT)
EXHIBIT(juh73a19)
03:45:21 Brian Upton, Confederated Salish & Kootenai Tribes (CSKT)
03:46:02 Jill Southerland, Commissioner, City of Polson
03:46:37 Ken Avison, Polson Chamber of Commerce
03:47:02 Nick Kaufman, WGM Group
03:47:37 Dennis Duty, Self
03:48:07 Logan Lloyd, Self
03:48:28 John Harrison, Confederated Salish & Kootenai Tribes (CSKT)
03:49:14 Betty Biggs, Self
03:49:55 Bruce Mazuranich, Self
03:50:20 Shelley Fyant, Confederated Salish & Kootenai Tribes (CSKT)
03:52:07 Bob Hanson, Montana Farm Bureau Federation (MFBF)
03:52:33 Mike Murphy, Montana Water Resources Association (MTWRA)
03:53:45 Karl Christians, Self and Lewis and Clark County Farm Bureau
03:54:00 Mark Aagenes, Montana Tribe Unlimited (MTU)
03:54:17 Janet Camel, Confederated Salish & Kootenai Tribes (CSKT)
03:54:30 Merrill Bratshow, Self
03:54:50 Billie Lee, Self
03:55:20 Karen Dellwo, Self
03:55:36 Susan Duncan, Self
03:55:55 Judy Preston, Self
03:56:08 Jennifer Finley, Self
03:56:19 Judy Bystrom, Self
03:56:35 Rene Dubay, Self
03:56:50 George Trushman, Self and Ruby Valley Conservation District (RVCD)
03:57:10 Brian Heaston, Greater Gallatin Watershed Council (GGWC)
03:57:25 Elizabeth Preston, Self
03:57:42 Jim Berg, Self
03:58:01 Lisa Bignal, Bignal Ranch
03:58:21 Jessica Johnson, Self
03:58:40 Sjaan Vincent, Self
03:59:05 Evelyn Lake, Self
03:59:34 Dorothy Ashcraft, Self
03:59:43 Jack Lake, Self
03:59:55 John Venhuizen, Self

04:00:12 Curt Dykstra, Spain and Ferris Ditch Company
04:00:24 Susan Lake, Self
04:00:40 Bill Kimm, Kumman Ditch Company
04:01:00 George Alberda, Self
04:01:18 Doug Alberda, Self
04:01:27 Jon Alberda, Self
04:01:41 Bruce Wright, Self
04:02:02 Linda Greenwood, Self
04:02:22 Bonita Cremer, Self
04:02:35 Janette Rosman, Self

EXHIBIT(juh73a20)

04:02:49 Ronda Johnston, Self
04:03:02 Robin Turner, Self
04:03:16 Amanda Harrow, Self
04:03:27 Rachel Carroll Rivas, Montana Human Rights Network (MHRN)
04:03:48 Mary Antiste, Self
04:04:00 Glen TwoTeeth, Confederated Salish and Kootenai Tribe (CSKT) and Kootenai communities of Elmo, Dayton and Big Arm
04:04:24 Roy Lake, Self
04:04:40 Virginia DuMontier, Self
04:04:50 Donna Mollica, Self
04:05:03 Denise Fyant, Self
04:05:14 Carol Werner, Self
04:05:30 Mary Edelman, Self
04:05:38 Mary Stranahan, Self
04:05:49 Heather Dawson, Self
04:05:56 Kelly Kelsey, Self
04:06:03 Jay Bodner, Montana CattleWomen and Montana Association of State Grazing Districts
04:06:16 Joan Sherman, Self
04:06:36 John Flemming, Self
04:07:10 Megan McNamer, Self
04:07:33 Ada Montague, Self
04:07:46 Bryan Ohs, Self
04:07:56 Amy Seaman, Montana Audubon
04:08:11 Joel Clairmont, Self
04:08:36 Bill Cok, Self
04:08:53 Jacob Cowgill, Montana Farmers Union
04:09:04 Roger Raynal, Painted Rocks Water Users Association
04:09:17 Neal Ullman, Montana Conservation Voters (MCV)
04:09:40 Chuck Courville, Self
04:09:51 Joe Durglo, Self
04:10:10 Corwin Clairmont, Self
04:10:31 Kermut Clary, Self
04:10:42 Vern Clairmont, Self
04:10:57 Tom Anacker, Self
04:11:11 Kelly Willett, Self
04:11:24 Harry Murphy, Self
04:11:36 Matt Cremer, Self

04:11:49 Kim Abbott, Self
04:11:59 Pat Worman, Self
04:12:14 Katherine McDowell, Self
04:12:30 Barbara Chillcott, Clark Fork Coalition (CFC) and Dry Cotton Wood Creek Ranch
04:12:48 Sarah Bates, Clark Fork Coalition (CFC) and National Wildlife Federation (NWF)
04:13:06 Sharon Guenzler Self
04:13:20 Coty Sherman, Self
04:13:33 Alison Garab, Self
04:13:45 Jason Adams, Self
04:13:59 Rory Schauss, Self
04:14:13 Land Lindbergh, Self
04:14:27 Wayne Slaght, Montana Stockgrowers Association (MSGA)
04:14:43 Daniel Lozar, Self
04:14:58 Terry Pitts, Self
04:15:12 Crystal Pitts, Self
04:15:26 James Matt, Confederated Salish & Kootenai Tribes (CSKT)
04:15:47 Sharla Lake, Self
04:16:00 Katie Samsel, Self
04:16:09 Carmel Couture, Self
04:16:20 Zarec Couture, Self
04:16:28 Deborah Tomas, Self
04:16:41 Maccine Scammon, Self
04:17:04 Wayne Scammon, Self
04:17:21 Patty Stevens, Confederated Salish & Kootenai Tribes (CSKT)
04:17:34 Willie Stevens, Self
04:17:48 Carol Lankford, Confederated Salish & Kootenai Tribes (CSKT)

EXHIBIT(juh73a21)
EXHIBIT(juh73a22)
EXHIBIT(juh73a23)

04:18:11 Chair J. Bennett

Opponents' Testimony:
04:22:20 Rep. White, HD 64
04:26:12 Jon Metropoulos, Rocky Mountain Stockgrowers Association (RMSGA), Dixon Melons, Bill Slack of Double Shoe Ranch and Perry Francis of Francis Ranch
EXHIBIT(juh73a24)
04:43:33 Brian Quigley, Rocky Mountain Stockgrowers Association (RMSGA)
EXHIBIT(juh73a25)
04:47:25 Kim Skinner, Rocky Mountain Stockgrowers Association (RMSGA)
EXHIBIT(juh73a26)
04:50:38 Robert Sitz, Self
04:53:11 Jim Dinsmore, Self
EXHIBIT(juh73a27)
04:58:05 Matt Graveley, Rocky Mountain Stockgrowers Association (RMSGA)
EXHIBIT(juh73a28)
05:00:52 Bill Slaughter, Commissioner, Granite County Commission and representing Bill Clinhans and Jay Hendricks

05:02:55 Jerry Laskody, Mission Irrigation District and Flathead Joint Board of Control (FJBC)

EXHIBIT(juh73a29)

05:11:35 Ed Everaert, WWC Engineering

EXHIBIT(juh73a30)

05:13:42 Tim Orr, Self

EXHIBIT(juh73a31)

05:24:40 Abigail St. Lawrence, Flathead Joint Board of Control (FJBC)

05:27:53 Ross Middlemist, Self

EXHIBIT(juh73a32)

05:31:56 Ray Swenson, Self

EXHIBIT(juh73a33)

05:35:47 Elaine Willman, Camas Irrigators

EXHIBIT(juh73a34)

EXHIBIT(juh73a35)

05:43:36 Wade Shepard, Self

EXHIBIT(juh73a36)

05:46:49 Jim Baker, Montana Cattlemen's Association (MCA)

EXHIBIT(juh73a37)

05:48:39 Thomas A. Lozeau, Self

EXHIBIT(juh73a38)

05:58:33 Kristin Omvig, Flathead Joint Board of Control (FJBC)

EXHIBIT(juh73a39)

06:04:08 Roy Vallejo, Self

06:05:14 Sheila Vallejo, Self

EXHIBIT(juh73a40)

06:07:08 Rep. Ballance, HD 87

06:12:42 Catherine Vandemoer, Montana Land and Water Alliance (MLWA)

EXHIBIT(juh73a41)

EXHIBIT(juh73a42)

06:20:53 Jocko Shane Hendrickson, Self

EXHIBIT(juh73a43)

06:28:03 Rhoda Cargill, Self

EXHIBIT(juh73a44)

06:33:58 Carol Lyons, Self

06:35:20 Boon Cole, Flathead Joint Board of Control (FJBC)

06:42:28 Verdell Jackson, Self

EXHIBIT(juh73a45)

06:49:34 Bob Fanning, Self

06:53:02 Phil Mitchell, Commissioner, Flathead County

EXHIBIT(juh73a46)

06:54:53 Pam Holmquist, Commissioner, Flathead County

06:56:13 Sen. Fielder, SD 7

EXHIBIT(juh73a47)

07:00:16 Bill Myers, Self

EXHIBIT(juh73a48)

07:05:14 David Passieri, Self

07:07:44 Maxine Whitson, Self

07:10:45 Joe Read, Self
07:12:23 Terry Backs, Self
EXHIBIT(juh73a49)
07:13:17 Sen. Taylor, SD 6
07:14:29 Jerry O'Neil, Self
EXHIBIT(juh73a50)
EXHIBIT(juh73a51)
07:15:31 Laura O'Neil, Concerned Citizens of North West Montana
EXHIBIT(juh73a52)
EXHIBIT(juh73a53)
07:17:24 Helene Robinson, Self
EXHIBIT(juh73a54)
07:18:50 John O'Neil, Self
EXHIBIT(juh73a55)
07:20:11 Lamont Kinkade, Self
EXHIBIT(juh73a56)
07:22:15 Gloria Roark, Self
EXHIBIT(juh73a57)
07:24:15 Renae Mitchell, Self
EXHIBIT(juh73a58)
07:27:50 Christopher Chavasse, Self
EXHIBIT(juh73a59)
07:29:15 Clarice Ryan, Self
EXHIBIT(juh73a60)
07:32:01 Trudy Samuelson, Self
07:35:01 Mark Haag, Self
EXHIBIT(juh73a61)
07:38:07 George Hudson, Self
EXHIBIT(juh73a62)
07:40:25 Jan Franklin, Self
EXHIBIT(juh73a63)
07:41:33 Leslie Buck Jr., Self
07:44:29 Rick Jore, Self
EXHIBIT(juh73a64)
07:45:41 Clarence Taber, Self
07:47:24 Gerald Cuvillier, Self
EXHIBIT(juh73a65)
07:49:11 Mitchell Jackson, Self
EXHIBIT(juh73a66)
07:50:04 Bruce White, Self
07:51:42 Ted Hein, Camas Irrigation and Camas Irrigation District
07:52:22 Chris Sullivan, Self
EXHIBIT(juh73a67)
07:54:36 John Embry III, Self
07:54:56 Gene Erb, Self
EXHIBIT(juh73a68)
07:55:22 Jan Wisnienski, Self

07:55:41 Bob Sivertsen, Self
EXHIBIT(juh73a69)
07:56:01 Brenda Miller, Self
07:56:11 Mary Matheidas, Self
07:56:23 Heather Rush, Self
07:56:32 William Fry, Self
07:56:42 Helen Morris, Self
07:56:53 Walter Morris, Self
07:57:02 Tim Brunner, Greenfield Irrigation District (GID)
07:57:14 Will Graveley, Self
07:57:24 Ron Hepp, Self
EXHIBIT(juh73a70)
07:57:34 Patrick Verlanic, Self
EXHIBIT(juh73a71)
07:57:49 Christine Laskody, Self
07:58:02 Ron Wetsch, William Dingwell Company
07:58:12 Julia Fehrs, Self
EXHIBIT(juh73a72)
07:58:26 Fred Hammel, Self
07:58:36 Jody Loomis, Self
07:58:48 Patrick McCain, Self
07:58:58 John Trochmann, Self
07:59:10 Jerry Gentry, Self
07:59:23 Scott Ambo, Self
07:59:35 Rick Linafelter, Self
07:59:52 Margaret Mullaly, Self
08:00:05 Harris Himes, Self
08:00:18 Jeff Wilson, Self
08:00:32 Kathy Waring, Self
EXHIBIT(juh73a73)
08:00:48 Doug Page, Self
EXHIBIT(juh73a74)
08:01:02 Rance Gertes, Self
08:01:13 Sara Klingenberg, Self
08:01:22 Ben Miller, Self
08:01:28 Diane Speer, Self
08:01:37 Andrew Speer, Self
08:01:45 John Swenson, Self
08:01:53 Scott Kerr, Self
08:02:07 Wayne Blevins, Self
08:02:15 Bill Chandler, Self
08:02:24 Dick Motta, Self
EXHIBIT(juh73a75)
08:02:45 Caroline Palmquist, Self
08:03:03 Mark Palmquist, Self
08:03:04 Debbie Biolo, Self
08:03:11 Bill Koenig, Self
08:03:22 William Ferst, Self
08:03:30 Gerald Clark, Self

08:03:40 Gene Posivio, Self
08:03:51 Dwight Goble, Self
08:04:02 Robert Lane, Self
08:04:12 Dennis Gomez, Self
08:04:18 Charleen Kubichet, Self
08:04:26 Ruthmarie Wright, Self
08:04:36 Mark Wright, Self
08:04:44 Daniel Kinniburgh, Self
08:04:51 Barbara Stobel, Self
08:05:00 Jan Rogers, Self
08:05:07 Teri Swenson, Self
08:05:15 Paula Snyder, Self
08:05:22 Linda Hohenstein, Self
08:05:31 Charles Woolley, Self
EXHIBIT(juh73a76)
08:05:45 Lark Chadwick, Self
EXHIBIT(juh73a77)
08:06:02 Thomas Shepherd, Self
08:06:11 Samantha Shepherd, Self
08:06:26 Jill Shepherd, Self
08:06:31 Julie White, Self
08:06:41 Dave Tobol, Tobol Farms Incorporated
08:06:52 Dick Hook, Self
08:07:00 Brent Jackson, Self
08:07:18 Dave Ortz, Self
08:07:30 Mickey Hale, Self
08:07:40 Shane Orein, Flathead Joint Board of Control (FJBC)
08:07:54 Susan Clapper, Self
08:08:02 Diane Breuer, Self
08:08:14 Shirley McHenry, Self
08:08:23 Gary McHenry, Self
08:08:33 Ed Wehrheim, Self
08:08:45 Earl Brooks, Self
08:08:55 Deanna Balfour, Self
08:09:06 Rita Hall, Self
08:09:22 Jessie Rose Coe, Self
08:09:39 Kerry Paulson, Self
08:09:47 Keythe Karpinski, Self
08:09:58 Natalie Shempo Passieri, Self
08:10:07 Rep. Noland, HD 10

EXHIBIT(juh73a78)
EXHIBIT(juh73a79)
EXHIBIT(juh73a80)
EXHIBIT(juh73a81)
EXHIBIT(juh73a82)
EXHIBIT(juh73a83)
EXHIBIT(juh73a84)
EXHIBIT(juh73a85)

EXHIBIT(juh73a86)
EXHIBIT(juh73a87)
EXHIBIT(juh73a88)
EXHIBIT(juh73a89)
EXHIBIT(juh73a90)
EXHIBIT(juh73a91)

08:10:31 Chair J. Bennett

Informational Testimony:
08:12:34 John Metesh, Montana Bureau of Mines and Geology (MBMG)

08:12:47 Chair J. Bennett

08:12:57 Recessed
08:24:38 Reconvened

08:24:39 Chair J. Bennett

Questions from Committee Members and Responses:
08:25:55 Rep. Wagoner
08:26:27 Scott Ambo, Self
08:27:39 Rep. Wagoner
08:28:05 Scott Ambo, Self
08:29:10 Rep. Kelker
08:30:04 Melissa Hornbein, RWRCC
08:31:00 Rep. Kelker
08:31:11 Melissa Hornbein, RWRCC
08:32:55 Rep. Kelker
08:33:15 Melissa Hornbein, RWRCC
08:33:50 Rep. Kelker
08:34:17 John Carter, CSKT
08:35:51 Rep. Fiscus
08:37:13 Elaine Willman, Camas Irrigators
08:41:08 Rep. Fiscus
08:41:10 Elaine Willman, Camas Irrigators
08:42:44 Rep. Eck
08:43:15 Melissa Hornbein, RWRCC
08:47:23 Rep. Eck
08:47:49 Cory Swanson, AG
08:48:28 Rep. Eck
08:48:38 John Carter, CSKT
08:49:54 Rep. Eck
08:50:30 Rhonda Swaney, CSKT
08:53:20 Rep. Eck
08:53:47 Rep. Regier
08:54:44 Sen. Vincent
08:55:26 Rep. Regier
08:55:31 Cory Swanson, AG

08:56:19	Rep. Regier
08:56:33	Cory Swanson, AG
08:56:40	Rep. Regier
08:57:01	Melissa Hornbein, RWRCC
08:57:32	Rep. Regier
08:58:37	Melissa Hornbein, RWRCC
09:00:59	Rep. Regier
09:01:11	Melissa Hornbein, RWRCC
09:01:41	Rep. Regier
09:01:48	Melissa Hornbein, RWRCC
09:02:37	Rep. MacDonald
09:03:54	Ethan Mace, Hydrologist, Water Resources Division, Department of Natural Resources and Conservation (DNRC)
09:07:00	Rep. MacDonald
09:07:04	Ethan Mace, DNRC
09:09:14	Rep. MacDonald
09:09:41	Melissa Hornbein, RWRCC
09:10:08	Rep. MacDonald
09:10:10	Melissa Hornbein, RWRCC
09:10:15	Rep. Meyers
09:11:06	Thomas Lozeau, Self
09:11:15	Rep. Meyers
09:11:30	Thomas Lozeau, Self
09:13:44	Rep. Meyers
09:14:03	Jocko Shane Hendrickson, Self
09:16:38	Rep. Meyers
09:17:04	Leslie Buck Jr., Self
09:19:16	Rep. Manzella
09:20:01	Catherine Vandemoer, MLWA
09:21:05	Rep. Manzella
09:21:32	Kristin Omvig, FJBC
09:22:00	Rep. Manzella
09:22:14	Kristin Omvig, FJBC
09:22:51	Rep. Pease-Lopez
09:23:26	Cory Swanson, AG
09:25:06	Rep. Pease-Lopez
09:26:32	John Carter, CSKT
09:31:01	Rep. Pease-Lopez
09:31:58	John Carter, CSKT
09:32:55	Rep. Monforton
09:33:55	Rhonda Swaney, CSKT
09:34:19	Rep. Monforton
09:35:44	Rhonda Swaney, CSKT
09:36:28	Rep. Monforton
09:37:46	Cory Swanson, AG
09:39:19	Rep. Monforton
09:39:38	Cory Swanson, AG
09:40:35	Rep. Monforton
09:40:42	Rep. Pinocci

09:41:43 Catherine Vandemoer, MLWA
09:42:12 Rep. Pinocci
09:42:45 Catherine Vandemoer, MLWA
09:43:53 Rep. Pinocci
09:44:29 John Youngberg, MFBF
09:44:50 Rep. Pinocci
09:45:04 John Youngberg, MFBF
09:45:14 Rep. Person
09:45:40 Melissa Hornbein, RWRCC
09:48:05 Rep. Person
09:48:34 Cory Swanson, AG
09:50:47 Rep. Person
09:50:51 Rep. McConnell
09:51:37 Sen. Vincent
09:54:59 Rep. Perry
09:55:27 Melissa Hornbein, RWRCC
09:56:35 Rep. Berglee
09:57:15 Jon Metropoulos, RMSGA, Dixon Melons, Bill Slack of Double Shoe Ranch and Perry Francis of Francis Ranch
09:58:15 Rep. Berglee
09:58:32 Jon Metropoulos, RMSGA, Dixon Melons, Bill Slack of Double Shoe Ranch and Perry Francis of Francis Ranch
10:01:10 Rep. Wagoner
10:02:02 Sen. Vincent
10:02:41 Rep. Regier
10:03:02 John Carter, CSKT

Closing by Sponsor:
10:04:14 Sen. Vincent

10:19:27 Chair J. Bennett

ADJOURNMENT

Adjournment: 10:20:28

McKenzie Chambers, Secretary

mc

Additional Documents:

EXHIBIT(juh73aad.pdf)

EXHIBIT 1
DATE 4/11/13
SB 262

CSKT Compact: Addressing Constitutional Concerns

Below is a compilation of facts that affirm the Constitutionality of the Compact:

- The CSKT Water Compact is not a taking under the 5th Amendment of the U.S. Constitution because it does not take or impact the title of any property owners, nor does it change the economic value of non-tribal water users water rights.

- The Compact specifically states, "Nothing in this compact shall be construed or interpreted…to transfer, convert, or otherwise change the ownership or trust/fee status of land on the Reservation."

- The Compact does not violate Equal Protection by treating off-reservation water users differently than on Reservation users. Because water users on the Reservation are not similarly situated, and federal law recognizes the uniqueness of tribal water rights. (*State v. Shook,* 313 Mont. 347, 351 (2002); *Morton v. Manacari,* 471 U.S. 535, 555 (1974).

- Even if the Compact is viewed as treating water users across the state differently, the differences in treatment would be supported by the distinctions based in federally defined reserved water rights of the tribe that the State of Montana is required to recognize (*Henry v. State Compen. Ins. Fund*, 1999 MT 126, ¶ 27, 294 Mont. 449, 982 P.2d 456)

- The Compact does not transfer ownership of water from the State of Montana to the Tribes, or to the federal government. Under Article IX, Section 3 of the Montana Constitution, the State continues to own the water. The Compact quantifies rights to use the water for the Tribes.

- The Compact is a negotiated settlement between the Tribes, the federal government, and the State of Montana to manage water use and settle the claims of the Tribes, as well as the consumptive rights. This agreement also adheres to Article IX, Section 3 by preserving the State's role in the administration, control, and regulation water rights and by allowing the legislature to determine the form of that administration.

- The State is required to follow federal law and recognize the senior Tribal water rights. Unlike the adjudication process, the Compact is able to balance Tribal interests with those of non-Tribal water users and protects junior water right holders from call.

EXHIBIT 2
DATE 4/11/15
SB 262

April 11, 2015

House Judiciary- Proposed Compact Hearing - SB 262

1. Off-Reservation Impact Analysis
2. Water Rights Summary
3. Federal Letter, April 10, 2015 to Chairman Tweeten
4. State's Review of Barry Dutton's 2015 Compact Report

STATE OF MONTANA

Proposed 2015 CSKT Compact:

Analysis of Potential Impacts to Off-Reservation Water Users

February 2015

Ethan Mace, Surface Water Hydrologist,

Montana Department of Natural Resources and Conservation

From Archives & Special Collections, Mansfield Library, The University of Montana-Missoula

The water rights Compact between the Confederated Salish and Kootenai Tribes (CSKT or Tribes), the State of Montana, and the Federal Government, currently before the 2015 Montana Legislature as SB 262 includes water rights located outside the Flathead Indian Reservation. The limited reopening of negotiations between the Parties in 2014 did not encompass these off-Reservation rights, which remain substantively the same as those included in the 2013 proposed Compact. This document provides a summary and hydrologic analysis of the off-Reservation water rights included in the Compact. The analysis considers the probability, timing, and magnitude of those potential impacts. For purposes of this analysis, potential for call is identified as the frequency with which hydrologic conditions supporting call occur, and should not be read as indicating the likelihood that a call will be made under such conditions. Nothing requires a senior water right holder to make call and most do not do so every time hydrologic conditions would support one.

Overview:

In exchange for the Tribes relinquishing their option to file potentially extensive and senior instream flow water rights both on and off the Reservation in the Montana general stream adjudication, the settlement includes a more limited variety of water rights and interests, some on- and some off- the Reservation. The water rights that have potential to affect off-Reservation water users include:

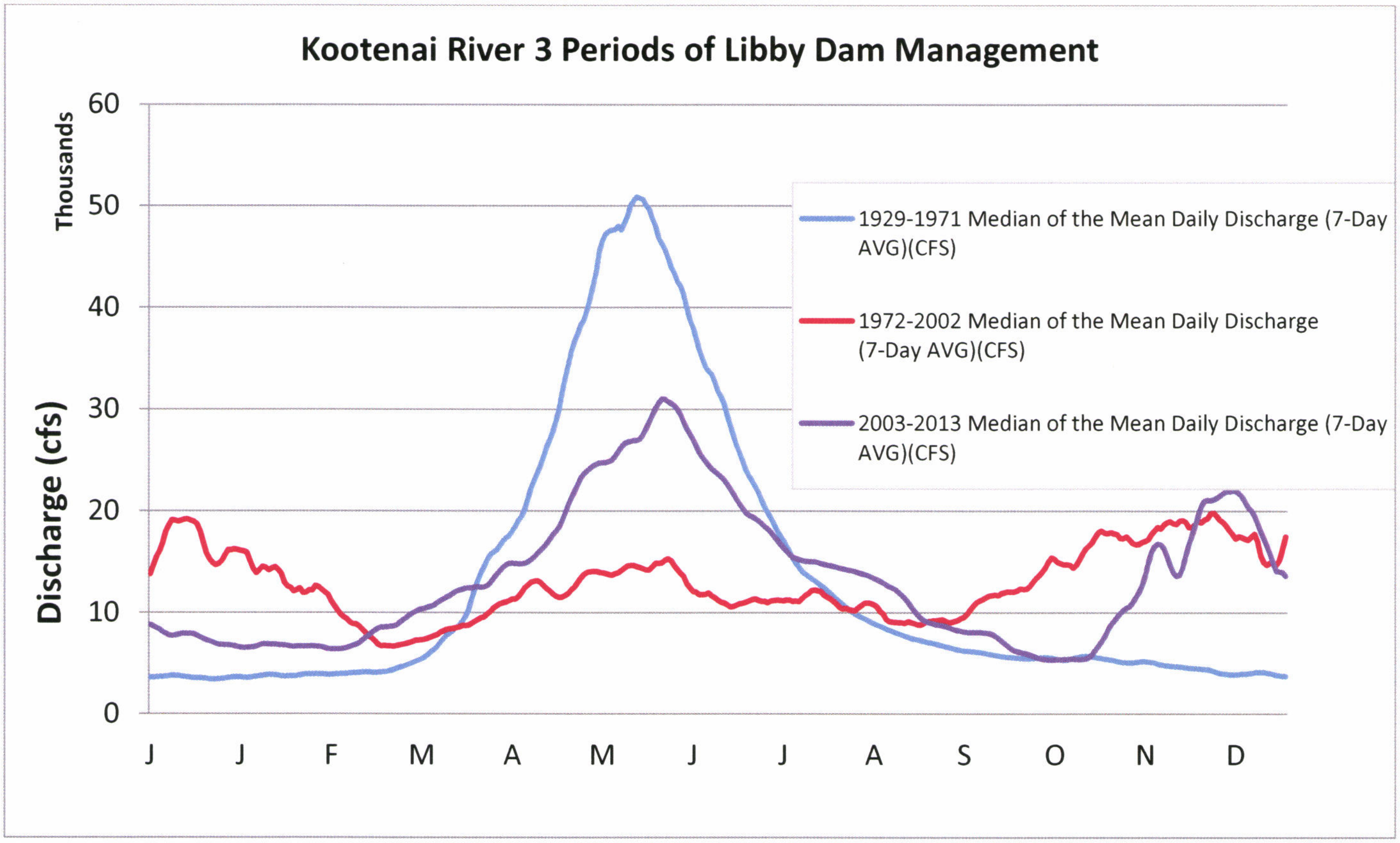
- Three time immemorial priority date instream flow water rights on the Kootenai, Swan, and Lower Clark Fork Rivers;
- Four time immemorial priority date headwater instream flow water rights in the Kootenai Basin that are located on National Forest land upstream of any existing water users;
- One time immemorial priority date instream flow water right on the North Fork of Placid Creek;
- Co-ownership of the former Milltown Dam instream hydropower water right as bifurcated (split into two water rights) and conditioned by the Compact;
- Co-ownership of 36 existing Montana Fish, Wildlife and Parks (MT FWP) instream fisheries water rights in the Flathead, Rock Creek, and Blackfoot Drainages that will be decreed as part of the Compact;
- Co-ownership of 47 existing MT FWP instream fisheries water rights in the Bitterroot, Flathead, and Blackfoot Drainages that will not be decreed as part of the Compact;
- Co-ownership of existing MT FWP instream fisheries water delivery contracts from Painted Rocks Reservoir and Como Lake;
- Flathead System Compact Water, a large water right sourced from the mainstem and south fork of the Flathead River and Flathead Lake; includes water stored in Hungry Horse Reservoir;
- Two Flathead River mainstem "other" instream fishery flow rights; these water rights are located on the Reservation, but are geographically situated downstream of off-Reservation water users; and
- Flathead Lake water right that protects the natural fill level, below and not including the 10 feet of water impounded and stored by Kerr Dam.

Kootenai River Basin Instream Flows:

The Compact includes five individual Kootenai Basin instream flow water rights with time immemorial priority dates. Four of these rights, as set forth in Appendix 36 of the Compact, are located in headwater streams (Big Creek, Boulder Creek, Steep Creek, and Sutton Creek), above any existing water users on Forest Service lands in drainages absent private in-holdings. These water rights functionally serve to protect those streams, which are important fish spawning streams, from impact due to future upstream water developments, but do not affect any existing water users.

The water right located on the mainstem of the Kootenai River, as set forth in Appendix 25 to the Compact, is to be enforced using the USGS gauge located at Leonia, Idaho. This water right takes the form of an enforceable hydrograph[1] that roughly approximates pre-Libby Dam 20th percentile flow[2] values. Although there are many conditions on the exercise of this water right, the most substantial limitation is that enforcement is suspended entirely so long as Libby Dam remains in existence and the Army Corps of Engineers' (ACOE) operation of that dam are conducted consistently with the 2008 Federal Columbia River Power System Biological Opinion, and the 2010 Updated Biological Opinion. These water right conditions not only protect existing water users, but also perpetuate the biologically beneficial changes in Libby Dam flow management set forth in 2003 and formalized by subsequent Biological Opinions. Independent of the Compact, Montana and the Tribes worked as partners to compel the federal government to adopt the 2003 established Libby Dam naturalized flow management regime that more adequately mimics a channel maintaining spring flow. The three flow regimes: pre-dam natural flows, early-dam non-natural flows, modern-dam closer approximation of natural flows are graphed below (Figure 1).

Figure 1



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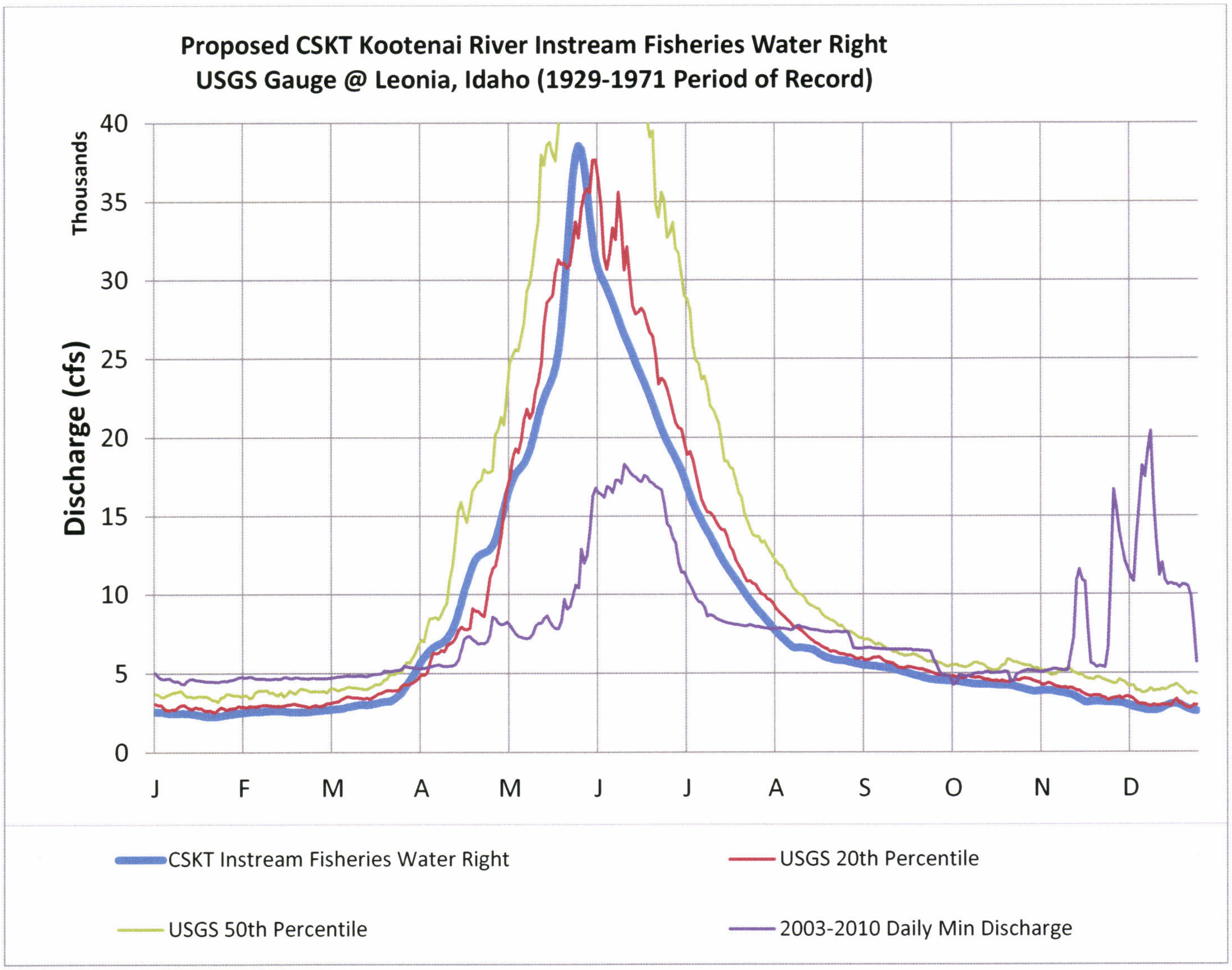
[1] An **enforceable hydrograph** is a water right that takes the form of static distributions of unique daily flow values, one each for every day of the year. The daily enforceable value distribution approximates a pre-chosen daily statistical magnitude and therefore resembles the shape of a hydrograph of flows measured in the same area

[2] A **percentile flow** is the value below which a given percentage of observations in a group of observations fall. For example, the 20th percentile daily flow (as is presented in this document) is the value below which 20 percent of the daily observations may be found during the given period of record.

In the unlikely event that Libby Dam is removed and the Kootenai River reverts to a natural flow regime, then the call probability on junior irrigators, which includes all surface water irrigators and irrigators using more than 100 GPM from groundwater, is best illustrated by graphing the Kootenai River enforceable hydrograph against the USGS 20th and 50th percentile flows (Figure 2). As would be expected from a water right that was largely designed to mimic 20th percentile flow statistics, the probability of call would be 2 in 10 years for any given day of the year, in the absence of Libby Dam. If, however, the water right becomes viably enforceable because of a failure of Libby Dam to comport with its FERC licensing requirements, the additionally graphed value depicting the minimum Kootenai River flows from 2003-2010 demonstrate that the proposed enforceable hydrograph would not be enforceable on junior irrigators during the irrigation season and therefore would not impact existing uses.

In the unlikely event that Libby Dam is removed, approximately 27 irrigation water rights, representing approximately 430 claimed acres of irrigation, would be potentially subject to call during the driest 20th percentile flow periods.

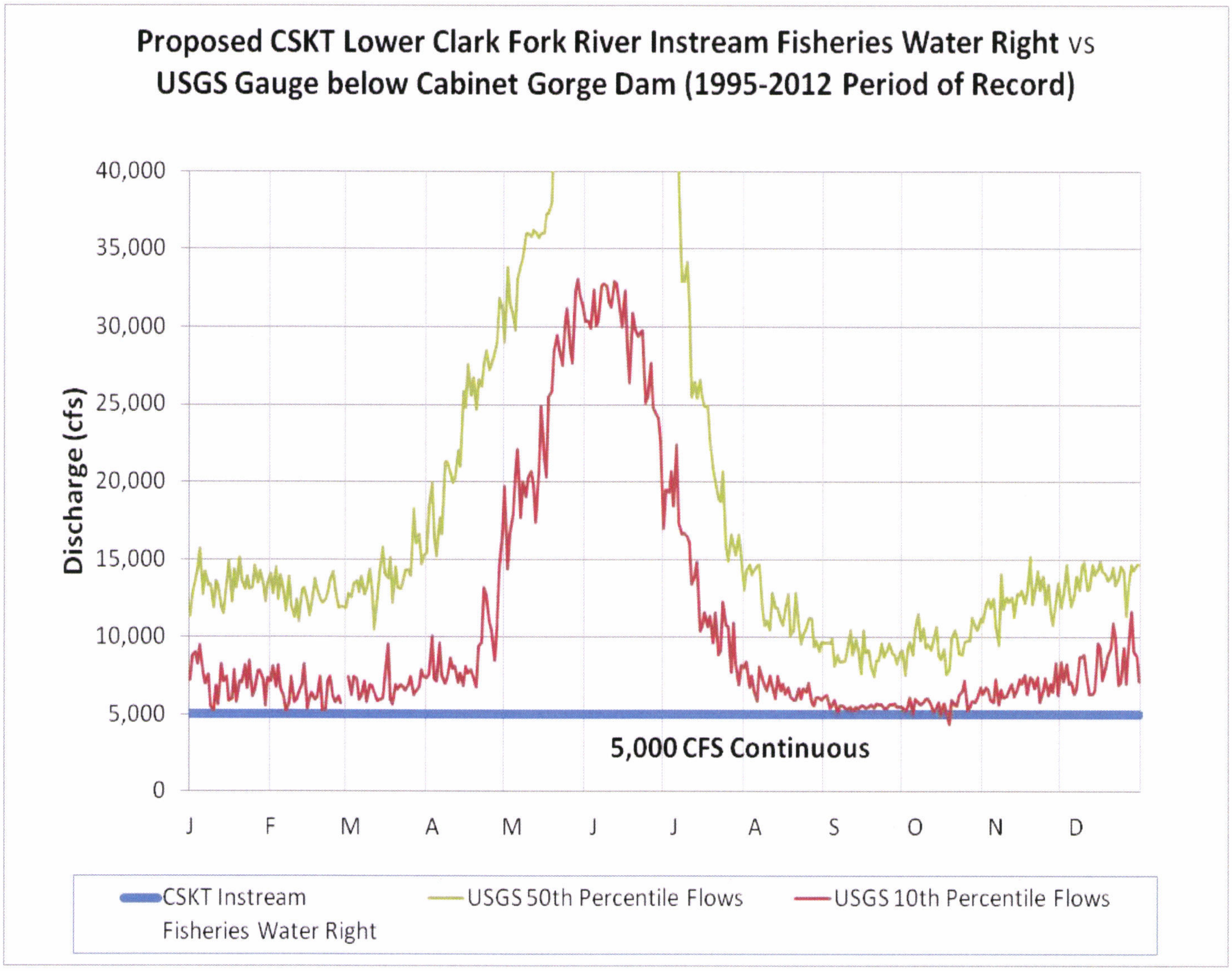
Figure 2



Lower Clark Fork River mainstem Instream Flow:

The water right proposed for the Lower Clark Fork River, as set forth in Appendix 27 to the Compact, has a priority date of time immemorial. So long as the Cabinet Gorge and Noxon Dams remain in existence, the enforceable level of this right is an annual (static) flow rate equal to the lesser of 5,000 cfs or the minimum flow level established by the FERC as a condition on the license for the Cabinet Gorge and Noxon Dams as that license condition may be modified over time. Tenth *percentile* flows graphed in comparison to the 5,000 cfs enforceable level demonstrate that historic flows conditions during dry periods remain in excess of the enforceable levels of this water right and therefore constitute little or no potential to affect existing water rights (Figure 3). Examination of minimum daily flow values since the 1995 FERC agreement that set 5,000 cfs as the minimum flow required to be maintained by dam operators, depict one single day in which flow values dropped below the proposed 5,000 cfs enforceable value of this water right. Accordingly, the proposed 5,000 cfs water right has no effect on existing water users when compared against the FERC requirements of Cabinet Gorge Dam.

Figure 3



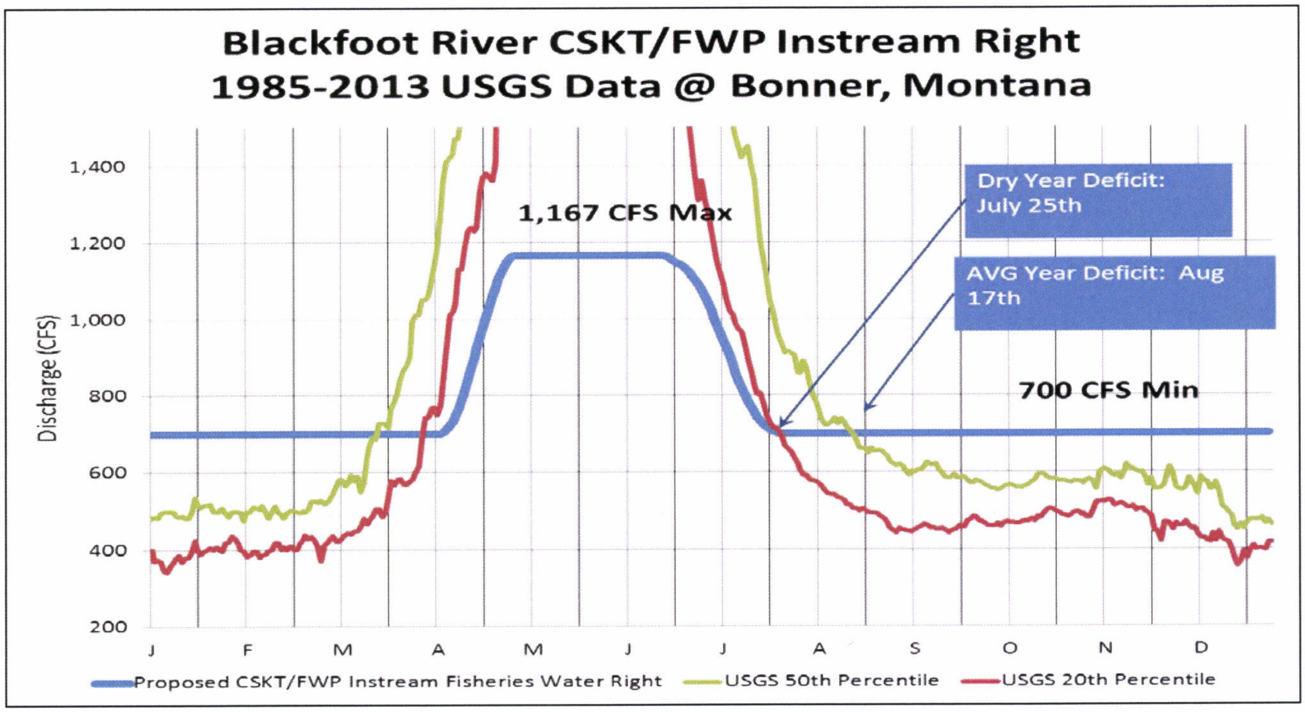
Former Milltown Dam Water Right on the Upper Clark Fork and Blackfoot Rivers:

If the Compact is approved, the Tribes will become co-owners of the former Milltown Dam water right and the water right will be proportionally bifurcated, or split, into two water rights to be enforced upstream of the current water right location below the confluence of the Blackfoot and Clark Fork Rivers. 58.33% of the parent water right is moved up the Blackfoot River and 41.67% is moved up the Clark Fork. The new enforcement locations are collocated with existing USGS streamflow gages at Bonner on the Blackfoot River and at Turah Bridge on the Clark Fork River. The water right's enforceable flow rates are reduced from a static instream hydropower water right of 2,000 cfs to two instream fisheries *enforceable hydrograph* water rights as set forth in Appendices 30 and 31 of the Compact as described below. Beyond the Compact, these water rights cannot be changed in the future to a consumptive or other use; nor can they be leased, sold, or transferred.

Elements of Proposed Blackfoot River Instream Fisheries Water Right at Bonner:

- Co-owned by CSKT and MT FWP with a priority date of December 11, 1904;
- Minimum = 700 cfs ; Maximum = 1,167 cfs
- Daily enforceable values between the minimum and maximum flows approximate 10th *percentile* flows;
- Purposed for the maintenance and enhancement of fish habitat;
- Enforced using real-time Blackfoot River USGS stream flow gage at Bonner
- Call limited to junior surface water irrigation purposed water rights and groundwater source irrigation purposed water rights using more than 100 GPM;
- Period of diversion is Jan 1 to Dec 31; point of diversion and place of use is in-stream;
- Call may be initiated on the day following a five-consecutive-day-period in which four out of five average daily river flows fall below their respective daily *enforceable hydrograph* values;
- Call may persist until such time as two average daily flows of the previous five-consecutive-day-period are in excess of their respective EH values.

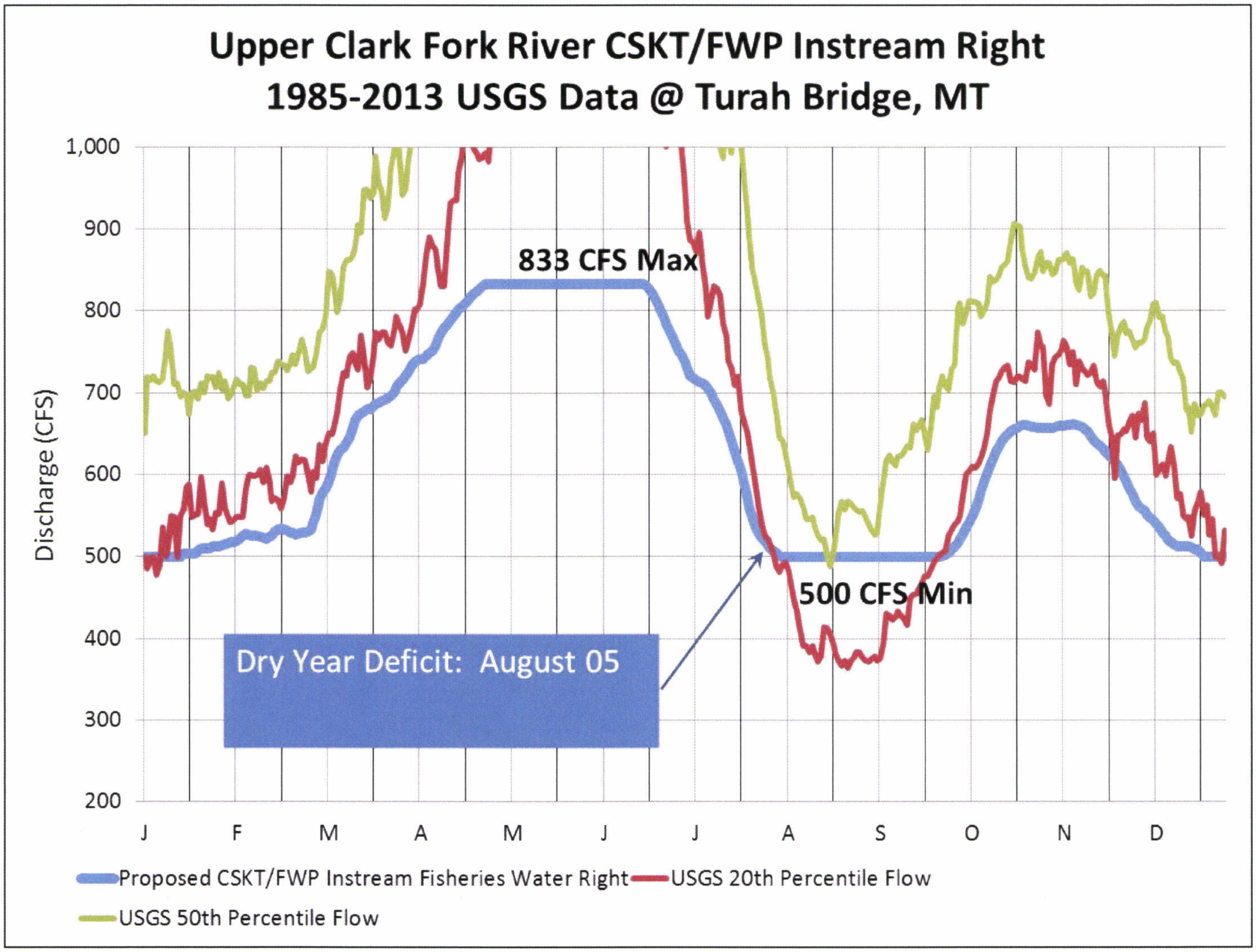
Figure 4



Elements of Proposed Upper Clark Fork River Instream Fisheries Water Right:

- Co-owned by CSKT and MT FWP with a priority date of December 11, 1904;
- Minimum = 500 cfs; Maximum = 833 cfs;
- Intermediate daily enforceable values are derived from 17-day moving average of 10th *percentile* flow;
- Purposed for the maintenance and enhancement of fish habitat;
- Enforced using real-time Clark Fork River USGS stream flow gage at Turah;
- Call limited to junior surface water irrigation purposed water rights and groundwater source irrigation purposed water rights using more than 100 GPM;
- Period of diversion is Jan 1 to Dec 31; point of diversion and place of use is in-stream;
- Call may be initiated on the day following a five-consecutive-day-period in which four out of five average daily river flows fall below their respective daily EH values;
- Call may persist until such time as two average daily flows of the previous five-consecutive-day-period are in excess of their respective *enforceable hydrograph* values.

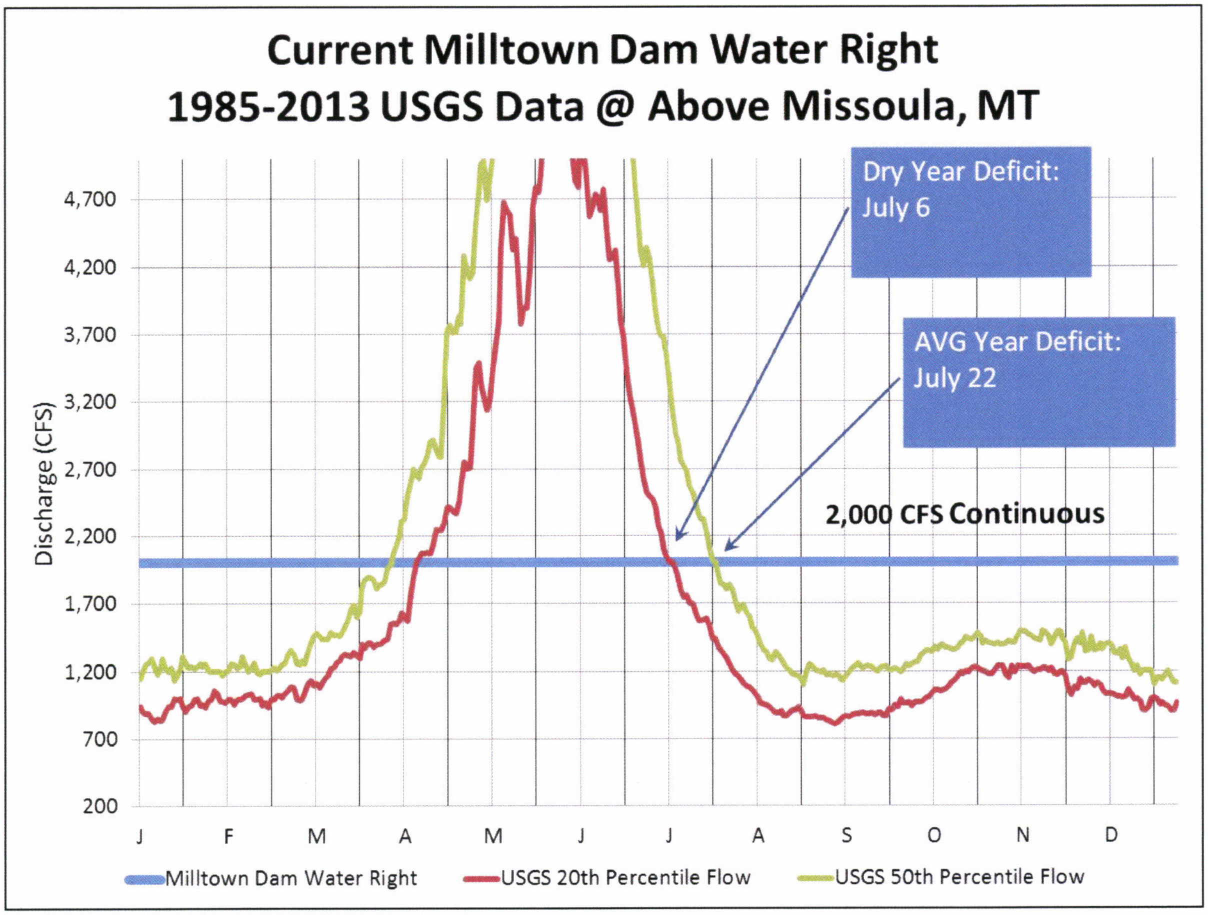
Figure 5



The State obtained the Milltown Dam hydropower right as part of the resolution of the natural resources damages claims brought against the Atlantic Richfield Company and Northwestern Energy, in the Milltown consent decree[3], to which the Tribes are a party. In the absence of a settlement the State will seek to change the former Milltown Dam water right to an instream flow fisheries water right through the DNRC change authorization process, consistent with the terms of the consent decree. Had the State refused to accept this water right, the Tribes and United States would have been offered ownership of these rights. The consent decree requires any subsequent owner, whether the State, the United States, or the Tribes, to assure that the water right will not be changed to a consumptive use. In other words, either with or without a Compact, the former Milltown Dam water right will undergo some type of change authorization process to ensure that it can continue to be exercised non-consumptively.

It is impossible to predict how a water right might look after being changed through the DNRC water right change process, including any associated litigation and ensuing court order(s) regarding contested aspects of a water right change. There are, however, some certainties about the Milltown Dam water right that would be considered during a change proceeding. First and foremost, there are historic use records that are clear and continuous. Continuous FERC licensing up until the removal of the dam, along with a chain of clear intent for the destination of the water right are indicative of clear intent not to abandon the water right. For the purposes of this analysis, a 2,000 cfs instream flow water right is assumed for the sake of comparison (Figure 6); this by no means constitutes recognition or endorsement of any final value by the State.

Figure 6



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[3] *United States of America v. Atlantic Richfield Company and Northwestern Corporation*, Civil Action No. CV89-039-BU-SHE.

Comparing the enforceable flow rates for the proposed water rights depicted in Figures 4 and 5 to the existing 2,000 cfs flow rate of the current Milltown right as depicted in Figure 6 yields notable differences as to the time of year conditions supporting a call would be likely to occur (Table 1). The Compacted water rights significantly shorten the period during which hydrologic conditions supporting a call are likely to occur, especially when considering average water years on the Clark Fork River.

Table 1

Typical Date Initiating Call Susceptibility		
	Dry Years (20th Percentile)	**Average Years (50th Percentile)**
2,000 cfs below Blackfoot/Clark Fork Confluence	July 6th	July 22nd
700 cfs on Blackfoot River at Bonner	July 25th	August 17th
500 cfs on Clark Fork River at Turah	August 5th	N/A

The Blackfoot portion of the proposed Milltown right includes a minimum enforceable flow that is identical to the existing 700 cfs flow rate MT FWP 1971 Murphy instream flow right, which shares the same point of administration. These two water rights, as with all discrete instream flow water rights, are enforced concurrently and are not additive (i.e. the same water satisfies the 700 cfs Murphy right as the Compacted right). The Milltown 1904 priority date is 67 years senior in priority to the existing 1971 Murphy water right. This difference in priority equates to 187 additional irrigation purposed water rights that are junior and could be potentially subject to call under the Compact. The Clark Fork portion of the proposed Milltown right has no accompanying existing instream flow. Junior users sourcing water from the mainstem would be most susceptible to call as mainstem water supplies are more reliable and less susceptible to call by other State-based senior water rights on tributaries.

Table 2

Upper Clark Fork and Blackfoot Irrigation Water Rights (3,156) as Compared to the Former Milltown Dam as changed by the Proposed CSKT-Montana Compact					
Drainage	Number of Senior Water Rights	Number of Junior Water Rights	Water Rights already Junior to Existing DFWP Murphy Water Right	Additional Water Rights Subject To Potential Call	Additional Water Rights Subject to Potential Call w/ POD on Mainstem
Blackfoot	543	409	222	187	52
Upper Clark Fork	1,043	1,164	0	1,164	95
Total	1,586	1,573	222	1,351	

All water right counts are estimated from the DNRC Water Rights Database and may vary depending on the nature of the query.

To better understand the potential ramifications of the junior to 1904 water right counts (Table 2), supplemental water rights must also be considered, as many of the water rights potentially subject to call are associated with water rights that are senior to the 1904 Milltown priority date (Table 3) and would therefore be sheltered from the full ramifications of a potential call by the proposed Milltown water rights. Forty Seven percent of all junior water rights, representing over 50% of the associated irrigated acres, in the Blackfoot and Clark Fork Basins, have and average of seven senior to 1904 supplemental water rights associated with their places of use.

Table 3

Water Rights with Supplemental Senior Water Rights

	Drainage	Source	Count	Supp	Avg # Supp
Total	Blackfoot	SW	392	total	
w/supp			128	w/supp	5
w/out supp			264	w/out supp	
% w/out supp			67%		
Total	Blackfoot	GW	14	total	
w/supp			7	w/supp	9
w/out supp			7	w/out supp	
% w/out supp			50%		
Total	Upper CF	SW	941	total	
w/supp			417	w/supp	7
w/out supp			524	w/out supp	
% w/out supp			56%		
Total	Upper CF	GW	223	total	
w/supp			116	w/supp	8
w/out supp			107	w/out supp	
% w/out supp			48%		
Total	Basin	SW/GW	1,570	total	
w/supp			668	w/supp	7
w/out supp			902	w/out supp	
% w/out supp			57%		

All water right counts are estimated from the DNRC Water Rights Database and may vary depending on the nature of the query.

If the Milltown Dam water right is changed through the Compact there are some tangible benefits to all water users, whether junior or senior to the 1904 priority date. By changing the water right directly through the authority of the Montana Legislature, more options are available to condition the use and enforcement of the right so as to protect existing users relative to the DNRC change process. Elements of the proposed change that cannot be achieved through the standard DNRC change authorization process include:

- The water right would be proportionally bifurcated, or split, into two water rights to prevent disproportionate call for water up one drainage.
- The minimum protectable flow rates for the water right, which occurs during lower flow periods of the year, represents an 800 cfs reduction from the current water right's protectable flow level of 2,000 cfs.
- Call is limited to irrigation surface water rights and groundwater sourced irrigation rights in excess of 100 GPM. This leaves domestic, commercial, municipal, industrial, stock, recreation, and other purposed water rights 100% protected from call. This purpose specific call protection minimizes

potential disruption to existing water rights that use water during the winter months when water supply is most limited as compared to enforceable values. (See Figures 4, 5, and 6)

- The ability to enforce these water rights is suspended for a period of 10 years from the Montana legislature's ratification of the Compact, which allows water users to establish a drought management program and requires Tribes and the DFWP to engage in planning with stakeholders in these basins.
- Call is based on a five-day deficit period that resets when two-in-five days are no longer below the callable level. This allows irrigators the opportunity to manage drought conditions so as to avoid call through irrigation scheduling.

In addition to the above considerations, monthly and irrigation season periods were analyzed for the 1985 to 2013 period of record and the percentages of days susceptible to call under both Compacted and non-Compacted conditions are presented (Table 4). The deficits were determined by subtracting actual streamflows from the enforceable levels of the respective instream flow water rights during periods in which streamflow falls below enforceable values. Both of the proposed *enforceable hydrographs* for the Blackfoot and Clark Fork Rivers are compared to the full value of the historic Milltown Dam water rights (2,000 cfs). The average, median, and maximum values of the call deficits are presented to characterize enforceable conditions.

Table 4

Call Susceptibility Comparison Between Proposed Enforceable Hydrographs and Historic 2,000 cfs Flow Rate of Former Milltown Dam Water Right					
	Proposed Enforceable Hydrograph			**2,000 (cfs)**	Difference
	Clark Fork @ Turah*	Blackfoot @ Bonner**	Combined Total	Historic Dam Site***	
April % of Days Susceptible to Call	2%	6%		9%	
May % of Days Susceptible to Call	2%	0%		0%	
June % of Days Susceptible to Call	4%	3%		3%	
July % of Days Susceptible to Call	10%	12%		40%	
August % of Days Susceptible to Call	30%	49%		86%	
Sept % of Days Susceptible to Call	27%	70%		94%	
Irrigation % of Days Susceptible to Call	13%	24%		40%	
Avg Daily Call Deficit (cfs)	-119	-163	-282	-693	-411
Median Daily Call Deficit (cfs)	-108	-157	-265	-720	-456
Max Daily Call Deficit (cfs)	-347	-376	-723	-1,442	-719

* USGS gage 12334550; 1985-2013 period of record; ** USGS gage 12340000; 1985-2013 period of record; *** USGS gage 12340500; 1985-2013 period of record

In the absence of a settlement the Tribes have stated that they will file numerous and large instream fisheries water rights throughout the Clark Fork Basin and those water rights, if decreed by the Montana Water Court, will have a time immemorial priority date. If the Tribes' claims are adjudicated, it is impossible to predict the scope and extent of Tribal instream flow water rights that might be decreed by the Water Court and be upheld on appeal. Any instream flow water rights recognized for the Tribes by the Water Court will be senior to all existing water rights of all purposes and not limited to the number in Table 2, or the associated geography.

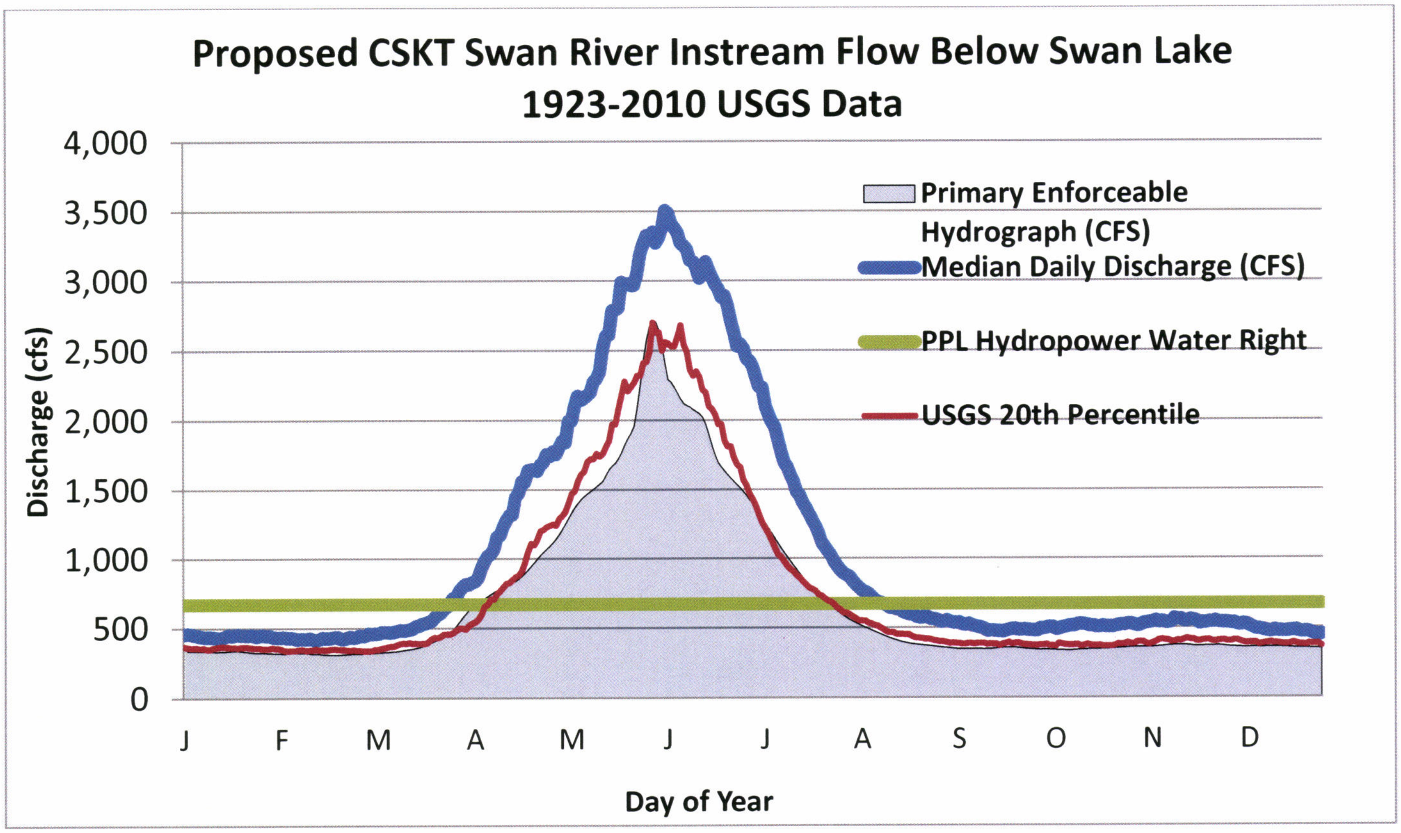
Swan River Instream Flow:

The water right located on the Swan River, as set forth in Appendix 26 to the Compact, is to be enforced using the USGS gage located below Swan Lake. This water right takes the form of a time immemorial priority date *enforceable hydrograph* that approximates 20th *percentile* flow values. The water right may only be enforced against water users whose purpose is irrigation and whose source is either surface water or groundwater in excess of 100 GPM, leaving all other purposed water rights protected from call entirely.

The proposed Swan River Instream flow water right is lower in enforceable flow rate than the large Swan River hydroelectric power water right currently owned by Pacific Power and Light (not related to the Compact). Both are graphed for comparison (Figure 7). As is demonstrated in the graph, irrigation water rights could be susceptible to call during dry periods from either water right, but the proposed Compact right does not affect legal availability as it is well below the median of the monthly mean, which is the current DNRC standard for legal availability of new water right appropriations. There are 68 irrigation water rights located above the USGS gage below Swan Lake that could be subject to call by the proposed Swan River instream flow. However, much of the irrigation in the Swan River basin occurs below the gage, and would be excluded from a call based on this instream flow. Of the total of 547 acres of irrigation identified in the State Water Plan, 63% of these acres are lower in the basin and would not be subject a call from the proposed Swan River instream flow that is enforced using the USGS gage below Swan Lake.

In contrast, absent a settlement, all Swan River Basin water rights, not just these irrigation purposed water rights, would be subject to call from any water rights recognized by the Montana Water Court through adjudication.

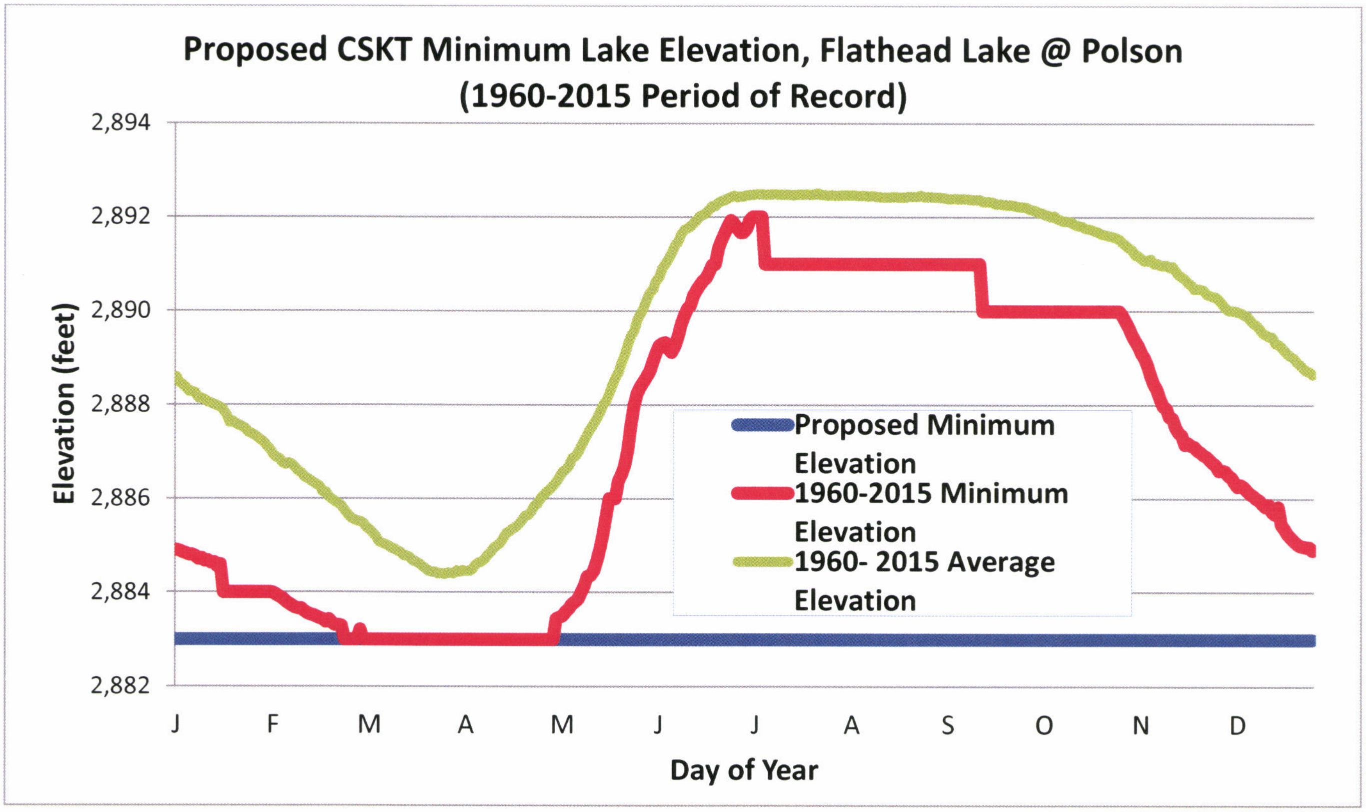
Figure 7



Flathead Lake Minimum Lake Elevation Water Right:

Appendix 18 of the Compact recognizes a water right for all naturally occurring surface water in Flathead Lake up to the shoreline elevation of 2883 feet. This water right is designed to protect the natural lake level of Flathead Lake as impounded by the bedrock outcropping located in the Polson area and may not be used consumptively. This amount of water lies beneath the storage water impounded by Kerr Dam (as much as 10 feet above the minimum elevation). This water right does not affect water impounded by the dam or water sourced from that impounded water, which includes all existing water uses out of Flathead Lake. Historic Flathead Lake minimum daily elevation records from 1960 to 2015 have approximated at times, but not dropped below the proposed enforceable value of 2,883 feet in elevation (Figure 8); accordingly, no existing state-based water rights will be affected by this water right.

Figure 8



Flathead River Instream Flows below Flathead Lake:

Appendix 12 to the Compact recognizes two "other" instream flows on the Flathead River within the Reservation, defined by Article III.C.1.d.iii of the Compact (WR numbers 76LJ 30052827 and 76L 30052864). These water rights have monthly flow values set as a starting point, but enforcement is deferred until such time as the public process set forth in the Law of Administration Section 2-2-116 has been completed. That process requires the development of an enforceable schedule that allows for the exercise of *all* existing water rights. Accordingly, no existing state-based water rights, as decreed by the Montana Water Court, would be affected by these rights. Additionally, the water supplied for these water rights is largely affected and regulated by Hungry Horse Reservoir and Flathead Lake storage and is much less dependent on water supplies from junior irrigation purposed water rights.

Flathead System Compact Water:

The Flathead System Compact Water Right (FSCW) (#76LJ 30063812) as set forth in Article III.C.1.c. and abstracted in Appendix 9 of the Compact can be sourced from the mainstem of the Flathead River, Flathead Lake and the South Fork of the Flathead River, either on or off the Reservation. The right includes an option to use the Clark Fork River as a natural carrier so long as the use is consistent with state law, allowing for direct diversions from the mainstem of the Clark Fork River downstream of the confluence of the Flathead and Clark Fork Rivers. This direct flow water right includes the use of up to 90,000 acre-feet from Hungry Horse Reservoir, which is part of (not in addition to) the water right. There are several important elements of this water right:

- Priority date: July 16, 1855
- Volume: 229,383 acre-feet (diverted); 128,158 acre-feet (consumed)
- Period of Use: Jan 01 to Dec 31
- Diversion Means: Any
- Purpose: Any
- Place of Use: Any within the Flathead and Clark Fork River Basins within Montana

The Diversion Means and Purposes are flexible for this water right, to allow for the broadest possible range of potential future and existing uses to be supplied by this water right:

1. State Water Mitigation Bank: Pursuant to Article IV.B.7, 11,000 acre-feet of this water right must be made available for the purposes of mitigating new or existing domestic, commercial, municipal and industrial water uses for a lease fee of $40/acre-foot/year adjusted for inflation. This water will be administered by the DNRC and may be used to address existing limitations on legal water availability in some areas of the Clark Fork Basin as a result of the Department's decision: *In the Matter of Application for Beneficial Water Use Permit No. 76N 30010429 By Thompson River Lumber Company*.
2. Flathead Indian Irrigation Project Water Use Right Supplemental Water: The Tribes are obligated to make water available for short-term lease from the FSCW right for purposes supplementing River Diversion Allowances during periods of Shared Shortages as set forth in Article IV.C through F of the Compact for a lease fee of $8/acre-foot/year adjusted for inflation plus a $25 administrative fee per lease.
3. Uses by the Tribes: FSCW provides water for the Tribes for existing and future tribal water needs, a critical part of the settlement of the Tribes' claims to reserved water rights.
4. Future Water Lease Options: FSCW provides the Tribes an opportunity to lease this water on or off the Reservation users within Montana.
5. Keeping Water in Montana: Like all of the rights quantified by the Compact, FSCW may not be leased, used, or sold out of State. Through this limitation, the Compact protects this block of water from competing downstream out-of-state water claims and preserves it to sustain present needs and future development in Montana.
6. Federal compliance: In marked contrast to the State's prior unsuccessful efforts to obtain private contracts for water from Hungry Horse reservoir, the FSCW right eliminates the need to complete Cost-reallocation efforts and expensive NEPA evaluations before obtaining the right to lease Hungry Horse

water and instead would allow Hungry Horse water to be used on the Effective Date of the Compact and ensures its compliance with environmental regulations.

7. ESA and Columbia Treaty Compliance: FSCW has been vetted by the Bureau of Reclamation and Federal Government as an amount of water that can be obligated in Montana without disrupting endangered species flow augmentation requirements or flood storage obligations for Hungry Horse Reservoir.
8. Maintains off-Reservation Jurisdiction: The use of the FSCW off the Reservation must comply with State law (e.g. for quantification or issuance of water rights, water quality, species management, environmental review, facilities siting, etc.).
9. Tracking FSCW use: FSCW uses and leases will be accounted for in the DNRC water rights database.
10. Call Protection: This water right may not subject any existing water users to call (see FSCW constraints below).

Constraints on Use of Flathead System Compact Water: Defined flow conditions are required to be present along the south fork and mainstem of the Flathead River before the FSCW water right may be used. There are also conditions regarding the filling and release of water impounded by both Hungry Horse Reservoir and Flathead Lake. These conditions are set forth in the water right abstract and detailed in two technical documents included as appendices to the Compact. Appendix 7 is the Bureau of Reclamation's *Flathead Basin Tribal Depletion Study* (2012)[4] and Appendix 8 is the State of Montana's *Hungry Horse Reservoir, Montana: Biological Impact Evaluation and Operational Constraints for a Proposed 90,000-acre-foot withdrawal* (2011)[5]. The water right abstract is set forth as Appendix 9 to the Compact and includes key provisions to ensure legally required protections of biological conditions.

The requirements contained in the abstract to maintain stipulated instream flow and reservoir ramping rates provide assurances that the use of FSCW will comport with the FERC licensing regulations for Kerr Dam, the Biological Opinion requirements of Hungry Horse Reservoir, the downstream Columbia River Endangered Species Act requirements, Flathead Lake Filling targets, flood storage requirements, and the Biological Constraints of Hungry Horse Reservoir. Accordingly, the Tribes are required to coordinate with the Hungry Horse Operator so as to ensure that Hungry Horse releases match depletions associated with the FSCW use during lower flow periods of the year. In contrast to a typical water right that would look to make call on junior uses during times of limited supply, the FSCW use is predicated on the mandate that the 90,000 acre-feet of storage be released in a manner *so that call conditions will not occur*, with the strict stipulation that should such call conditions occur, FSCW use would need to be curtailed until such time as call conditions are no longer present. *In other words, the water right mandates that it mitigate its own depletive use with Hungry Horse Reservoir storage water, thereby protecting other existing water uses (regardless of purpose) from depletions associated with FSCW use.*

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[4] *Flathead Basin Tribal Depletion Study, US Bureau of Reclamation, September 2012,* *http://dnrc.mt.gov/rwrcc/Compacts/CSKT/2013/Appendix7BureauOfReclamationModelingReport.pdf*

[5] *Hungry Horse Reservoir, Montana: Biological Impact Evaluation and Operational Constraints for a Proposed 90,000-acre-foot withdrawl, State of Montana, September 2011,* *http://dnrc.mt.gov/rwrcc/Compacts/CSKT/2013/Appendix8StateBiologicalConstraintsMemo.pdf*

North Fork Placid Creek Instream Flow:

The water right located on the North Fork of Placid Creek is a continuous 10cfs instream fisheries flow. This water right affects only one of the diversions, which is just upstream and routs water cross-basin to the Flathead Indian Irrigation Project. In the past, the Project has honored this instream flow at the request of downstream landowners on Placid Creek. In the future, the Placid Creek instream flow will be treated like a Minimum Enforceable Flow, similar to those located on the Reservation, with respect to the one Project diversion it affects. As the water right cannot be enforced downstream past any private properties it has no effect on any non-Project state-based water users.

Existing MT FWP water rights and contracts to be co-owned by the Tribes:

There are a total of 83 existing MT FWP water rights and 2 water delivery contracts to be co-owned by the Tribes. None of the existing elements, excepting ownership, shall be changed by the Compact. Nothing in the Compact circumvents the adjudication process and those water rights that have not yet been adjudicated (Appendix 29) shall continue through the standard Montana Adjudication and shall not be decreed as part of the Compact.

Appendix 28 of the Compact lists 36 water rights that will be decreed as part of the compact. They include the following stream reaches: (2) Middle Fork of the Flathead River, (2) South Fork of the Flathead River, (2) Rock Creek of the Clark Fork, and (10) Lakes in the Blackfoot Drainage.

Appendix 29 of the Compact lists 47 water rights will not be decreed as part of the compact. They include the following stream reaches: (3) Bitterroot River, (2) Flathead River, (2) North Fork of the Flathead River, and (2) Blackfoot River.

The Tribes and MT FWP will each retain the unilateral right to exercise each water right, but may not do so a manner that exceeds the legal parameters of those existing water rights. Neither the Tribes nor MT FWP has any affirmative duty to take any particular action (make a call) in regard to the exercise of any of these rights.

For the contracts for water deliveries from Painted Rocks Reservoir and Como Lake in the Bitterroot River Basin, MT FWP shall continue to be the main point of contact for purposes of implementing these contracts. The nature and operational constraints of these contracts will not be changed by the Compact in any way other than to make the Tribes co-owners of these contract rights.

The Compact does not change any of the elements of these water rights or contracts in any manner that would change the existing potential for these water rights and contracts to affect existing water users or to diminish the available water supply for new development.

Summary of Water Rights Quantified by CSKT-Montana Compact 2015

Description	Priority Date	Count	Purpose	Appendix	Water Right	Description in Practical Terms	Flow Rate (cfs)	Volume (acre-feet)
On-Reservation Water Rights								
Flathead Indian Irrigation Project (FIIP) Water Use Right	1855	3	Irrigation	Appendix 5	76L 30052930 - 76L 30052932	May serve up to, but not more than 135,000 acres (currently 128,242 acres); Exercise of this right satisfied by meeting the RDA values for each RDA Area described in Appendix 3.2. FIIP Irrigators entitled to delivery of water pursuant to Article IV.D.2.	220 Individual Points of Diversion	Maximum Diverted: 360,950
Flathead System Compact Water Right	1855	1	Any	Appendix 9	76LJ 30063812	Direct flow water right from the Flathead River, including Flathead Lake; Up to 90,000 AF per year of storage water from Hungry Horse Reservoir; state has ability to issue leases for 11,000 AF for DCMI mitigation off Reservation; Additional water can be leased from Tribes for any beneficial purpose (on or off Reservation) and is available for FIIP during Shared Shortages.	Details in Abstract	Diverted: 229,383 Consumed: 128,158
Instream Flow - Natural Sites	Time Immemorial	102	Fish & Wildlife	Appendix 10	76LJ 30052674 - 76L 30052775	Nonconsumptive instream use; cannot be changed; located in headwaters above existing uses; no existing uses subject to call.	Individual Monthly Values	N/A
Instream Flow - FIIP Sites	Time Immemorial	33	Fish & Wildlife	Appendix 11	76L 30052776 - 76L 30052808	Nonconsumptive instream use; cannot be changed; administered with regard to FIIP diversions according to Article IV.C-F of Compact; administered with regard to existing non-project irrigation uses according to Article III.G.3 of the Compact.	Individual Monthly Values	N/A
Instream Flow - Other Sites	Time Immemorial	49	Fish & Wildlife	Appendix 12	76LJ 30052818- 76L 30052866	Nonconsumptive instream use; cannot be changed; enforcement schedules developed per UMO section 2-1-115 must allow for exercise of all valid existing water rights.	Individual Monthly Values	N/A
FIIP Reservoir Minimum Pool	1855	2	Fish & Wildlife	Appendix 15	76L 30052927 & 76L 30052929	Pool minimums designated to protect reservoir biology.	54 Individual Points of Diversion	Evaporation
Wetlands - Protective	Time Immemorial	12	Fish & Wildlife	Appendix 16 Appendix 21 Appendix 23	76L 30052661-667, 76L 30052922, 76LJ 30052924-926	Cannot be used to make call on any water right; no artificial means of diversion or control of water that can be used to manipulate or otherwise affect the water supply, these water rights serve to protect existing Wetlands from adverse effects from new permits and changes to existing water rights.	N/A	N/A
High Mountain Lakes	Time Immemorial	6	Fish & Wildlife	Appendix 17	76L 30052668- 76L 30052673	No artificial means of diversion or control of water; Located in headwaters above all existing water uses, therefore no existing uses will be subject to call.	N/A	N/A
Flathead Lake	Time Immemorial	1	Fish & Wildlife	Appendix 18	76LJ 30052867	Nonconsumptive minimum lake elevation water right that protects the natural elevation level of Flathead Lake, below elevations maintained by Kerr Dam. No artificial means of diversion or control of water. Enforceable at natural lake level 2883' in elevation; Does not affect any existing water users or allow Tribes to drain the lake to that level.	N/A	N/A
Power Generation - Boulder & Hellroaring	1855	3	Hydropower	Appendix 19 Appendix 20	76LJ 30052870 - 76LJ 30052872	Non consumptive hydro power water rights.	8 6	nonconsumptive

Summary of Water Rights Quantified by CSKT-Montana Compact 2015

Description	Priority Date	Count	Purpose	Appendix	Water Right	Description in Practical Terms	Flow Rate (cfs)	Volume (acre-feet)
Off-Reservation Instream Flow Water Rights								
Kootenai River	Time Immemorial	1	Instream Fishery	Appendix 25	76D 30063810	Nonconsumptive instream flow right. Enforceable daily flow schedule based on seasonal water supply under dry year conditions. Not enforceable up tributaries or at all so long as Libby Dam remains in existence, and the Army Corps is in compliance with 2008 Biological Opinion.	Individual Daily Values	N/A
Swan River	Time Immemorial	1	Instream Fishery	Appendix 26	76K 30063809	Nonconsumptive instream flow right. Enforceable daily flow schedule based on seasonal water supply under dry year conditions. Enforceable only against surface water irrigation and over 100 gallons per minute hydrologically connected groundwater irrigation rights. Water right does not affect legal availability for new permit applicants under current DNRC regs.	Individual Daily Values	N/A
Clark Fork River	Time Immemorial	1	Instream Fishery	Appendix 27	76N 30063808	Nonconsumptive instream flow right that equals the Cabinet Gorge and Noxon Dam minimum FERC requirement currently established at 5,000 cfs. Should the FERC requirement be lowered, the enforceable flow rate for this water right must be reduced to match. Enforceable only against mainstem (not tributary) surface water irrigation and over 100 gallons per minute hydrologically connected groundwater irrigation rights. Right does not affect legal availability for new permit applicants under current DNRC water right permitting regulations.	5,000	N/A
North Fork Placid Creek	Time Immemorial	1	Instream Fishery	Appendix 35	76F 30063811	Nonconsumptive instream flow right. There is only one (FIIP) diversion upstream of the protected stream reach; historic diversion levels for this right are maintained.	10	N/A
Kootenai Tributaries: Big, Steep, Sutton, and Boulder Creeks	Time Immemorial	4	Instream Fishery	Appendix 36	76D 30063807, 76D 30052869, 76D 30063806, & 76D 30052868	Nonconsumptive instream use; Cannot be changed; Located in headwaters above all existing water uses, therefore no existing uses subject to call.	Individual Daily Values	N/A
Former Milltown Dam Water Right	1904	2	Instream Fishery	Appendix 30 Appendix 31	76M 94404 01 & 76M 94404 02	Former Milltown Dam hydroelectric water right is changed by the Compact into 2 nonconsumptive instream flow rights. Enforceable daily flow schedule based on seasonal water supply under dry year conditions. Enforceable only against junior surface water irrigation and > 100 gallons per minute groundwater irrigation rights after 4 of 5 consecutive days below minimum flow. Requires 10 years stakeholder planning effort.	Individual Daily Values	N/A

Total Water Rights Recognized **222**

- This summary does not include existing water rights to be co-owned by the Tribes and DFWP enumerated in appendices 22, 24, 28
- For more information email: dnrrwrcc@mt.gov or call 406-444-5700

THE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON

APR 10 2015

Mr. Chris Tweeten
Chairman, Montana Reserved Water Rights Compact Commission
1424 Ninth Avenue
Helena, Montana 59620

Dear Mr. Tweeten:

I am writing to you concerning the Proposed Compact to resolve the water right claims of the Confederated Salish and Kootenai Tribes. I have been appointed by the Secretary of the Interior to oversee Federal participation in tribal water right negotiations. Additionally, I am the chair of the Department's Working Group on Indian Water Rights, which makes final decisions concerning proposed tribal water settlements.

I would like to emphasize that for 25 years, the Federal Government has acknowledged that negotiated Indian water rights settlements are preferable to protracted and divisive litigation. Our policy of support for negotiations is premised on a set of general principles including the following: that the United States participate in water settlements consistent with its responsibilities as trustee to Indian tribes; that Indian tribes receive equivalent benefits for rights which they, and the United States as trustee, may release as part of a settlement; that Indian tribes should realize value from confirmed water rights resulting from a settlement; and that settlements are to contain appropriate cost-sharing proportionate to the benefits received by all parties benefiting from the settlement.

We believe that the State of Montana shares many of the same goals; based on the State's impressive record of achieving 3 congressionally enacted Indian water rights settlements and 14 other settlements involving tribal or Federal reserved water rights, Montana has been a leader among the western states in this regard.

As you know, any Federal contribution to this settlement will be addressed in discussions between the Tribes and the Federal Government and is ultimately up to Congress as part of Federal legislation approving a Montana-approved compact. As to the Proposed Compact, we have concluded that it represents an appropriate and comprehensive resolution of the Tribes' water right claims and water administration issues on the Flathead Reservation. Most importantly, it would resolve decades of protracted controversy and uncertainty by integrating tribal instream flows in a manner that preserves historic irrigation water deliveries and entitlements while also dedicating conserved water for increased flows. As we have previously explained, the Bureau of Indian Affairs (BIA) has compiled a considerable amount of technical information that demonstrates current interim flows set for streams on the Reservation, established pursuant to Federal court decisions, appear to be inadequate. In the event that the 2015 Proposed Compact is approved by the Montana Legislature, BIA will be able to defer its decision to adjust interim instream flows, recognizing that the water savings that will be achieved through efficiency upgrades under the Compact will ultimately result in increased flows for fisheries. The negotiating parties understand that if the Proposed Compact is not ratified during the 2015 Montana Legislative session, BIA will need to take action in the near future to ensure increased instream flows.

By passing the Proposed Compact, the Montana Legislature will be taking a critical step towards finalizing settlement of the Tribes' water rights and ending litigation battles that would otherwise continue on for many years, perhaps decades. Approval of the Proposed Compact by the Montana Legislature will pave the way for the parties to work toward final approvals by the Federal Government (including by Congress) and the tribal government, and a complete and final resolution of these longstanding water conflicts.

In conclusion, I would like to commend you and your representatives in the negotiations for achieving this important milestone. I look forward to working with you to reach a successful final resolution to the Tribes' water right claims.

A similar letter is being sent to Confederated Salish and Kootenai Tribes Chairman Vernon S. Finley

Sincerely,

Alletta Belin

Alletta Belin
Senior Counselor to the Deputy Secretary

STATE OF MONTANA

April 04, 2015

From: Ethan Mace, Surface Water Hydrologist, Montana DNRC

RE: Review of Barry Dutton 2015 CSKT Compact Evaluation

The State of Montana has reviewed conclusions made in a report titled Historic Water Use and Crop Water Requirements at the Flathead Indian Irrigation Project (FIIP), dated March 5, 2015, by Barry Dutton, prepared for Boone Cole, Jerry Laskody, Shane Orien, Wayne Blevins, and Tim Orr of the Flathead Joint Board of Control (FJBC).[1] The report consists of 20 pages, and 85 pages of appendices, 80 pages of which are reprints of an earlier report by Mr. Dutton entitled, Flathead Irrigation Information System: Summary Report and Irrigation Guide, which was produced in 1994 by the Land and Water Consulting INC and is based on three-years of field data collected by Mr. Dutton.

Generally, Mr. Dutton's report is based on inaccurate assumptions about the 2015 proposed Compact which lead to erroneous and inaccurate conclusions. Mr. Dutton also inaccurately represents the field-measurements collected as part of his own 1994 Land and Water Report.

Misrepresentation of 1994 Field-Measurement Data

Mr. Dutton reported in his March 5th report that irrigators have been applying up to 28 inches of irrigation, citing his 1994 published field-measurements. Examination of these 1989-1992 field-measurements clearly shows that the maximum application reported as 28 inches includes a combination of 23.5 inches of irrigation and 4.5 inches of rainfall. Rainfall does not constitute "applied irrigation." Based on Mr. Dutton's subsequent contribution to the Lake County Leader, he has acknowledged this mistake, and revised the maximum application observed down to 24 inches (reported as 23.5 inches in the 1994 report). While this correction is certainly necessary, the simple restatement of the maximum application without careful consideration of average water use and the distribution of the data collected grossly exaggerates the amount of water historically applied across the Project.

An accurate summary of the data collected by Mr. Dutton as part of his 1994 report should acknowledge that seventy six percent of his field-measurements demonstrated annual irrigation applications of less than 12 inches, and only 16 measurements from nine individuals demonstrate annual irrigation applications in excess of 15 inches—just 12% of all measurements collected. The average of all of Dutton's measured annual irrigation applications was less than 9 inches. Summarizing the 138 measurements as demonstrative of irrigation applications of up to 24 inches is misleading; the 23.5 inches should have been characterized as a maximum of all measured values.

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[1] Mr. Dutton offered corrections to his March report in an article posted in the Lake County Leader http://www.leaderadvertiser.com/members/soil-scientist-barry-dutton-clarifies-compact-water-study/article_76f640fa-dc8f-11e4-a072-2fc88c317083.html

Misinterpretation of the 2015 Compact

As part of the negotiations leading to the 2015 Compact, the State evaluated the 2013 Water Use Agreement negotiated by the FJBC. In that evaluation[2], the State considered maximum irrigation applications, including field-measurements presented in Mr. Dutton's 1994 report, and concluded that the 2013 Farm Turnout Allowances (FTA) imposed maximum values on per-acre annual irrigation applications that were not consistent with actual use. Some FIIP irrigators historically applied substantially more than the FTA, while others used substantially less. The Flathead Indian Irrigation Project's (FIIP) Project Operator has jurisdictional authority over water deliveries made from this federally owned irrigation project and will continue to do so regardless of whether the Compact passes. Accordingly, the State negotiated a FIIP water right without FTAs, thereby allowing the Project Operator to continue those historic practices of water delivery, which takes this variability into account and allows for individual deliveries in excess of the 2013 FTA values.

The significance of removing the FTA was explained in detail to Mr. Dutton in personal communications in advance of his release of his 2015 Compact review. Despite those conversations, Mr. Dutton ignored this change, as well as other newly negotiated provisions, and chose to emphasize the 2013 FTA concept as if it were a part of the 2015 settlement. Mr. Dutton concluded that the FTAs were not adequate for irrigators who had historically applied more than the FTA, which is the identical conclusion the State came to in its own 2014 evaluation of the WUA that informed its subsequent negotiation position and led to the changes in the 2015 proposed Compact. Dutton's reliance on the 2013 settlement provisions is erroneous. The FTA cap on per acre irrigation applications no longer exists and the issue he raises has been resolved in the 2015 proposed Compact.

Erroneous Comparisons to Potential Crop Growth

In his 2015 Report, Mr. Dutton offers exhaustive comparisons of both irrigation application field-measurements and settlement driven water rights quantifications to the amounts of water required for 'potential crop growth.' This comparison is valueless for purposes of reviewing the settlement documents as it bears no relation to existing water-use on the project, which is what the Compact seeks to protect. The FIIP has historically operated, and will continue to operate, with a deficit water supply. This has been acknowledged by the FJBC, Mr. Dutton in his 1994 report, and all negotiating parties. Potential crop growth does *not* equate to current or historic use on the project and never has.

The State's Use of the 1994 Report in Evaluating the WUA

Appendix B of Dutton's 1994 report presents a table of 138 annual field-measurements of irrigation application for 34 water users served by the FIIP. The State referenced these field measurements in formulating its negotiation position for quantification of the FIIP water supply, as field measurements relating to irrigation on the FIIP are scarce. The field-data collected as part of the 1994 report was therefore unique and was critical to the State's technical analysis, but contrary to Mr. Dutton's conclusions, the negotiated terms of the Compact pertaining to the FIIP actually provide for water in excess of the majority of the field measurements that he recorded in his 1994 study.

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[2] Instream Flow and Irrigation Diversion Aspects of the FIIP Water Use Agreement: State of Montana Evaluation and Recommendations; http://dnrc.mt.gov/divisions/reserved-water-rights-compact-commission/docs/state_wua_evaluation_8-4-14.pdf

In its own evaluation of Dutton's field measurements, the State utilized an approach that maximized average irrigation application values by factoring in a 10% irrecoverable wind-throw and evaporation loss to account for water losses between the sprinkler head and the field where the measurements were taken. Taking into account these un-measured losses, the State determined that the average farm delivery of the 138 annual irrigation applications measured by Dutton was approximately 9.8 inches. In order to maximize its determination of historic use, the State removed Dutton's lowest 33 values and averaged his highest 105 values, again applying a 10% application loss to the measured values. This calculation method bolstered the historically applied values to approximately 11.9 inches of annual applied irrigation (std. dev. of 4.46 inches), but the Compact actually provides for more water than this bolstered value.

The Compact's commitment to irrigation deliveries takes the form of Historic Farm Deliveries (HFDs). They are set forth in Appendix 3.3 of the Compact. The Compact includes a verification process to ensure these HFD volumes continue to be delivered once the Compact is implemented. The HFDs do not mandate maximum or minimum deliveries to individual acres, but rather quantify the annual volume of water promised to be delivered as a composite to farms within associated HFD Areas. These aggregate volumes equate to historic use within these areas. As each area is acreage is specific and the annual HFD volumes are specified in the Compact, simple division can be used to estimate an average delivery per acre. In reality, each year there are typically acres within each HFD Area that are fallowed, but this does not reduce the annual volumes. Accordingly, any average that uses the total service acreage within an HFD Area will almost always be less than the 'actual' average deliveries per acre that occur any given year. The HFDs set forth in the Compact have different volumes based on wet, average, and dry water years, reflecting the reality of water supply variability and the need for greater volumes in dry years.

Compared to the Jocko and Little Bitterroot Areas, the Mission Area has historically had the lowest farm deliveries per irrigated acre. This is not to say that individual farms in the Mission Area have not historically had large deliveries, but rather to illustrate that the Mission Area ratio of water delivered to acres served has historically been the lowest of the three project regions. The averages below are offered here for purposes of demonstrating that *even the lowest average HFDs in the Compact offer a larger allocation than the field-measurement values collected by Mr. Dutton.*

Mission Area Compact HFD approximate averages per irrigated acre:

- 12.4 inches/acre/year for a wet year
- 13.0 inches/acre/year for an normal year
- 13.7 inches/acre/year for a dry year

Average Dutton field-measurements:

- 8.8 inches

State Adjustment of Dutton field-measurements:

- 9.8 inches after 10% application losses
- 11.9 inches after dropping lowest 33 values and applying 10% application loss

As is clearly evident, even the lowest of the average HFDs set forth in the Compact are larger than the average values collected by Mr. Dutton across the entire project. Even after applying the State's generous adjustments to Mr. Dutton's field-measurements, the Compact still offers more water on an average per acre delivery basis, yet places no cap on individual applications in excess of this average.

That is the reason the State did not rely solely on Dutton's field measurements in its calculation of Historic Farm Deliveries: the measurements collected and presented in Appendix B of the 1994 report, if considered as a stand-alone measure of FIIP irrigation application, grossly underestimate FIIP water use as compared to more comprehensive techniques developed and implemented by the State, such as the METRIC satellite analysis. By relying on all of these sources in formulating its negotiating position, the State was able to generate a more accurate representation of historic use on the Project than is contained in Mr. Dutton's 1994 study.

Incomplete Consideration of River Diversion Allowances

Mr. Dutton concludes the River Diversion Allowances (RDAs) offered by the Compact do not satisfy irrigation deliveries he measured in the past and that the RDA calculations do not include conveyance losses that occur between the headworks and the farm turnout. Mr. Dutton states that he is confused by the language in the Compact that provides for an amount of water that will be delivered to individual irrigators.

The FIIP is a very complex irrigation system with over a thousand miles of canals, 17 reservoirs, and three pumping stations. The FIIP currently serves more than 128,000 acres of irrigated lands and uses multiple trans-basin conveyances and diversions both on and off the Reservation. Those diversions have historically allocated variable quantities of water based on irrigator demands, water supply, and delivery capacity limitations. Conveyance losses for the FIIP are highly variable across the different soil and infrastructure types located throughout the FIIP. The ratios of RDA to HFD are correspondingly variable in a manner necessary to accommodate these realities and *are* reflective of inefficiencies at the diversion and conveyance level. Not only do the RDAs reflect these conveyance losses, they also in many locations contain an added "cushion" of water over and above what is needed to supply the historically delivered amount when taking into account conveyance losses.

For example, when looking at the Jocko and Mission areas, applying identical conveyance loss rates is inappropriate. The Jocko has sandier soils, canals that seep water at higher rates, and less irrigation water reuse when compared to the Mission area. If we compare the Compact RDA and HFD values to generate averages and composites the need for this complexity becomes clear:

Jocko Area average RDA volume/irrigated acre	3.78 acre-feet/year
Jocko Area average HFD volume/irrigated acre	1.28 acre-feet/year
Jocko Area average composite efficiency from diversion to farm (HFD/RDA)	34%

Mission Area average RDA volume/irrigated acre	1.74 acre-feet/year
Mission Area average HFD volume/irrigated acre	1.14 acre-feet/year
Mission Area average composite efficiency from diversion to farm (HFD/RDA)	66%

The example above is presented merely for illustrative purposes. The Compact itself uses 45 discrete administrative points for purposes of making site-specific calculations. Also of importance is the fact that the RDA values contemplate implementation of significant Operational Improvements projects that will be funded by the Compact. The values presented are averages that in no way constitute maximum or minimum deliveries. It is anticipated that the historic practices of delivering more water to some irrigated lands and less water to others will continue as it has in the past via coordination between the individual irrigator and the Project Operator. Using the averages described above in no way constitutes a cap on the total water that can be applied to any specific field—rather it allows for flexibility by both the Project Operator and the irrigator into the future as efficiency improvements are made to the project.

When Mr. Dutton concludes that it requires significant calculation to determine how much water irrigators will receive, he is correct. The complex FIIP system requires a complex water right in order to maintain flexibility for future water deliveries. Trying to simplify this water right to a one-size fits all delivery amount is contrary to what irrigators expressed they wanted following the failure of the 2013 compact and would do a disservice to them by imposing needless and overly-confining limitations on their use of water. By way of reference, the duplicative water rights filed by both the BIA and the FJBC for the project water rights are many pages longer than the entire Compact and its appendices.

To confirm the accuracy of the RDAs, as compared to HFDs, it required advanced GIS mapping of irrigated lands correlated with the up to twenty years of streamflow and diversion water measurements. The State corroborated these values using multiple scientifically proven methods ranging from estimates based on County crop production records to satellite imagery. These methods were also endorsed by the Technical Working Group commissioned by the Water Policy Interim Committee, which ultimately concluded that the Compact provided for reasonable water deliveries as compared to historic practice and that the instream flow rights contained in the compact were calculated to maintain existing irrigation use rather than maximize fishery flows. By contrast, Mr. Dutton's report includes no scientific analysis of the RDAs, only Mr. Dutton's unsubstantiated conclusion that the RDAs are not adequate.

Mr. Dutton's March 5th Compact evaluation fails to adhere to the irrigation water requirement formulas he presents in section 4.5 (page 13) when he failed to remove effective precipitation from his irrigation application metric. Mr. Dutton compares only his highest measured field applied irrigation values with the Compact's average Historic Farm Delivery values (Appendix 3.3 of the Compact) in an attempt to demonstrate a deficient settlement, when in fact his averages are less when compared to the amounts provided for by the Compact. Given these foundational errors in Mr. Dutton's approach to evaluating the 2015 Compact and his own 1994 study, it is no surprise that his efforts lack the ability to accurately assess the FIIP water right quantification provided for in the Compact.

Failure to Acknowledge Benefits to Irrigators

Mr. Dutton's evaluation of the 2015 Compact also ignores the substantial fiscal benefits to irrigators and stock growers that would accrue from the settlement. Of the total $55 million of the State's commitment to the settlement, $42 million would be allocated to directly fund improvements that benefit the FIIP irrigators, most of whom are non-Indians. These improvements include three $4 million dollar allocations for alternative stock water, on-farm irrigation efficiency improvements, and water measurement. $30 million would be allocated to a pumping fund to pay for power needed to run the Flathead pumping station, with excess interest applied toward a variety of irrigation infrastructure improvements. These funds represent a substantial commitment to the irrigation infrastructure that will likely be matched multiple times over by the Federal settlement. These benefits will be used to improve water supply from pump stations, more efficiently convey and deliver water, and more efficiently use diverted water volumes.

Perhaps Mr. Dutton's biggest failure in evaluating the 2015 Compact is his failure to consider the ramification to irrigation on the FIIP in the absence of a settlement. Absent a settlement, the status quo will not be maintained. The repercussions of the Legislature failing to ratify the Compact include larger instream flow water rights claims the Tribes will almost certainly file on-Reservation and the legal requirement to re-evaluate instream flows for ESA compliance absent a settlement. As a Federal irrigation project, the FIIP is required to maintain Endangered Species Act (ESA) compliance for bull trout. If the Compact passes, the Interim Instream Flows that have been mandated by the courts since 1987 will eventually be replaced with the Minimum Enforceable Flow values set forth in the compact. By contrast, without the Compact in place, the BIA will continue its evaluation of the sufficiency of the interim flows and will do so without consideration of current irrigation needs or the ability to increase instream flows through efficiency upgrades, which were the driving forces behind the settlement provisions.[3]

The Compact addresses both of these potential impacts in a way that is extremely protective of existing water use on the FIIP. Any responsible consideration of the Compact's merits must be weighed against these potential ramifications.

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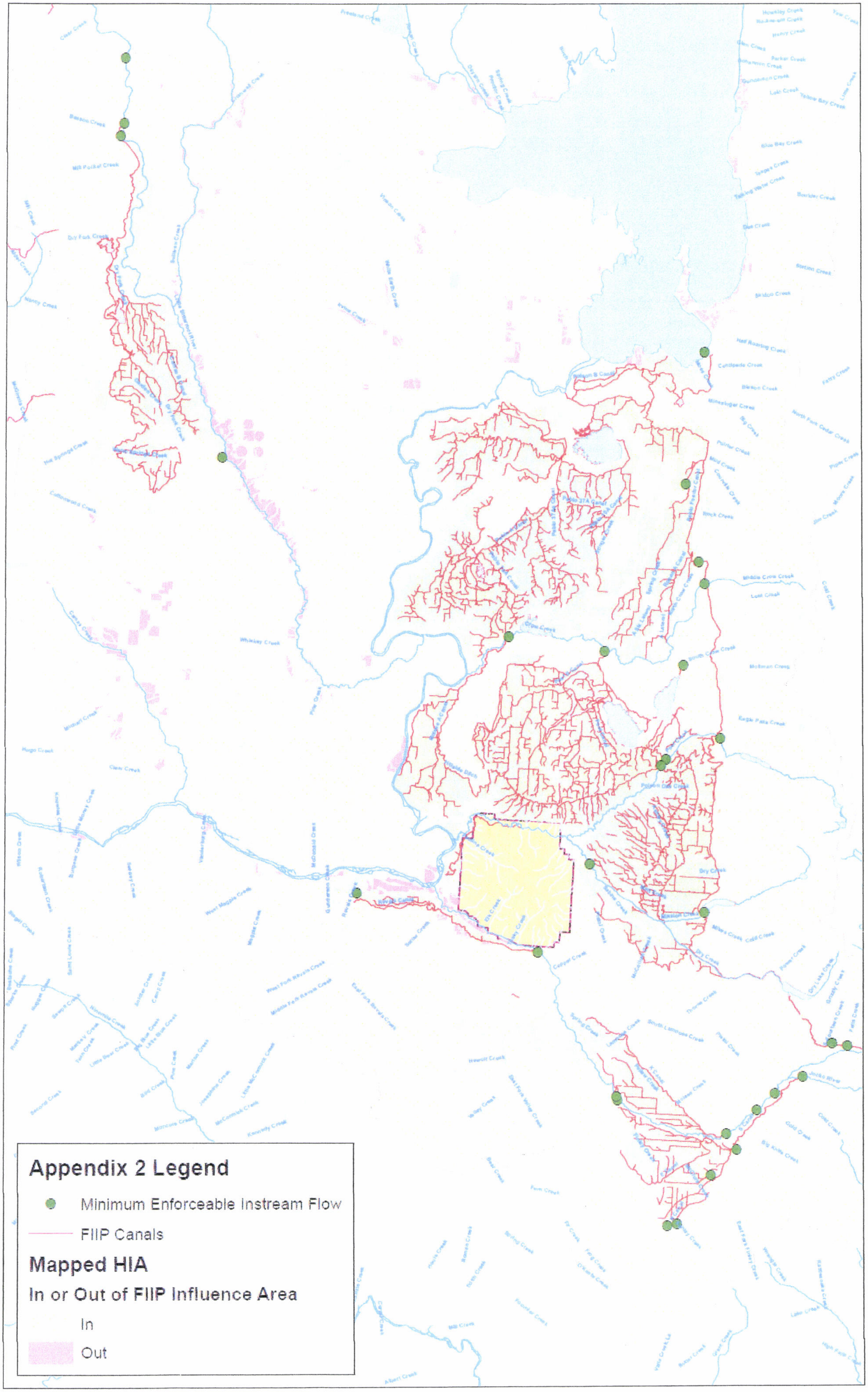
[3] http://dnrc.mt.gov/divisions/reserved-water-rights-compact-commission/docs/cskt/2013-bia_instream_flows.pdf

EXHIBIT 3
DATE 4/11/15
SB 262


Appendix 2 Legend
● Minimum Enforceable Instream Flow
— FIIP Canals
Mapped HIA
In or Out of FIIP Influence Area
☐ In
▨ Out
Jocko River
Dry Creek

First Security Bank
Success. Together.

EXHIBIT 4
DATE 4/11/15
SB 262

Russ Nelson
Senior Vice President

P.O. Box 910
Bozeman, MT 59771-0910
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EXHIBIT 4
DATE 4/11/15
SB 262

Russell C. Nelson
MAYOR

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EXHIBIT 5
DATE 4/11/15
SB 262

BOZEMAN DAILY CHRONICLE

OPINION

LETTERS TO THE EDITOR: CITY DESK@DAILYCHRONICLE.COM

SATURDAY, APRIL 11, 2015

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Hinkle ignoring facts about local water

This is in response to Sen. Hinkle's letter to the editor dated April 1. When addressing the issue of the tribes filing water rights all across the state he asks the question, "how many of these major rivers and streams have actually been dewatered to the point of a fish kill?" His answer is "I don't know of any." I would like to educate the senator on why he is able to drive over the river and see flows in late summer.

The Gallatin River is grossly over-appropriated. The river has water in it all year long because the irrigators have cut back on their use. In 2013 I compiled some data on the Gallatin River for a tour for officials from across the state. If all water right holders were using their entire volume as stated on their water right, the river could have been dried nearly five times by the time we reached Central Park. The Ag Community left water in the river, providing the water necessary for the senator's claim.

The Gallatin Valley is riddled with irrigation ditches and that is a good thing. When water leaks from an irrigation ditch or when a farmer flood irrigates his fields it serves to recharge the groundwater. If you drink water from a well that should interest you. It also serves to maintain the flow in the river during the winter months. If you fish that should interest you.

If the CSKT Water Compact is not ratified and the day comes when we are mandated to leave the water in the river we will lose something very valuable. I don't even dare venture to say what the valley would look like. Everyone should know the value of water, let's protect what we have.

George Alberda
Chief Water Commissioner District Court
Eigthteenth Judicial District.
Bozeman

EXHIBIT 6
DATE 4/11/15
SB 262

Senate Bill 262

Mr. Chairman and members of the Committee, my name is Gene Curry. I am here today representing the Montana Stockgrowers Association. I am a rancher, irrigator and current President of the Montana Stockgrowers Association.

I am here today in Support of the CSKT Water Compact. Our Support is based on policy that was passed by our membership and Board of Directors. Our membership direction was to support a negotiated water compact that protects historical water use, on and off the reservation, and our analysis shows this compact meets those critical components. After a thorough discussion and legal analysis, the Stockgrowers Board of Directors voted unanimously at our January meeting to support **this** negotiated Compact.

The Compact includes numerous protections for historic water users that would **not** be available through litigation. The CSKT is prohibited from making a call upon non-irrigation water rights both off and on the reservation, including all stock water rights.

Many of the off-reservation water rights granted to the CSKT are already in existence such as the Milltown Dam water right and Montana Fish, Wildlife and Parks instream flow water rights. These rights are generally junior and do not represent an additional burden on water users. In those cases where the CSKT are granted off-reservation rights with a time immemorial priority date, the rights are limited in a manner to protect historic water use. In addition, the daily flow rates for this right are exceeded approximately 90% of the time.

If the Compact is not ratified, the water right claims filed by the CSKT will likely be larger, more senior, and will encompass a greater area of the state. And lastly, regardless of the outcome of the litigation, it will be expensive, lengthy, and disruptive to the current adjudication process.

As an irrigator, I can attest to the significant costs of litigation in defending your water rights. I personally have been involved in numerous years of litigation over water rights, with a significant cost to our family ranch. It is important to pass this critical piece of legislation and not force thousands of family ranchers into similar situations of this type of litigation.

In closing, I would like to thank the Committee for taking time to listen to our comments and ask for your support in passing this Water Compact.

G Curry

EXHIBIT 7
DATE 4/11/15
SB 262

Senior Water Rights Coalition

PO Box 7325
Helena, MT 59602

To: House Judiciary Committee

RE: SB 262 – CSKT Water Compact

My name is Krista Lee Evans and I am here today representing the Senior Water Rights Coalition. The SrWRC is made up of farmers, ranchers, irrigators, and hydropower users. We wholeheartedly support the 2015 CSKT Compact that is outlined in SB 262.

The people of Montana have two options – settle (through the Compact) or litigate. Our membership feels very strongly that moving forward with a settlement that protects existing users both on and off the reservation is a wise path.

Montana still owns all the water in the State of Montana as provided in Article IX, Section 3 of the Montana Constitution. The off reservation instream flow water rights named in the Compact may have the Tribe as a user – the State still owns the water – just like the State still owns the water that we have the right to use. These off reservation rights are still under the Montana water rights system and are state based rights.

Some people don't like the Federal Government involvement. Unfortunately, when the issue in front of you is a tribal reserved water right, the Federal Government will be involved. Either through settlement or through litigation. The US Government has a responsibility to the tribes. Without a Compact the tribes will file for their off reservation claims to instream flow. To think that the Federal Government will not be involved in these filings is simply silly. The Feds will be involved and they have made it clear that their goal will be the protection of bull trout. One of the biggest benefits of the CSKT Compact is that it keeps the Feds out of our rivers, streams, and tributaries. The Federal Government has agreed that ALL ESA REQUIREMENTS AS THEY RELATE TO BULL TROUT are addressed through the proposed compact. This is significant and it is worth paying attention to. To put it simply – THIS COMPACT LIMITS FEDERAL INVOLVEMENT in Montana's waters.

All water users in the state have had two opportunities to file their claims. Those of us who did not – lost their claim. Under the Compact, those on the reservation who have filed their claims will still have their day in front of the Water Court. These claims are clearly protected in Article V, B, 7 of the Compact. For those on the reservation who did not file their claims – they must be treated like off reservation water users. It is not fair to the water users of the state that followed the law to not hold all water users to the same standard.

The FIIP has been the subject of much debate and discussion. A point that is important for all to understand is that the irrigators on the FIIP will have a situation that, in all honesty, puts them in a better position than other water users in Montana irrigating under a Federal Irrigation Project. There is at least one other Federal project in Montana that has instream flow requirements. Irrigators are required to meet those instream flow requirements before water for irrigation can be used -- not the case for the FIIP irrigators. They get their system repaired AND the water for instream flows comes from water that is "saved" as a result of system repair and rehabilitation. Unlike irrigators under the FIIP, other federal project irrigators have no written guarantee that irrigation water will be delivered to them. No other federal project in Montana has these protections.

As many of you have heard us say – WE DON'T WANT TO GO TO COURT – AGAIN! Any of my members that have incorporated for any number of reasons don't have an option of not hiring an attorney. They can't represent themselves. They will be required to hire legal counsel. This will be very expensive and time consuming. We know because we've already gone through it at least once. That doesn't include the cost to the State – funded by General Fund – will be at least $73 Million for the Water Court and DNRC portion of the adjudication. And this is a conservative estimate.

The Compact provides wet water on the ground. If the goal is to prove ownership of the project water rights then those who want that answer can still pursue that issue in court. Not sure why an entity would want a priority date junior to the Tribe's instream flow right but there is nothing in the Compact that precludes legal action by those that disagree.

Article III, D of the Compact makes it clear that "this right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership." That is very clear language that one would have to work at to misunderstand.

The Tribal off reservation water rights are either co-owned with FWP (retaining the existing FWP priority date and flow) or extremely limited in their conditions. None of the off reservation instream flow rights that will be owned by the Tribe allows for immediate call. They all have "conditions" that must be met prior to the Tribe being able to make a call. Even once these conditions are met there are still significant protections for existing water users. For those that believe an instream flow right isn't a water right or that a hydropower right can't be changed to an instream flow right – take those issues to court. There isn't anything in the Compact that keeps you from doing so. Just don't drag all the rest of us into Court with you.

The CSKT Compact is good for Montana's economy, its citizens, and its water users. This is a reasonable settlement that protects our Montana water resources and our water users.

Please support the CSKT Compact as proposed in SB 262. It's reasonable, it's fair, and it's the responsible action for the Montana Legislature.

Sincerely,

Krista Lee Evans
(406) 439-2215

EXHIBIT 9
DATE 4/11/15
SB 262

SB 262 comments, House Judiciary Committee, 4-11-2015

My name is Chuck Jarecki. (JARECKI) I am a retired cattle rancher and farmer. I moved to Lake County fifty-four years ago, in 1961, to work on a cattle ranch west of Polson. This ranch was owned by a Tribal member. The ranch was established in 1890, twenty years before the Reservation was opened to white settlement. In 1965 I purchased this ranch and owned it for twenty-five years. The previous owner, over a nine year period before her death in 1970, gave me much insight into the history and culture of the area. The ranch consisted of deeded land, Montana State School Trust Land, Tribal allotments and Tribal grazing leases, for a total of about 10,000 acres.

When I purchased the ranch, I was well aware that ranching on the Flathead Indian Reservation meant certain different situations.

I had a good working relationship with the Tribes. I did some land trades with the Tribes to consolidate properties and we shared the cost of moving boundary fences. The Tribes paid for the re-survey of the property lines. I entered into a five year grazing improvement lease with the Tribes. The Tribes worked with the ranchers in my area on noxious weed control. We all worked together on occasional wildland fire suppression efforts, on both Tribal and private lands.

With all this being said, I feel that I have the insight to urge your support of Senate Bill 262. In my years of active involvement in reviewing draft NEPA documents, I have found that it is best to assist the preparers in making an informed decision and not blast out invective rhetoric.

It is time to move forward. This area of Montana cannot afford years of litigation, not just from the cost stand point, but from the instability it would bring to the economic growth of the area.

I urge you to vote "Do Pass" on Senate Bill 262.

Chuck Jarecki
28517 Rocky Point Road
Polson, MT 59860
Email: skywagon@centurytel.net

EXHIBIT 10
DATE 4/11/15
SB 262

Senate Bill 262

House Judiciary Committee

Testimony of Gordon Wind

My name is Gordon Wind. I am a Lake County resident and live within the Flathead Indian Reservation. For the past 35 years I have worked as a civil engineer in the water resources field. For 30 of those years I was with the Bureau of Reclamation, and worked with several irrigation projects in Montana, South Dakota, Colorado and other western states. In addition to working with irrigation projects elsewhere, I am also the former Manager of the Flathead Indian Irrigation Project (Project). I have been with Project the past 5 years, however I am no longer the manager as the Project was transferred back to the BIA last year. In addition, while with Reclamation, I was the Project's Irrigation System Manager for 2 years in the mid-80s and the Construction Engineer for Project dam modifications for 16 years (92'-08'). This experience has allowed me a good understanding of the Project's current and past water operations.

Based on my expertise and my experience working at the Flathead Indian Irrigation Project, I am here to express my support for the Water Compact.

Recently I have read statements by Compact opponents that (under the Compact) water for irrigation would be ***"dramatically less than in the past"*** (Barry Dutton-Land and Water Report) Another statement claimed that ***"the compact cuts the water for the irrigation project by at least 50 percent of the historic delivery"*** (Verdell Jackson-Daily Interlake).

These statements are grossly inaccurate!

In my opinion, the proposed Compact **will provide** the ability for the Project to divert and deliver at least the historical amounts for irrigation water use.

For Example:

I would like to provide a handout sheet which shows the Historical Irrigation Deliveries compared to the Proposed Compact Diversion Amounts.

Please keep in mind that these two comparative numbers represent water at two different locations in distribution system. The Historical Deliveries are what goes through the farmer's headgate, whereas the Compact Diversion amounts represent what will be turned in to the Project's canals at the head end.

The "per acre" River Diversion amounts will be higher than historical deliveries because consideration must be given for expected distribution losses, such as canal leakage, operational losses, and the like. ALSO, please keep in mind that the Compact Diversions are amounts to be implemented AFTER operational improvements have been completed.

- When looking at delivery records summarized in the BIA's Annual Reports and Crop Reports from 1959 to 1999, irrigation water delivered to **the Mission Valley area** (which has 81% of the Project's acreage) averaged **0.97 acre-feet/acre (or about 11.6 inches of water)**, this amount INCLUDES the NON-QUOTA WATER DELIVERED DURING RESERVOIR SPILLS, **By comparison**, **1.72 acre-foot/acre (or 20.9 inches)** of water is projected from the River Diversion Allowances in the Compact, along with pumping from the Flathead River, and from non-administered locations (such as small mountain streams that intersect the main supply canal).
In my opinion, 20.9 inches (per acre) proposed at the diversion headworks (AFTER improvements have been made) is a very reasonable amount for delivering (11.6 inches per acre) of water to the farm turnout.

- **In the Camas Valley**, historical BIA records (1959-1999) show an average delivery of about **1.0 acre-feet/acre (12 inches)**; by comparison the diversion amount proposed for this area is **1.97 ac-ft/acre (23.6 inches).**
Again, in my opinion, 23.6 inches (per acre) proposed at the diversion (AFTER improvements have been made) is a very reasonable amount for delivering 12.0 inches of water (per acre) to the farm turnout.

- **In the Jocko Valley**, historical BIA records (1959-1999) show an average delivery of about **2.43acre-feet/acre (29.16 inches)**; by comparison the diversion amount proposed for this area is **3.78 ac-ft/acre (45.4 inches).**
Again, 45.4 inches (per acre) proposed at the diversion (AFTER improvements have been made) is reasonable for delivering 29.16 inches of water (per acre) to the farm turnout.

Importantly, the Compact also provides for safeguards for meeting historical deliveries. One of the first steps of implementing operational improvements will be installing measurement devices on the distribution system and deliveries. This will allow for verification that RDAs are indeed adequate to meet historical water use. If found to be insufficient, diversions may be adjusted under the adaptive management process.

Upon reviewing Project historical reports, and taking into consideration the safeguards to "adjust" flows under an adaptive management process, I believe the Compact is completely supportable in maintaining historical irrigation use.

Some opponents have stated that the Compact ***"takes away their Non-Quota water"*** *(*J Laskody-Senate Judiciary Committee hearing*)*. THIS IS NOT ACCURATE. More recently Project operators chose to forecast and set quotas which would incorporate ALL water delivered during the year, and should "spill water" be delivered, the quota was raised accordingly.

NO WATER WAS EVER TAKEN AWAY, it was still delivered. However instead of recording it as non-quota (or "free water"), it was documented as delivered water (and quotas were adjusted).

Other POSITIVE points about the Compact:

Project Operator's Water Management Flexibility: As has been done in the past, the Compact still allows for the Project Operator to manage the deliveries of water within the boundaries of the Project. The Project operator will still set quotas, allocate the supply of water to the acreage to ensure an equitable distribution, and manage water operations and deliveries.

Irrigator's Operational Flexibility: Also, as has been done in the past, water users will still be able to transfer water from "field to field" within their ownership or operations, provided it is all within the same geographical area, as allowed under BIA's Operational Policies. Should water users wish to apply a higher amount of water on fields with high-value crops by transferring water from fields with a low-value crop, they may do so.

Low Cost Block of Power: Passing the Compact assures that the Project continues to receive power for the Flathead River Pumping Plant at a "low-cost block of power" rate. Should the Compact not pass, the guarantee of low power rates is not assured. Local irrigation pump rates are about double the current "Low-cost Block" rate. This alone will cost water users several dollars per acre. **($300K/yr)**

Net Power Revenue Funded Projects: Passing the Compact will provide funds from Net Power Revenues **(up to $200,000/ year)** for work on Project facilities that have significant fisheries, water conservation, or water management benefits.

Regarding Senior Instream Flows versus Irrigation use:

This Compact allows for a "phasing in" of minimum and target instream flows as saved water is gained by the operational improvements and irrigation system rehabilitation. As proposed, water currently lost from inefficient operations, or lost into the ground from ditch and canal seepage, will be "re-gained" from irrigation system improvements. It is this "saved water" that will be used to meet senior water right needs for fisheries, and it will be added to instream flows as improvements are constructed and water savings are realized. **This "new or saved water" will be made available to meet target instream flow needs while still preserving historical irrigation use**. In addition, if the amount of water saved from irrigation improvements exceed Target Instream Flows. **The "extra" saved water above the Target Flows will be shared between the Project and Instream Flows. Thus the Project could actually see water GAINED for irrigation, at no cost to the water users.**

Please note! **Should this Compact not pass**, one could anticipate that future Instream Flow increases to satisfy Threatened and Endangered Species (such as the Bull Trout) and to satisfy

Senior Tribal instream flow requirements, **WILL LIKELY BE SATISFIED BY REDUCING IRRIGATION DIVERSIONS**. Instead of having instream flows "phased in" as allowed under the Compact provisions, one could expect full implementation to be immediate.
This would hurt Project water users.

Other Benefits

And Finally, this Compact will not only allow for the protection of existing irrigation use while meeting senior instream flow rights, it will also provide other substantial benefits to Project water users.

-The irrigation system improvements that will occur from both State and Federal contributions to the Compact will indirectly **provide the Project a substantial benefit** in helping achieve badly-needed rehabilitation.

The existing condition of this 100 year old project is poor, some would even say "deplorable."

For all of these reasons, I ask that you support Senate Bill No. 262. Thank you.

EXHIBIT 11
DATE 4/11/15
SB 262

Historical Flathead Indian Irrigation Project Deliveries

1959-1999 (per BIA Crop Reports and Annual Reports)

	Mission Valley Area			Jocko	Camas
	97,200 acres +/-		Moiese subdivision 6,670 acres +/-	10,700 acres +/-	13,700 acres +/-
YEAR	"Non-quota"	Total Water Delivered per all assessed acres (incl. "non-quota")			
1959	0.64	1.34		"adequate"	"all they needed"
1960	0.25	1.23	6.80	2.64	1.11
1961	0.37	1.12	5.01	2.25	1.03
1962	0.12	1.25	6.30	2.18	0.96
1963	0.00	1.21	4.09	2.51	1.00
1964	0.00	1.10	3.41	3.02	0.98
1965	0.31	0.94	3.32	2.29	1.07
1966	0.06	1.15	4.51	2.85	1.05
1967	0.19	1.16	4.19	1.98	0.92
1968	0.17	1.10	4.58	2.68	0.89
1969	0.27	1.30	4.39	2.54	1.06
1970		1.03	3.32	2.48	1.03
1971		1.05	4.78	2.15	1.07
1972		1.24	4.10	2.88	1.46
1973	0.00 [1]	1.05	2.91	2.46	0.98
1974		1.14	3.41	2.73	1.32
1975		0.86	2.91	2.62	1.13
1976		1.05	3.19	2.87	1.00
1977	0.00 [1]	0.87	1.79		0.72
1978		0.58	1.81	2.74	0.84
1979		1.19	2.21	1.97	1.17
1980					
1981		0.68	2.03	3.55	1.18
1982		0.98	2.14	2.61	1.00
1983		0.90	2.07	1.61	0.86
1984		0.93	2.05	1.44	0.93
1985		1.10			0.90
1986					
1987	0.00 [2]	~~0.30~~			1.00
1988		0.86	1.76	2.53	0.59
1989	0.00 [1]	0.54	1.77	1.93	0.73
1990	0.46	0.73	2.18	2.32	1.01
1991		0.82		3.00	1.21
1992	0.00 [1]	0.64	2.23		0.91
1993	"delivered all year"	?	?	?	"excellent supply"
1994	0.00 [1]	0.65	?	?	?
1995	0.01	0.78	2.15		0.70
1996	0.19	0.99	1.89	2.10	1.11
1997		0.86	1.86	2.29	1.20
1998	0.10	0.71		1.61	0.92
1999		0.89			0.88
		0.97		2.43	1.00

Mission Valley Area 97,200 acres +/-	
Historical Delivery (per acre)	**0.97 ac-ft (11.6 inches)** [3]
Compact Diversion (per acre)	**1.74 ac-ft (20.9 inches)** [4]

Moiese subdivision (Mission Valley) 6,670 acres +/-	
Historical Delivery (per acre) 77'-99' (sprinkler irrigation being used)	2.00 ac-ft (24.0 inches) [3]
Compact Diversion (per acre)	3.00 ac-ft (36.0 inches) [4]

Jocko Valley Area 10,700 acres +/-	
Historical Delivery (per acre)	**2.43 ac-ft (29.2 inches)** [3]
Compact Diversion (per acre)	**3.78 ac-ft (45.4 inches)** [4]

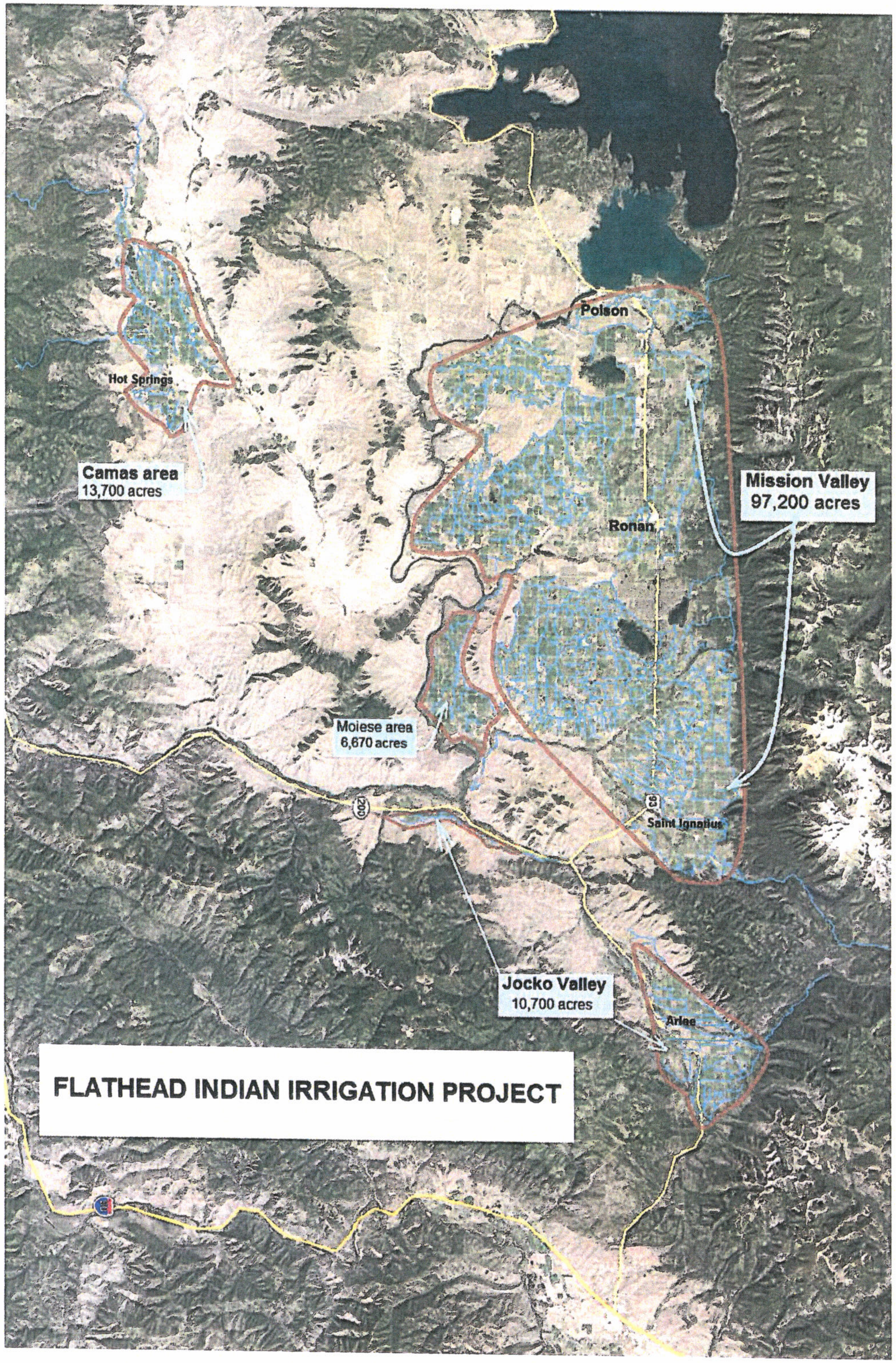
Camas Area 13,700 acres +/-	
Historical Delivery (per acre)	**1.00 ac-ft (12.0 inches)** [3]
Compact Diversion (per acre)	**1.97 ac-ft (23.6 inches)** [4]

[1] Per the BIA Crop Report Summary, NO Non-Quota water was delivered during these years.

[2] Mission Valley quota reduced in 1987 due to pumping plant failure

[3] Historical Delivery is recorded amount at the Farm Turnout

[4] Compact Diversion is the proposed amount to be turned into the head end of delivery canals AFTER Operational Improvements have been completed; they include River Diversion Allowances (RDA) plus pumped water (where applicable) and water from unadministered streams.



FLATHEAD INDIAN IRRIGATION PROJECT

Polson
Hot Springs
Camas area
13,700 acres
Mission Valley
97,200 acres
Ronan
Moiese area
6,670 acres
200
93
Saint Ignatius
Jocko Valley
10,700 acres
Arlee

EXHIBIT 12
DATE 4/11/15
SB 262

To: House Judiciary Committee

From: Marty Lundstrom, President, Montana Agricultural Business Association

Re: SB 262 – Proposed CSKT Compact

Hello, my name is Marty Lundstrom. I live in Malta, Montana where I manage CHS – Milk River Cooperative. I am also President of the Montana Agricultural Business Association. I am here today representing myself and MABA. We stand in strong support of the proposed CSKT Compact.

We support the Compact because of the certainty that it provides for water users that buy their seed, fertilizer, and other inputs from our businesses – MABA has over 250 member locations. If water users are unable or unwilling to invest in infrastructure or improved cropping techniques it will adversely affect our business – businesses that are the lifeline of our local communities.

If SB 262 is passed there will be no impact East of the divide and specifically for me, in the Milk. If the Compact is not passed through SB 262 the Tribe will file their claims and the impact in the Milk may be significant.

The agricultural industry does not need additional challenges that are not necessary. Pass the CSKT Compact so that water users on the Milk River have certainty and agriculture can continue to thrive on the hi-line.

Thank you.

John.rouane@live.com 406 281-1758 John P Rouane Jr

EXHIBIT 13
DATE 4/11/15
SB 262

Hearing for Confederated Salish-Kootenai Treaty SB 262

My name is John Rouane. I retired after serving over 27 years as USDA Natural Resource Conservation Service District Conservationist Roundup, MT. I have been serving as a Water Commissioner on Musselshell River since 2006. The Musselshell River has been under enforcement orders through District Court in some capacity for over 15 years. It is the only watershed in Montana that has had total watershed enforcement from the headwaters of the North and South Fork of the Musselshell River to its confluence into Fort Peck Reservoir. Water resources have been a vital concern to me all of my life.

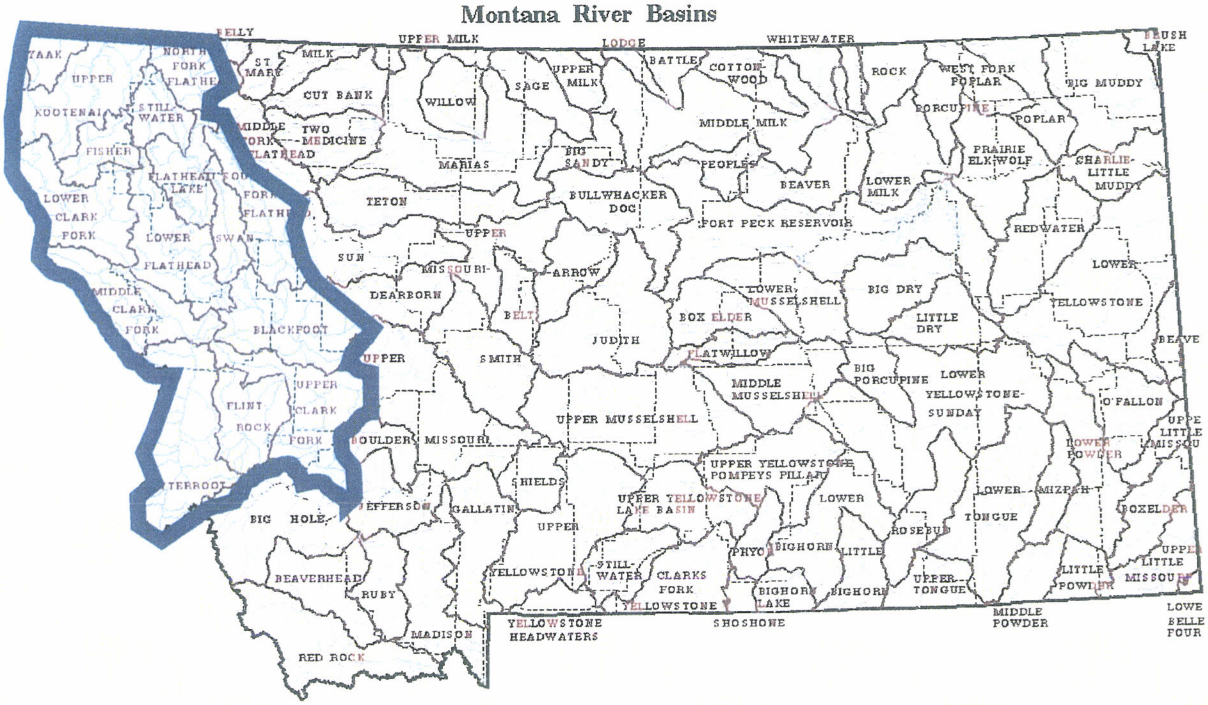
The approval of the CSKT compact is an integral part of the State Water Plan for Montana. The State Water Plan has had every major watershed develop priorities to help define and meet the needs of Montanans before the water leaves the State to address national priorities. If the CSKT Compact is not approved, there could be litigation issues across the State beyond the reservation putting individual water users in court attempting to protect their water rights. The compact is comprehensive and protects the water rights of private water rights holders, tribal holdings and all parties.

The development of the CSKT has been ongoing for many years. Mitigation of water use both on and off the reservation has been addressed in this compact. Distrust between parties always leads to confrontation, but when parties meet and address their concerns a repo ire develops that allows everyone to move forward. I have witnessed as such within the Musselshell Watershed and believe there has been more of an effort to protect all parties in the CSKT Compact. It is time to move forward and approve this compact for all of Montana.

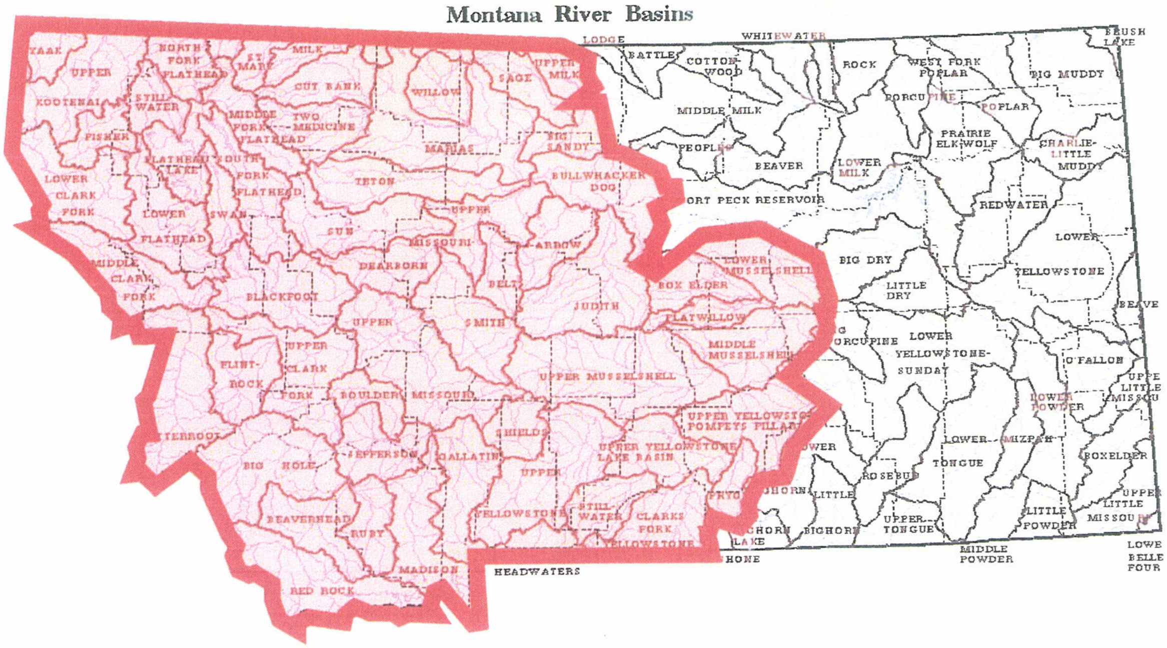
John P Rouane Jr

EXHIBIT 14
DATE 4/11/15
SB 262

Montana Basins Affected with a Compact


Montana River Basins
BELLY
YAAK
NORTH FORK FLATHEAD
UPPER KOOTENAI
STILLWATER
FISHER
ST MARY
MILK
UPPER MILK
LODGE
WHITEWATER
BATTLE
COTTONWOOD
ROCK
WEST FORK POPLAR
BRUSH LAKE
BIG MUDDY
CUT BANK
WILLOW
SAGE
UPPER MILK
MIDDLE FORK FLATHEAD
TWO MEDICINE
MIDDLE MILK
PORCUPINE
POPLAR
PRAIRIE ELK-WOLF
CHARLIE-LITTLE MUDDY
MARIAS
BIG SANDY
PEOPLES
BEAVER
LOWER MILK
FLATHEAD LAKE
SOUTH FORK FLATHEAD
LOWER CLARK FORK
TETON
BULLWHACKER DOG
FORT PECK RESERVOIR
REDWATER
LOWER FLATHEAD
SWAN
UPPER MISSOURI
SUN
ARROW
LOWER YELLOWSTONE
MIDDLE CLARK FORK
DEARBORN
LOWER MUSSELSHELL
BIG DRY
BELT
BOX ELDER
LITTLE DRY
BLACKFOOT
JUDITH
FLATWILLOW
BEAVER
UPPER
SMITH
MIDDLE MUSSELSHELL
BIG PORCUPINE
LOWER YELLOWSTONE-SUNDAY
O'FALLON
UPPER CLARK FORK
FLINT ROCK
UPPER MUSSELSHELL
UPPER LITTLE MISSOURI
BOULDER
MISSOURI
LOWER POWDER
UPPER YELLOWSTONE-POMPEYS PILLAR
BITTERROOT
SHIELDS
LOWER
MIZPAH
BIG HOLE
JEFFERSON
GALLATIN
UPPER YELLOWSTONE LAKE BASIN
TONGUE
BOXELDER
UPPER
ROSEBUD
PRYOR
BIGHORN
LITTLE
UPPER LITTLE MISSOURI
BEAVERHEAD
YELLOWSTONE
STILLWATER
CLARKS FORK
LITTLE POWDER
RUBY
YELLOWSTONE
BIGHORN LAKE
BIGHORN
UPPER TONGUE
MADISON
YELLOWSTONE HEADWATERS
SHOSHONE
MIDDLE POWDER
LOWER BELLE FOURCHE
RED ROCK

Montana Basins Affected without a Compact


Montana River Basins
LODGE
WHITEWATER
BRUSH LAKE
YAAK
NORTH FORK FLATHEAD
ST MARY
MILK
UPPER MILK
BATTLE
COTTONWOOD
ROCK
WEST FORK POPLAR
BIG MUDDY
UPPER KOOTENAI
STILLWATER
CUT BANK
WILLOW
SAGE
MIDDLE MILK
PORCUPINE
POPLAR
MIDDLE FORK FLATHEAD
TWO MEDICINE
FISHER
MARIAS
BIG SANDY
PRAIRIE ELK-WOLF
CHARLIE-LITTLE MUDDY
PEOPLES
BEAVER
LOWER MILK
FLATHEAD LAKE
SOUTH FORK FLATHEAD
BULLWHACKER DOG
LOWER CLARK FORK
TETON
FORT PECK RESERVOIR
REDWATER
LOWER FLATHEAD
SWAN
UPPER MISSOURI
SUN
ARROW
LOWER MUSSELSHELL
BIG DRY
MIDDLE CLARK FORK
DEARBORN
BOX ELDER
LOWER YELLOWSTONE
BELT
LITTLE DRY
BLACKFOOT
JUDITH
UPPER
SMITH
FLATWILLOW
BEAVER
FLINT-ROCK
UPPER CLARK FORK
MIDDLE MUSSELSHELL
PORCUPINE
LOWER YELLOWSTONE-SUNDAY
O'FALLON
UPPER MUSSELSHELL
UPPER LITTLE MISSOURI
BOULDER
MISSOURI
LOWER POWDER
UPPER YELLOWSTONE-POMPEYS PILLAR
BITTERROOT
SHIELDS
LOWER
MIZPAH
BIG HOLE
JEFFERSON
GALLATIN
UPPER YELLOWSTONE LAKE BASIN
TONGUE
BOXELDER
UPPER
ROSEBUD
PRYOR
BIGHORN
LITTLE
UPPER LITTLE MISSOURI
BEAVERHEAD
YELLOWSTONE
STILLWATER
CLARKS FORK
LITTLE POWDER
RUBY
YELLOWSTONE
BIGHORN LAKE
BIGHORN
UPPER TONGUE
MADISON
HEADWATERS
SHOSHONE
MIDDLE POWDER
LOWER BELLE FOURCHE
RED ROCK

Commonsense Citizens for the CSKT Compact ("CCCC") is a private, non-partisan organization comprised of farmers, ranchers, and business people on the Flathead Indian Reservation, and their supporters. CCCC's goal is to present factual information about the Compact and to support its passage during the 2015 Legislature.

With a Compact – Off Reservation Water Rights

- CSKT has 8 instream flow rights with a "time immemorial" priority date.
- No existing rights for domestic, commercial, municipal, industrial, lawn or garden or stockwater will be impacted.
- No impact to surface water irrigation or groundwater rights producing less than 100 gallons per minute.

Montana Basins Affected without a Compact

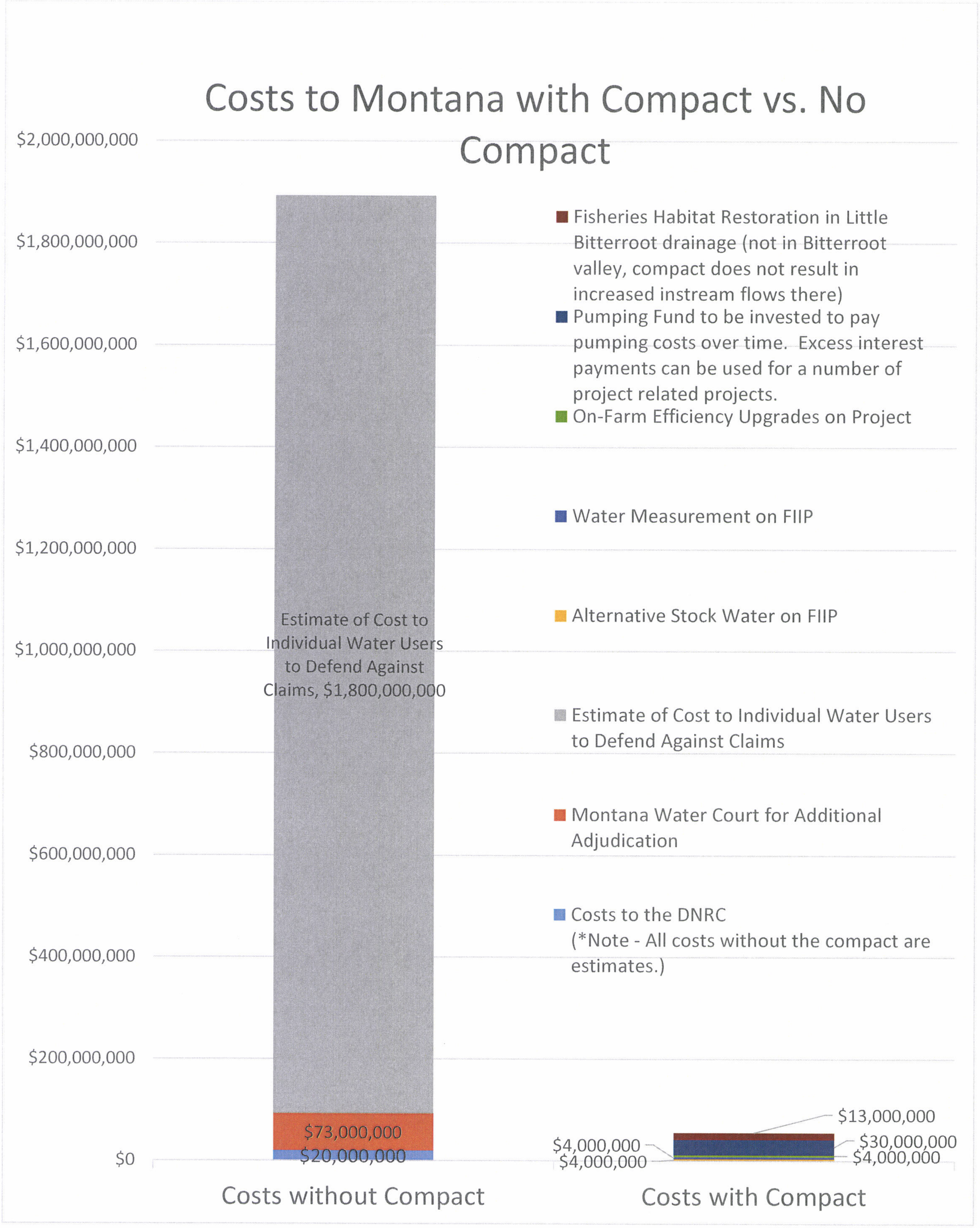
- CSKT will have up to 10,000 water right claims, all with a potential priority date of "time immemorial."
- The federal government will be defending up to 10,000 off-reservation water right claims across Montana.
- Thousands of existing rights for domestic, commercial, municipal, industrial, lawn or garden or stockwater could be called.
- Thousands of existing rights for surface water irrigation or groundwater rights producing less than 100 gallons per minute could be called.

Commonsense Citizens for the CSKT Compact ("CCCC") is a private, non-partisan organization comprised of farmers, ranchers, and business people on the Flathead Indian Reservation, and their supporters. CCCC's goal is to present factual information about the Compact and to support its passage during the 2015 Legislature.

The CSKT Compact: FACT vs. FICTION on Historic Use

	Opponent Claims		CSKT Compact Facts
Fiction:	**Historic irrigation duty was 4.7 ac-ft per acre.**	**FACT:**	**Historic use was: .97 ac-ft per acre for Mission Valley** **2 ac-ft per acre for Moiese** **2.4 ac-ft per acre for Jocko Valley** **1 ac-ft per acre for Camas**
Fiction:	**The Compact will reduce historic delivery by 50%--70%.**	**FACT:**	**The Compact will meet historical deliveries.**
Fiction:	**Irrigators on the Flathead Reservation would be better off without the Compact.**	**FACT:**	• **The Compact will share water shortages in the event of a drought.** • **The Compact will lessen instream flow allocations that the CSKT Tribes already won in the 9th Circuit.** • **The Compact will have adaptive management tools so that the junior users (irrigators) will be able to receive historic use deliveries.** • **The Compact will phase in target instream flows instead of these flows taking effect immediately if no Compact passes.** • **The Compact will meet Endangered Species Act requirements for Bull Trout instead of the scenario without a Compact when USFWS will have to go through the ESA biological opinion process.**
Fiction:	**Historically irrigators applied up to 28 inches of water per season to their crops.**	**FACT:**	• **Averaged measured use of water for alfalfa was 10.4 inches per season. Peak measured irrigation 17.7 inches per season.** • **Averaged measured use of water for potatoes was 10.8 inches per season. Peak measured irrigation 23.5 inches per season.** • **Averaged measured use of water for spring wheat was 8.7 inches per season. Peak measured irrigation 16.1 inches per season.**

Commonsense Citizens for the CSKT Compact ("CCCC") is a private, non-partisan organization comprised of farmers, ranchers, and business people on the Flathead Indian Reservation, and their supporters. CCCC's goal is to present factual information about the Compact and to support its passage during the 2015 Legislature.

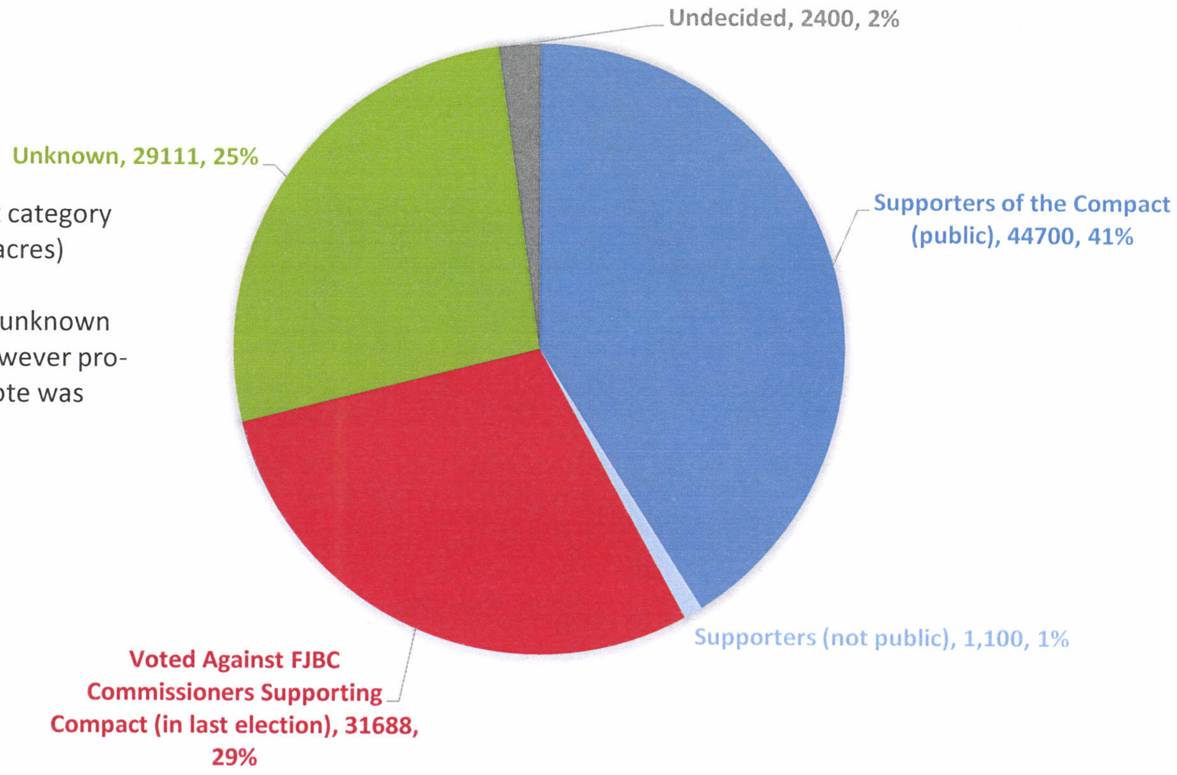


Provided by COMMONSENSE CITIZENS for the CSKT COMPACT

SUPPORT FOR COMPACT IN THE FLATHEAD INDIAN IRRIGATION PROJECT

Each section denotes the total number of acres for that category and the percentage of the FIIP (out of total of 109,000 acres)

Unknown - the stance of many irrigators in the FIIP are unknown because the FJBC cancelled a vote on the Compact. However pro-Compact commissioners have been elected since the vote was cancelled.



PROVIDED by COMMONSENSE CITIZENS for the CSKT COMPACT

EXHIBIT 15
DATE 4/11/15
SB 262

Gallatin Irrigators Support CSKT Water Compact
By Walt Sales

We take many things in our society for granted — but we can't afford our water to be one of them.

Irrigators in the Gallatin Valley, and across the state, don't just depend on access to water, they depend on the certainty of being able to use it now and in the future. Our family farms and ranches, municipalities, and industrial users rely on our water rights for our livelihood. Montana's water users need to know whether they will be able to utilize water at historic levels, even in times of water shortage and whether that access/use can be transferred from one generation to the next.

The Confederated Salish & Kootenai Tribes Reserved Water Compact provides this certainty and protects the water users of today and tomorrow.

The Compact protects all existing water rights. It doesn't create new water rights or alter existing ones in the Gallatin, but ensures that the existing rights and historical uses of Montana's water users are upheld and protected. Through the Compact the tribes have agreed to co-own a few specific in-stream flow rights with Montana Fish, Wildlife & Parks instead of seeking sole ownership. None of the co-owned instream rights are in the Gallatin.

Additionally, with the Compact the tribes have agreed that they will not litigate instream flows that exist off of the reservation—meaning Gallatin irrigators won't have to go back to the Water Court, again.

By releasing more water from Hungry Horse Reservoir to be used on tribal lands and in other water short basins, Montana water users will benefit from the availability of additional water resources that the Compact provides. Without the Compact the use of this water remains at the discretion of the Federal Government.

However, should the Compact fail, irrigators will be subject to more uncertainty than perhaps any other stakeholder group impacted by the CSKT Water Compact. If the Compact does not pass, much of the adjudication that has already been settled by the Montana Water Court will have to be revisited and a minimum of 35 basin decrees will have to be reopened – including the Gallatin.

This will unquestionably hurt irrigators, individually forcing us back into the adjudication process – even though we thought we were done. Not only will much of the work done by the Montana Water Court have to be reexamined, but with the filing of an overwhelming number of new claims it will take decades to complete the adjudication process.

The Compact has many benefits that are the product of extensive negotiations and cooperative efforts between all parties involved. With input from irrigators, farmers, ranchers, and water users from every corner of the state, the CSKT Water Compact is the best option for all Montanans. With such positive impacts on the line and the future of our water hanging in the balance, we have an obligation to pass the CSKT Water Compact—not just for the protections that it will offer to water users across the state today, but for the opportunities it preserves for the farmers, ranchers, and irrigators of tomorrow.

Walt Sales is a fourth-generation farmer in the Gallatin Valley near Bozeman, Montana. He is a current director and a founding member of the Association of Gallatin Agricultural irrigators (AGAI) and a co-chair of Farmers And Ranchers for Montana (FARM).

***

The above opinion was also signed and is supported by the following irrigators and water users in the Gallatin Valley:

Al Lien, Alan English, Alan Venema, Becky Weed, Bill Kimm, Bill Tatarka, Brian Dunning, Chris Stucky, Clark V. Johnson, Curtis Dykstra, Cynthia K. Johnson, Dale Flikkema, Dan McReynolds, Dan Triemstra, Dan Triemstra, Darren Braaksma, David Pruitt, Don Vaniman, Doug Alberda, Doug Braaksma, Doug Dyk, Duane Burkenpas, Eileen Flikkema, Elizabeth Triemstra, Eugene Cole, Gabriel Ditch, Gallatin Conservation District, Gary Paulson, George Alberda, Glen Droge, Glen Droge, Greg Braaksma, Greg Leep, Ilene Casey, James House, Jason Kimm, Jennifer Mohler, Joe Axtell, John Hunziker, John Mahoney, John Schutter, John Venhuizen, Jon Alberda, Knife River, Larry Klompien, LaVonne Stucky, Les McCartney, Louise Smith, Mark Huyser, Mark Kimm, Maynard Flikkema, Mick Seeburg, Mike Gaffke, Pamela Hainsworth, Rick Braaksma, Rod Triestra, Sherwin Leep, Sid Kamps, Sid Schutter, Spain Ferris Ditch Company, Spencer Smith, Spring Creek Farms, Steve VanDyken, Susan Duncan, and White Ditch Company.

EXHIBIT 16
DATE 4/11/15
SB 262

SB 262 - CSKT COMPACT

Compact provisions that apply both on and off of the reservation include:

- All stock rights are 100% protected – the Tribes cannot place a call. (p. 23, l. 7-11).
- All domestic water rights are 100% protected – the Tribes cannot place a call. (p. 23, l. 7-11).
- All municipal, industrial, commercial and all other non-irrigation water rights are 100% protected – the Tribes cannot place a call. (p. 23, l. 7-11).
- All irrigation water rights using groundwater with flows of 100 gpm or less are 100% protected – the Tribes cannot place a call. (p. 23, l. 11-15).
- The Compact cannot be used as precedent and has no effect on the water rights of other tribes or other federal reserved water rights. (p. 47, l. 5-17).
- The Tribes cannot claim any additional water rights. The water rights and other benefits contained in the Compact are in full and final satisfaction of all of the Tribes' claims to water or to the use of water. (p. 53, l. 26 – p. 54, l. 21).

Compact provisions that apply off of the reservation include:

- The Tribes are not granted any water rights east of the continental divide.
- The Compact does not close any basins to new appropriations of water.
- The Flathead Reservation Water Management Board has no authority over any off-reservation water rights. (p. 40, l. 14-22).
- Lower Clark Fork River (Basins 76M & 76N) – The Tribes' instream flow water right is tied to FERC's minimum release requirements for Cabinet Gorge or Noxon Dams so no calls will result from this right. If FERC reduces the minimum release requirements, the Tribes' flow rate will also be reduced. The right cannot be changed to any other use, transferred to different ownership, or be diverted from the stream, and the Tribes cannot place a call on the tributaries to the Clark Fork. (p. 18, l. 2-23).
- Kootenai River (Basin 76D) - The Tribes' instream flow water right cannot be enforced as long as Libby Dam remains in existence. If Libby Dam is ever removed, the Tribes may not make a call on water users on the tributaries of the Kootenai River. The right cannot be changed to any

other use, transferred to different ownership, or be diverted from the stream. (p. 16, l. 9 – p. 17, l. 13).

- Kootenai River Tributaries (Basin 76D) - The Tribes are granted an instream flow water right for the Kootenai River tributaries of Big Creek, Boulder Creek, Steep Creek, and Sutton Creek. The DNRC database shows no water rights on Boulder Creek, Steep Creek, or Sutton Creek and the only rights on Big Creek are claimed by the U.S. Forest Service, which is not subject to call by the Tribes. (p. 22, l. 10 -28).

- Swan River (Basin 76K) – The Tribes' instream flow water right on Swan Lake is measured below Pacific Power's dam near Big Fork, MT so satisfaction of the existing hydro right will largely satisfy the tribal right. The flow rate is set at a low level which is usually exceeded. The right cannot be changed to any other use, transferred to different ownership, or be diverted from the stream. (p. 17, l. 14 – p. 18, l. 1).

- Bitterroot River (Basin 76H) – The Tribes do not receive any new water rights on the Bitterroot River. Instead, they are designated as an intended beneficiary of DFWP's contracts for water from Painted Rocks Reservoir and Lake Como, and are granted co-ownership with DFWP of a junior July 1, 1970 instream flow water right. (p. 20, l. 25 – p. 21, l. 21 & p. 18, l. 24-28, Appendix 29).

- Flathead River, Middle Fork Flathead River, & South Fork Flathead River (Basins 76LJ, 76I, & 76J) – The Tribes do not receive any new water rights, but are granted co-ownership with DFWP of junior 1970 rights to the Flathead River and the Middle Fork, and junior 1970 and 1971 rights on the South Fork. (p. 18, l. 24 – p. 19, l. 11; Appendix 28).

- Upper Clark Fork River & Blackfoot River (Basins 76G &76F) – The Tribes do not receive any new water rights, but are granted co-ownership with DFWP of the 1904 Milltown Dam water right for 2,000 cfs. This right is divided between the two rivers so the so the minimum enforceable flow rate on the Clark Fork River is 500 cfs and the minimum enforceable flow rate on the Blackfoot River is 700 cfs. The right to make call is suspended for a period of ten years. The Tribe is also granted a co-ownership with DFWP of a junior 1971 right on the Blackfoot River. (p. 19, l. 12 – p. 20, l. 24).

- Rock Creek River (Basin 76E) - The Tribes do not receive any new water rights, but are granted co-ownership with DFWP of a junior 1971 water right. (p. 18, l. 24 – p. 19, l. 11; Appendix 28).

- The Compact includes 90,000 acre-feet of water stored in the Hungry Horse Reservoir which the Tribes may lease on or off of the reservation for a term not to exceed 99 years with a renewal for an addition 99 years. Any lease of water off of the reservation is treated as a change in use and processed by DNRC under Montana law. (p. 11, l. 28-30 & p. 28, l. 1-6).

- The Tribes' stored water from Hungry Horse Reservoir includes 11,000 acre-feet that may be leased for mitigation of net depletions arising from new or existing domestic, commercial, municipal, or industrial uses of water within the Flathead or Clark Fork Basins. The price is set at $40 per acre-foot with an inflation index. DNRC has the responsibility to determine if, when, where, and how much mitigation water is needed for any proposed new development. (p. 32, l. 20 – p. 34, l. 18).

Compact provisions that apply on the reservation include:

- Priority date for Flathead Indian Irrigation Project (FIIP) is July 16, 1855. (p. 11, l. 2).
- FIIP may serve up to 135,000 acres. (p. 10, l. 28-29).
- The Tribes relinquish the right to make a call against state-based irrigation water rights on the reservation within the FIIP influence area if the owners enter into consensual agreements setting forth the amount of water protected and requiring diversions to be measured and limited to the irrigation season. (p. 23, l. 17 – p. 25, l. 17, Appendix 2).
- The enforceable target instream flow schedule must be based on a water budget that allows valid on-reservation water rights to be exercised. Water users may object to the instream flow schedule if it will have an adverse effect on the objector's water right. (p. 13, l. 19-23 & p. 85, l. 29 – p. 86, l. 3).
- River diversion allowances are set for the Flathead Indian Irrigation Project. Implementation of the diversion amounts are delayed until operational improvements are made to the irrigation project. (p. 35, l. 28 – p. 36, l. 11, Appendix 3.4).
- River diversion allowances will be evaluated by the Compact Implementation Technical Team to ensure their adequacy to meet historic farm deliveries once all operational improvements have occurred. If measured diversions to farm turnouts do not meet historic farm deliveries, actual diversions shall be adjusted and additional water will be provided through an increase of the Flathead River pumping plant diversion. (p. 36, l. 12-22).
- The Compact Implementation Technical Team consists of members appointed by the Tribes, U.S., State of Montana, FIIP project operator, and

FIIP irrigators. The FIIP irrigator member must own a minimum of 40 acres served by the FIIP and must have ten years of experience in irrigated agriculture. (p. 38, l. 8-14, Appendix 3.5)

- Shared Shortages - When water supplies are inadequate to simultaneously satisfy an enforceable instream flow water right and a corresponding river diversion allowance, shared shortages provision are activated by the Compact Implementation Technical Team to maintain the river diversion allowance. (p. 37, l. 4 – p. 38, l. 1).
- During periods of shared shortages, the Tribes must make water available for short-term lease at the cost of $8 per acre-foot plus a $25 administrative fee per lease. These prices are indexed for inflation. (p. 30, l. 21 – p. 31, l. 6).
- The Compact Implementation Technical Team is required to implement an adaptive management and water measurement program to carry out the provisions of the Compact. (p. 38, l. 8-11, Appendix 3.5).
- Each owner of assessed land within FIIP is entitled to receive a delivery entitlement statement which runs with the land. (p. 36, l. 27 – p. 37, l. 3).
- The Compact includes a State contribution of $55 million which includes $12 million for operational improvements including stock mitigation, on-farm efficiencies, and water measurement; $30 million for pumping water from the Flathead River; and $13 million for habitat improvement. (p. 50, l. 6-14).
- The Tribes agree to make low cost power from Kerr Dam available in an amount necessary to pump approximately 46,000 acre-feet of water per year to the FIIP. (p. 39, l. 11 – p. 40, l. 12).
- The Compact also includes rehabilitation and betterment projects which are intended to be funded by federal appropriations. (p. 35, l. 7-8, Appendix 3.6)
- The Flathead Reservation Water Management Board has jurisdiction within the reservation to resolve controversies regarding the Compact. The board consists of two voting members appointed by the Governor, two members appointed by the tribal council, and one selected by the other four members. The Governor's appointment must come from nominations made by the county commissioners of Lake, Sanders, Missoula, and Flathead Counties. (p. 40, l. 13 – p. 41, l. 23).

Prepared by Holly Franz
On behalf of Mountain Water Co.

EXHIBIT 18
DATE 4/11/15
SB 262

Ruby Watershed Council | **Ruby Valley Conservation District**

Ruby Valley Conservation District

P.O. Box 295
Sheridan, MT 59749
(406) 842-5741

April 2, 2015

Dear Senator,

The Ruby Valley Conservation District stands together to publicly support the Confederated Salish and Kootenai Tribal (CSKT) Montana Water Compact.

The proposed CSKT Montana Water Compact is the result of more than a decade of negotiations to resolve the reserved water rights of the Tribes within our State. We can speculate and debate about what those reserve rights mean, but the truth is that the courts have already made that decision. They have confirmed the reality that the Treaty of Hellgate grants the CSKT certain rights to claims for water both on and off the reservation, and these rights were established long before Montana was a state.

The purpose of the Compact is to quantify the Tribe's water claims, to create a mechanism to resolve conflicts over future water needs, to protect existing water rights and ensure that irrigators have access to water at levels of historic consumption. Existing water users are protected in the Compact. The Compact gives everyone security in their existing water rights, and allows the Water Court to conclude much of its work. It is fiscally responsible, and has been well thought out.

It is important for our elected officials to make the right choices for all Montanans, and we believe that the negotiated Compact as it stands is the right choice for water users across the state. To not pass this Compact would not only be a mistake, it would subject generations of Montanans to expensive litigation, ruin the years of work of adjudication, and undermine the very foundation of the lifestyle we hold dear.

The time to pass the Compact has come. The Montana Water Policy Interim Committee has spent two years reviewing, revising and making recommendations so that in this 2015 Legislative session action could be taken. The CSKT Water Compact has been negotiated to provide all parties the water resources that they need. For these reasons we implore our legislators to take the position of supporting the CSKT Montana Water Compact.

Respectfully,

The Ruby Valley Conservation District Board of Supervisors:
Gary Giem, Neil Barnosky, Rick Sandru, Jeremy Miller, John Anderson, George Trischman

EXHIBIT 19
DATE 4/11/15
SB 262

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

Witness Statement

JUDICIARY COMMITTEE

PLEASE PRINT

NAME: RICHARD WILLIAM JANSSEN JR.

ADDRESS: 45406 North Foothills
RONAN, MT 59864

DATE: 4-11-15

WHOM DO YOU REPRESENT? Myself + My Family

SUPPORT: ✓ OPPOSE: AMEND:

COMMENTS:

I support SB 262 on the CSKT Compact and its passage for the benefit of all Montana, Lake County, + Flathead Reservation Residents. I am a taxpayer, fee patent land owner Pend d'Orielle Indian and member of the Confederated Salish + Kootenai Tribes since my birth 45 years agos, Time immemorial Montana Resident + American. Pass this bill for all Montanans for certainty, for the economy, and for your friend's, neighbors and Constituents and listen carefully to what the oppenents are saying. I recieved some Proposanda in the Mail yesterday, and after I began reading it I promptly placed it into my recycling bin where it belonged. The CSKT are here, we are your neighbors, + friends, support the Compact because it has been clearly vetted for over 10 years. The opponents have no reason to oppose it other than Race in my opinion.

Thank you

Rich Janssen

EXHIBIT 21
DATE 4/11/15
SB 262

Testimony Supporting SB 262 and the CSKT Water Compact
House Judiciary Committee

March 11, 2015
10:00 AM
Room 303

Mr. Chairman, members of the Committee, my name is Jim Hagenbarth and our family has been managing land and water in southwestern Montana and southeastern Idaho for 140 years. In the last 35 years I have filed 178 water right claims in both states and guided them through these adjudication processes. Of all the tools used, litigation has been the least productive.

Recognizing that federally reserve water rights pose a threat to Montana and its citizens, the legislature wisely created the Montana Reserve Water Right Commission to negotiate these rights with the Tribes and federal agencies. This Compact is the last to be negotiated and the process has been long and arduous complicated by an 1855 priority date, legal precedent and the structuring of amenities within the Compact basins.

There is no question that non-tribal residents on or near a reservation face challenges the rest of us do not have and this relates to treaty rights, sovereign nation status and federally reserved water rights. This reality gives the tribe huge leverage as they negotiate with the state on many issues including water rights. To expect otherwise is naïve. There can be positive consequences of a negotiated compact with an entity that has these sovereign rights along with political and federal support and legal precedent. Supplemental water availability, funding to enhance a dilapidated irrigation system, buffering of an 1855 priority date, limiting the expanse of the tribe's aboriginal rights and facilitating the completion of Montana's adjudication process are examples of amenities gained with tribal participation in this compact.

The Tribe's right to claim water to support aboriginal fisheries is not a threat, but a fact, if this compact is not approved. With water becoming a priceless commodity and instream flows supported by many advocates, the value to the tribe of these filings will be immense. Without a Compact individual water right owners within the Compact Basins and throughout the state will have to object to the tribe's claims costing the individual and the state's adjudication process millions in litigation and decades in time. There are no reasonable alternatives or negotiable options left if this Compact fails. Please support this compact and SB 262. Thank you.

EXHIBIT 22
DATE 4/11/15
SB 262

LORENTS GROSFIELD

285 Grosfield Lane
Big Timber, MT 59011-7724
Phone/Fax: 406-537-4489
Email: lorents@mcn.net

To: House Judiciary Committee
Re: CSKT Compact (SB 262)
Date: April 4, 2015

Mr. Chair and Members of the House Judiciary Committee,

My name is Lorents Grosfield and I am a third generation cattle rancher and irrigator from Big Timber, in south-central Montana, who has been very interested in water issues and water policy for over 35 years. I served in the Montana Senate from 1991 through 2003, and was Chairman of Senate Natural Resources and later Senate Judiciary (where we dealt with several Compacts).

I strongly support the CSKT Compact because I believe it is fair to both tribal and nontribal members who live on the Flathead Reservation, and because I am very fearful of the consequences of not passing it.

April 30th, 1982 was an extremely important date for Montana water users. That was the date by which all irrigators, municipalities, businesses, etc. who believed they had valid water rights had to file their claims in our adjudication process. Not to file was, by state law, considered abandonment of those water rights, **with no remedy**. The only entities left out of that requirement were those federal and tribal entities that had reserved water rights under federal law, and who were participating in the Reserved Water Rights Compacting process. The CSKT is the last such entity, and this is the Compact before you. If this Legislature does not pass the Compact, the Tribes are required under Montana water law to file all their claims by June 30, 2015. The impact of this deadline is exactly the same as the April 30th, 1982 deadline was for the rest of us. In other words, if the Compact does not pass and the Tribes neglect to file by this deadline, all their water rights will be deemed abandoned. And of course, they are not going to let that happen, just as almost all non-reserved water right holders did not let that happen in 1982.

I know there is some fear both on and off the reservation that this Compact will adversely affect non-Indian water users. I believe that this fear is unfounded and is largely idealistic in nature, rather than based in the practicality of day-to-day usage of water on the ground. Those who say it's unconstitutional are essentially saying that at least three very supportive Montana Attorneys General (Marc Racicot, Steve Bullock and Tim Fox) don't know the law or the Montana Constitution. Can anyone who thinks about it really believe that, or that these Attorneys General support the takeover of all of northwestern Montana water by the federal government, or even by the tribes? Not that some of the opponents of the Compact don't really believe that, but do YOU, as a policy maker for the state of Montana believe that?

The Compact Commission's job is and has always been to negotiate reserved water rights with the interests of current Montana water rights holders, both on and off the reservation, paramount in their minds (whether that reservation be federal, such as Forest Service or National Park, etc., or tribal).

I want to ask you to think a little about how things will unfold if this Compact does not pass. The Tribes will obviously file all their claims by the deadline at the end of June, less than 3 months from now. It is certain that these claims will be larger and more extensive, both on and off the reservation, than the rights granted in the Compact—especially since many tribal members believe that the tribe has already given up way too much in the compacting process.

Each tribal claim will be accompanied by evidence to support the claim. For off-reservation claims, all of which will be instream flow claims with a "time immemorial" priority date, this supporting evidence for each claim will include at least the following two elements:

1. expert witness testimony, affidavits or depositions that the claim involves "usual and accustomed places" that the Tribes used historically, and
2. expert biological testimony that the amount claimed is necessary to support a viable fishery in the reach claimed.

This puts any objectors in the position of having to find their own expert witnesses to refute the expert witness testimony that is part of the claim. The Tribes' expert evidence from reputable anthropologists and historians will be based largely on research of items like the Lewis and Clark Journals, trapper's and mountain men journals and statements, records from the many old military forts around Montana, etc. Biological testimony will come from fisheries biologists and instream flow scientists. I submit that none of these will be easy—or cheap—for Montana water rights holders across much of the state to refute in a court setting.

Obviously, anything the Tribes file will have a priority date of 1855, except for instream flow claims which will have a priority date of "time immemorial," both of which predate any other claims in the Montana adjudication process. Whether these claims are on-reservation or off-reservation, they will, by state law, be presumed to be valid by the Water Court **unless and until** water users, who believe that they will be adversely affected, submit valid and pertinent objections that either invalidate specific claims or cut them back in the amount of water. That's exactly the same way the adjudication process has worked for me and all other claimants after the 1982 deadline process (which is still going on well over 30 years later).

For the sake of argument, let's say that some of the Tribes' claims are defeated in the Water Court process. Does anyone here really think that the Tribes will just let them go—or will they appeal? And if they lose again in the Montana Supreme Court, will they go on to the US Supreme Court, which has already stated that, "State courts, as much as federal courts, have a solemn obligation to follow federal law" and "any state-court decision alleged to abridge Indian water rights protected by federal law can expect to receive, if brought for review before this Court, a particularized and exacting scrutiny commensurate with the powerful federal interest in safeguarding those rights from state encroachment." [Arizona v. San Carlos Apache Tribe, 463 US 545, 564 (1983)] **That is an extremely strong statement by the United States Supreme Court.**

This Legislature, this session, has what is admittedly a very tough decision to make, a decision that will be protective of the status quo in Montana water law and Compacting, or a decision to trust the Courts to do it for you. It seems to me that you would vote "No" on this Compact ONLY if you are firmly convinced that the Montana Supreme Court, the 9th Circuit Court, and the US Supreme Court are very conservative and highly unlikely to side with the Tribes.

Thank you for your service—I know from experience that it isn't always easy, but I strongly hope that you will support this Compact. I firmly believe that it's right for Montana.

Sincerely,

Lorents Grosfield

Former member, Montana Reserved Water Rights Commission
Former Chair, Montana State Water Plan Advisory Council
Former Chair, Montana Senate Natural Resources Committee
Former Chair, Montana Senate Judiciary Committee
Former member, Environmental Quality Council
Former member, Water Policy Committee
Former President, Montana Association of Conservation Districts

EXHIBIT 23
DATE 4/11/15
SB 262

Mayor
Jeff Krauss

Deputy Mayor
Carson Taylor

Commissioners
Cyndy Andrus
Chris Mehl
I-Ho Pomeroy

CITY OF BOZEMAN

121 N. Rouse
P.O. Box 1230
Bozeman, MT 59771

Phone: (406) 582-2320
Fax: (406) 582-2344
TDD: (406) 582-2301
www.bozeman.net

Core Values

Integrity: Be honest, hard-working, reliable and accountable to the public.

Leadership: Take initiative, lead by example, and be open to innovative ideas.

Service: Work unselfishly for our community and its citizens.

Teamwork: Respect others, welcome citizen involvement, and work together to achieve the best result.

February 25, 2015

Montana Senate
PO Box 200500
Helena, MT 59620-0500

Montana House of Representatives
PO Box 200400
Helena, MT 59620-0400

RE: Senate Bill No. 262

Dear Honorable Members of the 64th Legislature:

As Mayor of the City of Bozeman, I offer my support and that of the Bozeman City Commission for Senate Bill No. 262, a bill to ratify the Confederated Salish and Kootenai Tribes water rights compact.

The negotiated compact set forth in SB 262 guarantees the certainty of existing water rights owned by the City of Bozeman. The importance of this guarantee cannot be overstated, nor overlooked. Our water rights are the lynchpin and foundation upon which the City of Bozeman is built. Our water rights provide for the public health, safety, and welfare of our residents and visitors; they bolster the strength of our local economy and provide for the future growth and vitality of the community.

The City of Bozeman resides in the Gallatin River basin and draws its water supply from headwater streams flowing from the Gallatin and Bridger mountain ranges. We are the first users of these pristine waters and depend upon their legal certainty. The city's water use and that of all other water users in the Gallatin follows long-established patterns that work to benefit the Gallatin Valley community. The future of our city depends upon the certainty of our water rights as well as the cultural heritage and livelihoods of our agricultural friends and neighbors.

The certainty of these water uses are already guaranteed in the Gallatin thanks to the efforts of the Montana Water Court in the adjudication proceedings that have taken place in the basin. The City of Bozeman spent years vigorously defended its water rights claims in court over the lengthy course of these adjudication proceedings. Failure of the 64th Legislature to pass SB 262 will have a potential negative impact upon the present certainty the City of Bozeman enjoys and depends upon with its water use. We wish to eliminate having to defend, yet again, our water rights in a litigation setting which is inevitable should SB 262 not pass into law. The costs to our citizens to mount such a defense are unknown and presently unaccounted for. This unfunded liability is an unfortunate reality and one that should be considered by all members of the 64th Legislature. These liabilities extend to every existing water rights holder in the Gallatin.

Your support of SB 262 will provide certainty to irrigators on and off the Flathead Reservation. It will protect all current non-irrigation uses on and off the Flathead Reservation and provide a common-sense solution to the difficult problem of tribal reserved water rights. I urge you to support the passage of SB 262.

Sincerely,

Jeffrey K Krauss

Jeffrey K. Krauss
Mayor, City of Bozeman

EXHIBIT 24
DATE 4/11/15
SB 262

Robert T. Fanning, Jr.

75 Bridger Meadow Lane
P.O. Box 7
Pray, Montana 59065
(406) ~~570-1570~~ 274 8954
bruiserND73@gmail.com

EXECUTIVE SUMMARY

Principal • Chief Restructuring Officer • Consultant

Multifaceted leader with extensive hands-on experience in engineering, manufacturing, global sales and negotiation, and finance. Proven ability to embrace complex issues, articulate problems, and find correct solutions quickly by leveraging any necessary forces. Able to assemble highly effective talent, pull disparate individuals together for common good, instill confidence and inspire team dedication to the objectives. Innovative, with a reputation for fierce loyalty, integrity, honor and intelligence. Tremendous energy, dogged determination, pioneering spirit.

Areas of Expertise

- Strategic Planning
- Financial Analysis
- Due Diligence / Litigation
- Operations / General Management
- Start-up / Turnaround
- Bankruptcy Reorganization
- Sales and Marketing
- International Negotiations
- Advocacy
- Communications
- P&L Management
- Environmental Issues
- Public Speaking
- Expertise in Print, Radio, Television, Internet Media

PROFESSIONAL EXPERIENCE

M.H. Detrick Co., Mokena, IL
Major supplier of engineered heat enclosures for steel and other industries since 1914

Sole Shareholder, Director and Officer, Remedial Role (1994 - 2002)
Purchased troubled company appraised at negative $300,000 because of 40,000 mass tort asbestos claims; personally took on entire burden of the suits and risk of 20 families losing their livelihood. In an extremely short time and under tremendous pressure, learned the business, tackled immediate problems, then turned company around completely. During eight-year

tenure, successfully steered the company through resolution of asbestos lawsuits while actually increasing business profitability during a significant downturn in U.S. heavy manufacturing. Legal fees and settlements had been costing in excess of $1 million annually, and sales had dropped from $8 million to about $4 million. By negotiating multi-million dollar settlements with insurance carriers whose coverage had long expired, and working one-on-one with attorneys representing large blocks of claimants in 50 states, bought time through complex negotiations. As a result, was able to guide company to its former strength, increase new product development, extend business internationally and negotiate successful enterprise in China and India, save every job and avoid daily threats of being forced into involuntary Chapter 7 liquidations of the company. Appraised and assembled after great due diligence, the finest team of professionals, composing and executing a formal plan to rescue the company from certain and immediate dissolution. Became an early pioneer in resulting strategy and transaction; our plan was subsequently used as a template for other companies affected by the asbestos mass tort contingent liability burden. See Fortune Magazine, which summarizes, in depth, our innovative and constructive solution: http://money.cnn.com/magazines/fortuen/fortune_archive/2004/09/06/380311/index.htm

Gelderman Securities, Inc., Chicago, IL
Member NASD, SIPC and CBOE; Clearing House member CBOT, CME

Director, Institutional Sales, Associate Member Chicago Board of Trade *(1993 - 1994)*
Introduced premiere institutional clients to the firm that executed transactions in the U.S. Treasury Bond cash, futures and options markets. Market strategist and advisor, writing a respected daily market publication, *From the Floor of the Chicago Board of Trade*, which contained economic fundamental analysis and proprietary technical trading recommendations; put personal abilities and market tactics on the line every day. Letter was discussed openly at investment policy meetings at major institutions for 9 years.

Peters and Company, Chicago, IL
Member NASD, SIPC and CBOE; Clearing House member CBOT, CME

Sr. Vice President, Institutional Sales, Member, representing Peters And Co. *(1992 - 1993)*
Identified misinterpretation of the "Arkansas Best" U.S. Supreme Court decision by the IRS, complex and potentially lethal to the futures industry. Formed coalition to expose and reverse unfair IRS ruling that was forcing debilitating taxation of futures clients, which would have shut down the use of futures and options as an investment and risk management tool. Personally assumed leadership role against the IRS through use of legal channels and national media, appearing on such broadcasts as CNN's Moneyline with Lou Dobbs and Headline News (TV video available). After 15 intense months of advocacy and lobbying, succeeded in forcing IRS to reverse misguided taxation policy directed at commercial hedgers. This action averted a crisis of great magnitude to the futures and options exchanges and avoided a long and costly court battle.

Chicago Board Of Trade, Chicago, IL (1981 - 1993)
Futures, options and global commodity exchange

Member, representing trading firms of O'Connor & Company, then REFCO *(1985 - 1991)*
Institutional Derivative sales, Primary Market, Long term Fixed Income, serving the Mutual Fund, Insurance and Public Pension Fund Industries.

Summary of Prior Professional Experience:

Drexel Burnham Lambert, Chicago, IL *Investment banking firm*
Vice President, Member CBOT (1982 - 1983)

A.G. Becker and Company Chicago, IL *Investment banking firm*
Vice President (1979 - 1981) Youngest VP, leading producer specializing in Fixed Income.

Blyth Eastman Dillion, Chicago IL *Investment banking firm/retail investment broker*
Account Executive (1979 - 1979) Awarded diamond cufflinks for being $20,000-a-month producer

White Weld And Company, Chicago IL *International Finance Group/retail investment* broker
Account Executive (1976 - 1977) Partnered with my father, the top producer in the firm

PaineWebber, Chicago IL *Financial Services Group/retail investment broker* (1974 - 1976)
Account Executive (1974 - 1976) Received national recognition by the firm as a "pacesetter." Stockbroker for George Halas and the Chicago Bears. Executed largest silver futures commodity butterfly tax straddle in PW history.

PHILANTHROPIC

Friends of The Northern Yellowstone Elk Herd, Inc., Pray MT (1999 - Present)
Advocate group of 3,742 members for species and people living in greater Montana/Yellowstone area.

Chairman and Founder, Advocate & Lobbyist

Catalyst for legislation and state & county resolutions that passed by super majorities; currently drawing international interest for centrist wolf management policy.

http://fire.mountain-prairie.fws.gov/pressrel/05-78.htm

http://www.propertyrightsresearch.org/yellowstone_is_dying.htm

http://data.opi.state.mt.us/legbills/2005/BillHtml/HI0029.htm

REFERENCES

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President, Murnane Packaging Company
607 NW Hwy, Norridge, IL.
708-449-1200

Eugene D. Fanning (Deceased) '53
Mendoza College of Business, Fanning Center for Business Communication
C/O Professor Emeritus Dr. William P. Sexton, PhD
251 Mendoza College of Business
Notre Dame, ID 46556

April 11, 2015

EXHIBIT 35
DATE 4/11/15
SB 262

My name is Brian Quigley, I am a fourth generation rancher and I live the same land that my family settled on and owned since the late 1800s. My paternal grandfather came to Montana in 1864. We irrigate 2400 plus acres of pasture land and hay ground.

I am a founding member of the Rocky Mountain Stockgrowers Association which is a grassroots organization that represents the rights of agriculture. We are 80 plus members strong, we as an organization oppose this compact. I am also a member of Montana Stock Growers Association and Montana Farm Bureau. I do not stand behind their decision to support this compact. Both, MSGA and MFB opposed the Waters of the U.S., how is this any different?!

If this compact is passed, the State of Montana will experience a substantial taxable loss on revenue from irrigated lands and livestock that would be removed from this productive land. Instream flow is not a drought management plan, it is simply a water plan that will not benefit or favor anyone in agriculture. The cost of food is getting higher all the time, which can be attributed to in stream flow practices in California due to the smelt fish. If this compact is passed I feel the cost of living will only rise. Think of this as you would the bread basket, stop producing it and it gets smaller and more expensive. . Water makes water, the lands have to be irrigated in order to build the aquifer.

Why is it the taxpayers responsibility to give the tribe fifty five million dollars to repair their irrigation infrastructure? We have schools that are having to close and teachers barley making it on their salaries because schools can't afford to pay them what they are worth because their budgets are so low and being cut, maybe that money should go to them. I think there are several red flags to this compact and it is bad policy for all of Montana.

Why are we going to take a State Based water right and turn it over to the Federal Government? This will no longer belong to the citizens, for the citizens of the State of Montana. Look How well the Federal Government has managed our National Forest lands, and some want to give them Control of our Water.

This Kind of legislation will eventuly put Family Ranches like mine out of business.

Sincerly and Respectfully Brian A Quigley

EXHIBIT 26
DATE 4/11/15
SB 262

My name is Kim Skinner I am a fourth generation MT rancher and I own a family ranch with my wife, parents, and brother in Hall MT. I am a Montana Farm Bureau Federation member and a Montana Stockgrowers Association member, as well as the president of Rocky Mountain Stockgrowers Association. As the president of RMSGA I represent a large group of irrigators off-reservation who are both directly affected by this compact and vehemently opposed to it and the precedent it sets for water rights in the state of MT. From a ranching prospective, I also strongly oppose the CSKT compact.

I have watched state organizations such as Montana Farm Bureau Federation and Montana Stockgrowers Association fail to represent a large number of their members with regards to this compact. Although they would lead you to believe it is for the benefit of all of Montana, I'm here to testify that it does not.

Although there are many issues with this compact, what it boils down to is this compact unconstitutionally waives state authority over water right administration. While many have testified that the compact commission and tribes have had several people working for over 30 years to settle this compact, I cannot see how a disregard for the Montana Constitution which has been ratified and developed for over 120 years and by far more people than were involved in this compact would benefit any Montanan.

Without saying it directly, because of other court decisions this compact without question does allow and proote access across my private land without my permission. It can and should be amended to limit the number of people whou could possibly assert this right and require them to comply with state law when off the reservation.

Furthermore, removing off-reservation water rights from underneath the state of Montana's control and relinquishing it to a sovereign nation whose rights will be held in trust by the U.S. Federal government is certainly a dangerous precedent and should cause concern for everyone in the state of Montana.

Also regarding off reservation actions by the CSKT regarding water transfers, this compact exempts them from complying with all applicable water rights laws and with it allows them to opt out of compliance with other laws if the legislature ammends them. When taking actions or using water rights off reservation, the CSKT must comply with state law like everbody else.

The importance of agriculture to Montana cannot be overstated. However, the ratification of this current compact and the precedent it sets for Montana water rights will negatively affect agriculture by removing existing water rights from landowners inhibiting our ability to raise agriculture goods.

While doing the right thing versus doing the easy thing is a difficult decision, the morality that was and is critical to the development of our state constitution is significant and cannot be ignored. This is why I have no doubt that this committee will make the correct decision in opposing this compact.

Kim Skinner 4/11/2015

EXHIBIT 28
DATE 4/11/15
SB 262

April 11, 2015

House Judiciary Committee
SB 262

Mr. Chairman, members of the Committee:

My name is Matt Graveley, I am from Avon. My family has been ranching on the same property in the Avon valley for 115 years. I am here today representing 3rd, 4th, and 5th generations of that ranching family. I am also a member of Montana Stockgrowers Association and currently serve as Vice President of Rocky Mountain Stockgrowers Association. We oppose SB 262.

I believe this issue can be characterized as one of interests vs. principles. Some people here today feel their interests are best served by supporting an agreement that would protect their property but not the property of others. Our principles should lead us to support the rights of all. Some folks feel their interests are served by an expedient conclusion to this compact process. Our principles should dictate that we support and defend the Constitution. The interests of some are served by an outcome that provides a convenient conclusion for members outside of the affected area. Our principles should demand equal protection for all despite where you live or how many acres you might farm.

Opponents of this compact have been characterized as greedy and egotistical. I disagree. If I were a greedy person I would support this Compact. If I were greedy I would demand that somebody else forfeit their property, their rights and their livelihood so I don't have to hire a lawyer. If I were an egoist I would support this compact. I would tell another that all men are NOT created equal and my rights are just a little more important than theirs.

Some proponents of the compact have admitted that the compact does violate the MT constitution and there are property rights violations, but we should support it anyway because this is the only deal in town and the best one we are going to get. I don't know about you, but my high school civics class didn't have a section on knowing when one should violate the Constitution.

Do the CSKT have water right to serve their reservation? Absolutely. Does that water right encompass the entire Flathead system? Absolutely not. Do the CSKT have a right to fish outside the reservation boundary? Absolutely. Does that right include control of the water resources and access to all of Western Montana and beyond? Absolutely not. Do the Tribes and Montana citizens deserve a good compact? Absolutely. Is this that compact? Absolutely not.

Please vote NO on SB 262. Thank you.

EXHIBIT 29
DATE 4/11/15
SB 262

PROPOSED 2015 CSKT COMPACT TECHNICAL REVIEW REPORT

Prepared for:

Flathead Joint Board of Control
P.O. 639
St. Ignatius, MT 59865

Prepared By:

WWC Engineering

1275 Maple Street, Suite F
Helena, MT 59601
(406) 443-3962

February 2015

PROPOSED 2015 CSKT COMPACT TECHNICAL REVIEW REPORT

Prepared for:

Flathead Joint Board of Control
P.O. Box 639
St. Ignatius, MT 59865
(406) 745-2090

Prepared by:

WWC Engineering
1275 Maple Street, Suite F
Helena, MT 59601
(406) 443-3962
(406) 449-0056

Principal Author: Ed Everaert, P.E.
Reviewed by: Bruce Fredrickson and Kristin Omvig,
Rocky Mountain Law Partners, PLLP

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INTRODUCTION

The Flathead Irrigation Project (FIP) is located on the Flathead Indian Reservation in northwestern Montana and totals approximately 135,000 acres including assessed and temporarily non-assessed acres. FIP is divided into the North, South, Camas, and Jocko divisions and includes three geographical divisions. These divisions are the Jocko Valley, the Camas Valley, and the Mission Valley.

A 1908 act of Congress mandates the transfer of the management and operation of the FIP to the "owners of the lands irrigated thereby". These "owners of the land" are represented by the Flathead Irrigation District, Mission Irrigation District, and Jocko Valley Irrigation District and a representative of the interests of trust land owners, as mandated by Congress in the Act of May 29, 1908, 35 Stat. 448, and the Act of May 10, 1926, 44 Stat. 453, 464, and the historical administrative practice of the Department of the Interior in implementing the language of this provision.

The Flathead Joint Board of Control (FJBC) was established on September 26, 1981 and the Board's primary function is as an advisory board to the Project. In May 1986, the FJBC adopted a set of By-Laws for the organization. The FJBC consists of twelve members elected by the Flathead, Mission, and Jocko Valley Irrigation Districts. These Districts signed repayment contracts with the United States in 1928, 1931, and 1934, respectively. The FJBC and the three Irrigation Districts represent only owners of fee lands and are chartered under state law, Title 85 – Water Use – Montana Code Annotated. Lands held in trust by the United States that are irrigated by individual Indians and the Tribes are statutorily excluded from representation by the FJBC.

On January 7, 2015, the State of Montana Department of Natural Resources and Conservation (DNRC) provided the public review draft of the Water Rights Compact entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States of America. This report provides the technical review of the proposed 2015 CSKT Compact and available Appendices.

EXPERIENCE/EXPERTISE/QUALIFICATIONS

I, Ed Everaert, P.E., have over 32 years of experience in the engineering, operations and maintenance, construction administration and management, rehabilitation and betterment of water and power resources while working for the Bureau of Reclamation, various irrigation districts as the project manager, and engineering consulting firms. I also have been the senior project manager/engineer for Reclamation Safety of Dams projects, final adjudication documents for water rights, water rights administration and accounting, Montana Compacts review and technical input, Montana water rights settlement agreements for several river basins, BIA irrigation project condition assessments, water rights, and operation plans, irrigation project O&M, irrigation infrastructure rehabilitation and betterment (R&B) including automation, river and reservoir operations modeling, water and power resource planning studies, water quality analyses, hydropower project operations, maintenance, and feasibility studies, and irrigation district management.

REGISTRATIONS

Professional Engineer License

Montana No. 28946

Washington No. 47197

Engineer Intern

Colorado No. 10770

EDUCATION

M.S., Civil/Environmental Engineering, University of Colorado, 1983

B.S., Civil Engineering, University of Colorado, 1981

PROFESSIONAL MEMBERSHIPS

Chi Epsilon, National Civil Engineering Honor Society

BOARD MEMBERSHIP

Montana Water Resources Association, Former Board Member and President

PROFESSIONAL EXPERIENCE

Senior Project Manager, *WWC Engineering*, Helena & Culbertson, Montana. August 2013- Present

Engineering/Operations Manager, *Kennewick Irrigation District*, Kennewick, Washington, 2010 - 2012

Senior Water Resource Engineer/Project Manager, *DOWL HKM*, Billings, Montana 2004 - 2010

Irrigation District Manager/Water Resources Engineer, *Greenfields Irrigation District*, Fairfield, Montana. 1997 - 2004

Hydraulic Engineer, *Bureau of Reclamation*, Loveland, Colorado and Billings, Montana. 1983 - 1997

PROJECT EXPERIENCE

Water Resource Project Manager

Blackfoot River Fish Screens, MT. Design and construction oversight of the Dick Creek, Murphy Spring Creek, and H2-O Ranch fish screen projects on the Big Blackfoot River near Ovando, Montana.

St. Mary Canal Hydropower Feasibility Study, MT. Conducted an appraisal-level study for the hydropower potential at the five drop structures on the St. Mary Canal.

Term Contract with NRCS, Montana. Project Engineer for term contract with the NRCS.

Flathead Agency Irrigation Division, MT. Completed Plan of Operation, O&M and Engineering Evaluation of Existing Conditions for the Flathead Agency Irrigation Division.

Safety of Dams and Review of Operation and Maintenance

Willow Creek Dam, Augusta, MT. Responsible for administration of USBR contracts and specifications for a $3.7 million Safety of Dams Construction Project.

Pishkun Dam, MT. Provided oversight, design, and construction of a sinkhole repair.

Colorado-Big Thompson Project Loveland, CO. Responsible for the Safety Evaluation of Existing Dams and Review of Operations and Maintenance Programs.

Fryingpan-Arkansas Project, Pueblo, CO. Responsible for the Safety Evaluation of Existing Dams and Review of Operations and Maintenance Programs.

Water Rights Administration and Accounting

Beaverhead River, MT. Performed water rights analysis of the Beaverhead River and developed a daily water accounting spreadsheet for East Bench Irrigation District and Clark Canyon Water Supply Company.

Sun River Project, Fairfield, MT. Expert witness testimony before Montana Water Court and development of water operations/water rights models for the final adjudication of the Sun River. Working with the DOJ and the USBR, developed and reviewed Summary Judgment for the Sun River Final Adjudication.

Colorado-Big Thompson Project, Loveland, CO. Developed and implemented the Colorado River water rights spreadsheet for the administration of the Colorado River Water Rights from the headwaters to the Colorado-Utah state-line.

Kennewick Irrigation District development and implementation of TruePoint Solutions software for water accounting, assessment billing, O&M activities, irrigation allotments, irrigated acreage, and water measurement. Columbia and Yakima Rivers water rights settlement agreements administration.

Crow Irrigation Project, Crow Agency, MT. Project Manager/Engineer for completing irrigation system condition assessment, R&B projects, O&M efficiencies, water rights evaluation, and irrigation project operations plan for the Crow Compact.

River and Reservoir Planning and Operation Modeling

Sun River Project, Fairfield, MT. Developed and implemented Hydrologic model for the monthly operations, daily operations, and long-term planning for the Sun River Project to maximize the available limited water supply to all water users.

Irrigation Project Facility Design, Analyses and Construction

Crow Irrigation Project, Crow Agency, MT. Project Manager/Engineer for 10 major structures, including a 450 cfs siphon and a 600 cfs siphon, on the Crow Irrigation Project that included the design, engineering, and construction administration of a $185 million rehabilitation and betterment program.

Australian-American Energy Company Coal Gasification Plant – Crow Reservation, MT. Project Manager/Engineer for water supply, water rights, intake structure, pipeline, wetlands, coal exploration plan, 960-acre site development, brine disposal permitting, transportation system, right-of-way, and utilities for the $7.4 billion Coal Gasification Plant.

Helena Valley Irrigation Project, Helena, MT – Irrigation Infrastructure Design, Engineering, and Construction. Project Manager/Engineer for major structures, including canal lining, RRGL grant application, preliminary engineering report, and the final design, engineering, and construction administration.

East Bench Irrigation Project, Dillon, MT – Irrigation Infrastructure Design, Engineering, and Construction. Project Manager/Engineer for major structures, including two 1,800 foot sections of canal lining, on the East Bench Irrigation Project.

Petrolia Irrigation Project, Winnett, MT – Irrigation Infrastructure Design, Engineering, and Construction. Project Manager/Engineer for major structures, including a 2,360 foot section of canal lining, on the Petrolia Irrigation Project.

Delphia Melstone Canal Water Users Association, Melstone, MT – Irrigation Infrastructure Design, Engineering, and Construction Administration. Project Manager/Engineer for major structures, including replacing a 450 foot section of a 4-foot diameter siphon.

Flathead Indian Irrigation Project, St. Ignatius, Montana – Irrigation Infrastructure Design, Engineering, and Construction. Project Manager/Engineer for the condition assessment, O&M efficiency improvements, and R&B of irrigation structures, which will, upon implementation, include canal lining, RRGL grant applications, preliminary engineering reports, final design, engineering, and construction administration.

Emergency Repair Deadman's Basin Supply Canal, Musselshell River Basin, MT. Assessed existing conditions to determine appropriate design criteria for canal rehabilitation.

Pondera County Canal and Reservoir Company, Valier, MT Irrigation Infrastructure Improvements. Project manager - developed plans and budget to construct the preferred alternative for the Lake Frances East Dam and Outlet Works.

Muddy Creek, Vaughn, MT. Performed analysis, design, and construction oversight for the structures placed in Muddy Creek to prevent continued lateral erosion resulting from drain water from the Sun River Project irrigation.

USBR Colorado-Big Thompson Project, Loveland, CO. Responsible for the design, construction, maintenance, and operation of district facilities.

PROJECT DOCUMENTS REVIEWED

1. January 7, 2015, public review draft of the "Water Rights Compact and Appendices entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States of America".
2. June, 2005, Operation and Maintenance Guidelines, Flathead Indian Irrigation Project, United States Department of the Interior, Bureau of Indian Affairs
3. February 13, 2013, proposed Water Rights Compact, Entered into by the Confederated Salish & Kootenai Tribes, the State of Montana, and United States of America.
4. Appendix A, Water Use Agreement, to the February 13, 2013, proposed Water Rights Compact, entered into by the Confederated Salish & Kootenai Tribes, the State of Montana, and United States of America.

SUMMARY OF 2015 CSKT COMPACT REVIEW

NOTE: THIS REVIEW WAS DONE BASED ON THE APPENDICES RELEASED ON JANUARY 7, 2015. THOSE APPENDICES HAVE BEEN AND CONTINUE TO BE AMENDED AND UPDATED. THIS REVIEW WILL BE SUPPLEMENTED BASED ON WHAT IS BELIEVED TO BE THE MOST RECENT REVISIONS AS OF THE DATE OF THIS REPORT. INITIAL CURSORY REVIEW OF THE MOST RECENT REVISIONS INDICATE THAT THE MOST SIGNIFICANT CHANGES MAY BE THE ELIMINATION OF REFERENCE TO THE 2013 WATER USE AGREEMENT IN APPENDICES 5 AND 38, AND ELIMINATION OF FTA'S AND REVISIONS TO IRRIGATED ACREAGES IN APPENDIX 5

IN SUMMARY, THE 2015 CSKT COMPACT AS DRAFTED:

***1.** Contains deficient and flawed definitions for, among other things, "Change in Use", "Historic Farm Deliveries", "Incidental Uses", "Instream Flow", "Operational Improvements", "River Diversion Allowances", "Wetland Water Rights", and "Irrigators within the FIP Influence Area".

***2.** Contains provisions which directly conflict with one another.

***3.** References provisions which do not exist within the 2015 CSKT Compact.

***4.** Relies upon the 2013 Water Use Agreement and attachments which are not a part of the 2015 CSKT Compact. [Note: This has been changed with the recent amendments to the Appendices.]

*5. Wrongfully places implementation and design roles with the CITT as opposed to the Project Operator, CSKT, and qualified contractors.

*6. Fails to provide if the 90,000 acre-foot of Hungry Horse Reservoir water supply allocation can be utilized to meet FIP irrigation water shortages.

*7. Fails to adequately address extra duty water and non-quota water which are valuable water supplies for FIP water users that have been historically provided by the Project Operator.

*8. Creates the Flathead Reservation Water Management Board an "exclusive regulatory body" responsible for the daily, monthly, and annual administration and enforcement of existing uses on the Reservation, including the FIP water users, whose role, as defined by the CSKT Compact, directly conflicts with the role of the Project Operator for FIP water users.

*9. The Appendices fail to consider some long-standing industry standards such as hydrological conditions for natural flow runoff and precipitation when assessing, among other things, River Diversion Allowances; Historic Farm Deliveries; and determination of Wet, Normal and Dry Years. A majority of Federal water resource projects rely upon these industry standards, yet these standards are disregarded in the 2015 CSKT Compact for some critical irrigation project parameters.

*10. Based upon sound science, a number of the Appendices lead to illogical conclusions.

*11. For some sections of the CSKT Compact, fails to reference and incorporate integral FIP operational guidelines such as the BIA O&M Guidelines.

*12. Fails to clearly provide the allocation percentage of Reallocated Water between instream flows and irrigation uses, potentially impacting RDAs, MEFs and TIFs.

*13. Gives the Tribe unfettered authority over the Rehabilitation and Betterment actions.

*14. Fails to verify the current Project Operator's enforcement of Interim Instream Flows and Interim Reservoir Pool Elevations.

***15.** For the Appendices, MEFs and TIFs (Appendix 3.1) do not equal the listed IFRs (Appendix 11) with monthly flow values not being consistent. As a result, Water Rights Abstracts which are an integral part of determining how much irrigation water will be delivered to FIP water users cannot be accurately completed until the MEF and TIF values are revised for wet, dry and normal runoff conditions.

***16.** Places with the Project Operator the authority and enforcement responsibility for ensuring compliance with instream flows while placing the measuring of instream flows in the hands of the CSKT.

***17.** Is premised upon an outdated 2013 Preliminary Decree, the language of which is not consistent with the 2015 CSKT Compact and Appendices. [Note: This has been changed with the most recent amendments to the Appendices.]

PROPOSED 2015 CSKT COMPACT REVIEW COMMENTS

Based upon my review of the proposed 2015 CSKT Compact, as drafted, the CSKT Compact is not workable nor can it be successfully implemented.

Comments for the January 7, 2015 public review draft of the "Water Rights Compact entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States of America" (CSKT Compact) are as follows:

1. Page 6, paragraph 2, of the CSKT Compact states "the Parties agree to protect Tribal Instream Flows, Existing Uses, and Historic Farm Deliveries to Flathead Indian Irrigation Project irrigators". That language obligates the Parties to protect FIP Historic Farm Deliveries upon the ratification of the CSKT Compact. That obligation is inconsistent with the concept of "Adaptive Management" which consists of an on-going process of decision making which does not account for Historic Farm Delivers as part of the "Adaptive Management" implementation.

2. Page 8, Item 21. "Change in Use" definition is flawed as FIP water rights and water users should not be required to go through this "Change in Use" process for changes to the "point of diversion or place of use" as long as these changes occur within the FIP exterior boundaries. For example, farm turnout relocations and farm irrigated acreage changes are typically approved by the Project Operator, as provided for in the BIA Operations and Maintenance Guidelines.

3. Page 9, Item 33. The CSKT Compact creates a "Flathead Reservation Water Management Board" authorized to "administer the use of all water rights on the Reservation upon the Effective Date." Such a proposed entity directly conflicts

with the functions of the Project Operator who has historically administered FIP water use rights held in trust by the U.S.A. through the Department of Interior ("DOI") on the FIP through the delivery of the irrigation water to FIP water users. The CSKT Compact creates an incongruent conflict between the Flathead Reservation Water Management Board and the Project Operator.

4. Page 10, Item 35. The "Historic Farm Deliveries" definition fails to account for the FIP water users that have requested irrigation water deliveries but that have been unable to receive that irrigation water due to the deteriorated condition of the FIP irrigation facilities. As a result, deterioration of the FIP under this definition of "Historic Farm Deliveries" punishes those water users and does not address the concerns identified by water users during the FIP irrigation facility condition assessment conducted by HKM (2007 Report).

5. Page 10, Item 41. "Incidental Purpose(s)" includes Rehabilitation and Betterment as an incidental purpose. However, Rehabilitation and Betterment is not a water delivery purpose; rather, it is an irrigation infrastructure item. Further, requiring water service contracts for "Incidental Purposes" used by FIP water users under Item 41, for example lawn and garden purposes, directly contradicts the FIP Water Rights Abstracts contained in Appendix 5 which allows such uses.

6. Page 10, Item 43. The CSKT Compact defines "Instream Flow" as including "Natural Flow or streamflow affected by regulation, diversion, or other modification." Instream flows are typically defined as the natural flow or the instream flow targets, whichever is less. The CSKT Compact's definition of "Instream Flow" directly impacts FIP irrigators as it provides for storage water release from FIP reservoirs for instream flows over and above the natural flow. It does not appear that releases for instream flows are an authorized FIP reservoir storage water purpose. In that event, for example, if the instream flow monthly flow target is 50 cfs below a FIP reservoir and the natural flow is only 30 cfs, then the 50 cfs would be required to be released according to the Compact language, and an unauthorized storage water release of 20 cfs would occur, thereby reducing the quantity of irrigation water available to FIP irrigators.

7. Page 11, Item 51. "Operational Improvements" definition is wholly deficient and fails to include or address natural flow management, management of water storage, state-of-the-art operation models, water supply forecasting, automated water measurement, automated gate control, and water budgets that include evaporation and seepage losses.

8. Page 12, Item 57 defines "River Diversion Allowance" to include RDA's for "wet, normal, and dry Natural Flow years." The CSKT Compact disregards the long-

standing technical terms and processes utilized to evaluate these three hydrologic conditions for natural flow runoff and precipitation: minimum probable (5% or less probability), most probable (50% probability), and maximum probable (95% or greater probability). These concepts are used by a majority of Federal water resource projects when forecasting river basin hydrologic conditions. As such, the CSKT Compact definition of "River Diversion Allowance" for wet, normal, and dry years is subject to a variety of interpretations.

9. Page 13, Article III – Water Rights of the Tribes – This CSKT Compact defines one of the Tribes "quantified" water rights as those whose "basis is Federal law' and "referred to as the Tribal Water Right". The Tribe does not own the water right.

10. Page 14, Article III.C.1.a. "Flathead Indian Irrigation Project" refers to Appendix 5 water rights abstracts which list the owner as USA – Department of Interior. The Tribal Water Right for FIP is held in trust for the FIP water users by the USA – Department of Interior with a priority date of July 16, 1855. The irrigated acreage served by FIP is limited to 135,000 acres. The CSKT Compact fails to provide a total RDA for the Jocko Area, Mission Area, and Little Bitterroot Area relative to FIP annual irrigation water supply. Therefore, without an extensive review of the Appendices, it cannot be easily determined in the draft CSKT Compact language, the acre-feet/year and acre-feet/acre of the irrigation water supply available to the FIP water users in each of these three Areas.

11. Page 18, Article III.C.1.f grants to the Tribe the right to all naturally occurring water to maintain Wetlands. This "Wetland Water Right" does not differentiate between naturally occurring wetlands and artificial or man-made wetlands. To my knowledge, artificial or man-made wetlands have not been protected in any other Montana Compacts or water rights settlement agreements from the implementation of O&M and R&B project improvements. Accordingly, if artificial or man-made wetlands are protected through a proposed Tribal Water Right, FIP water users will be negatively impacted and the net water savings from O&M improvements and R&B projects would be significantly diminished.

12. Page 30, Article III.G.3.a and b. The CSKT Compact places requirements on state-based water rights for "Irrigators within the FIP Influence Area". However, these CSKT Compact requirements are deficient and do not provide the acre-foot quantity for the "annual FIP quota". The CSKT Compact discusses "or an equivalent farm delivery amount within FIP as implemented by the Project Operator"; however, the farm turn out delivery amounts are not quantified in the Compact. Based upon my review, the CSKT Compact has now eliminated FTA amounts (revised Appendix 5, January 28, 2015) and provides that only RDA

amounts will be enforced, thereby resulting in the potential for FIP irrigators to receive significantly less irrigation water at the farm turnout as compared to water received in prior years

13. Page 30, Article III.G.3.b. "Irrigators within the FIP Influence Area" include State based water rights and allows the conveyance of State based water rights through the federally owned FIP irrigation facilities. These State based water rights are **not** allowed to be conveyed through federally owned FIP irrigation facilities.

14. Page 30, Article III.G.3.c states that "Irrigators within the FIP Influence Area who wish[es] to enter into such agreement" may enter into a consensual agreement. The CSKT Compact fails to state what occurs if a State based water right holder does not enter into a consensual agreement, thereby arguably making those who do not enter into consensual agreements subject to a Call by the Tribes.

15. Page 31, Article III.G.3.c.i-v. State based water rights abstracts list the volume, annual quota, period of use, and purpose for the water right while Article III.G.3.c.i-v of the CKST Compact changes and limits those water right abstract parameters to the Federal water right FIP parameters. The "agreement is permanent and binding". Therefore, it would appear that the CSKT Compact displaces the State based water right abstract (and the DNRC's role and procedures) as the permanent and binding document for the State based water right and has the potential of limiting irrigation water available to irrigators and resulting in State based water rights to be given up to the FIP.

16. Pages 31-32, Article III.G.3.d.-f requires a State based water right holder to go through the Montana general stream adjudication process. Based upon the CKST Compact language, the consensual agreement is the permanent and binding document. However the Compact still requires the State based water right holder to go through the seemingly redundant, time consuming Montana general stream adjudication process while ultimately being limited to the FIP parameters as required by the consensual agreement.

17. Page 32, Article III.G.3.g. The CSKT Compact's designation of "Irrigators within the FIP Influence Area" creates a conflict: it states that a State based water right holder does not abandon his or her water right volume in excess of the FIP annual quota due to non-use; however they are limited to diverting only the annual FIP quota. In essence, State based water rights holders have abandoned the wet water use volume right in their abstract over and above the FIP annual quota and retain only a paper water right for any water volume amount over the FIP annual quota.

18. Page 32, Article III.G.3.h states **any** use of a Water Right Arising Under State Law subject to a consensual agreement is subject to a Call by the Tribes. This paragraph disregards the rights of senior water right holders and effectively makes all water rights junior to those of the Tribes.

19. Page 32, Article III.G.3.i states "A Person who has both an entitlement to the delivery of water from the FIP and a Water Right Arising Under State Law to serve the same acreage may only protect from Call, by entering into a consensual agreement". However, Article III.3.c.ii states "the owner of a Water Right Arising Under State Law does not acquire entitlement to any delivery or diversion of water from the FIP". These two provisions contained in Article III of the CSKT Compact create a direct conflict regarding the delivery of FIP water.

20. Page 34, Article III.H regarding "Water Rights Arising Under State Law Appurtenant to Lands Acquired by the Tribes" states that "the water right appurtenant to the land shall be transferred to the Tribal Water Right quantified in this Compact with a priority date of July 16, 1855." Transfer of a junior State based water right to a senior Federal Water right is not equitable and would cause irrigation water shortages for existing FIP water users, whose historical irrigation water use is to be protected by the CSKT Compact. For example, if the Tribes acquire land within FIP that has a junior priority State Based Water Right which according to the CSKT Compact requires a consensual agreement, then that State Based Water Right is transferred to the higher priority Tribal Water Right with a priority date of July 16, 1855. The total annual FIP maximum irrigation water allocation under the Federal water right would be established by the CSKT Compact ratification. Then such a proposed water rights transfer for only Tribal trust land acquisitions would increase the total annual FIP acre-foot/acre irrigation water allocation to that newly acquired Tribal land only within the FIP over and above the maximum allowed acre-foot/acre irrigation water allocation to the other existing FIP water users. All water users within a FIP RDA Area are entitled to the same amount of irrigation water allocation depending on the type of water year, as the assessment rate for that irrigation water allocation is equal for all FIP water users. Vesting the right in one single entity to transfer a junior State Based Water Right to a senior Federal Water Right and achieve increased irrigation water allocations to that newly acquired tribal lands only is patently unfair and not equitable to the other majority long-term FIP water users and land owners.

21. Page 41, Article IV.B.7 governs the "Lease of 11,000 Acre-Feet per Year of Water from Hungry Horse for Off-Reservation Mitigation" and provides the Tribes with the ability to lease up to 11,000 acre-feet/year of water from the stored water in Hungry Horse Reservoir. Under Article III.C.1.c.i of the CSKT Compact, the total storage allocation from Hungry Horse Reservoir is 90,000 acre-feet/year. The right to lease 11,000 acre-feet/year of water for off-reservation mitigation potentially reduces the total allocation from Hungry Horse Reservoir for other uses to 79,000 acre-feet/year. Is the 79,000 acre-feet/year remaining Hungry Horse water allocation available for irrigation water use on-reservation by FIP irrigators?

22. Page 44, Article IV.C. "Exercise of Certain Portions of the Tribal Water Right Related to the FIP" states in subparagraph 2 that "Reallocated Water in excess of Target Instream Flows (TIF's) will be split as equally as hydrologically practicable between the Instream Flow set forth in Article III.C.1.d.ii and the FIP Water Use Right set forth in Article III.C.1.a." However, subparagraph 3.b.iii provides that "Reallocated Water from Rehabilitation and Betterment Projects shall be used to incrementally achieve FIP instream Flows set forth in Article III.C.1.d.ii." More particularly, subparagraph 2 provides an immediate 50%:50% split of Reallocated Water to IFR's and FIP irrigation; however, subparagraph 3.b.iii distributes 100% of Reallocated Water to the IFR until the TIF is met, then a 50%:50% split for TIF's and FIP irrigation will occur. These provisions of the CSKT Compact contradict each other.

23. Page 45, Article IV.D.1.d. The CSKT Compact provision regarding "Exercise of the FIP Water Use Right" states "The enforceable RDA for the location in which particular Rehabilitation and Betterment project has been completed is the amount defined in Appendix 3.2, reduced by the volume of Reallocated Water made available by that Rehabilitation and Betterment project." This provision is deficient and creates a conflict within the CSKT Compact because it assumes in all cases that 100% of the TIF has not been met and that 100% of the Reallocated Water goes to the IFR and reduces the FIP RDA by the same amount. However, Article IV.C states that if the TIF has been met, then the 50%:50% split of Reallocated Water to IFR's and FIP irrigation occurs and the FIP RDA is not reduced but actually increases by that 50% Reallocated Water amount.

24. Page 46, Article IV.D.1.e.i of the CSKT Compact "FIP Water Use Right" states "The Project Operator must measure and record farm turnout deliveries within a given RDA area." The Project Operator must be able to measure all irrigation water RDA's, canals, laterals, farm turnouts, spills, and wastes to effectively and efficiently operate the entire irrigation system including water accounting and water budgets within the FIP exterior boundaries. The CSKT Compact further fails to identify when those measurements and records are to be initiated.

25. Page 46, Article IV.D.1.e.ii. “FIP Water Use Right” states “If water in excess of the RDA is needed to meet Historic Farm Deliveries, it will be provided through an increase of the Flathead River pumping plant diversion allowed by the Flathead Pumping Station RDA attached hereto as Appendix 3.2.” The Flathead Pumping Station RDA is 65,000 acre-feet/year; however, it is not accounted for in the DNRC RDA analysis and the amounts available from this water supply source to the FIP irrigable acreages in the Jocko, Mission, and Little Bitterroot Areas are undetermined.

26. Page 46, Article IV.D.2. “FIP Delivery Entitlement Statement” states “an owner of assessed land within the FIP may request of the Project Operator a delivery entitlement statement.” The CKST Compact fails to identify the policy for providing irrigation water to FIP water users that pay for the irrigation water assessments but that do not request a delivery entitlement statement. The Delivery Statement does not provide the entitlement quantity to the FIP water users. Article IV.D.2 also states “assessed land within the FIP is entitled to have water delivered by the Project Operator if the FIP customer is in compliance with the applicable BIA rules and guidelines for FIP”. Historically, this has included the ability of the Project Operator to deliver Non-Quota water to FIP water users as provided for in the June 2005 BIA Operation and Maintenance Guidelines, Flathead Indian Irrigation Project Manual. However, the CSKT Compact does not contain any provision for the delivery of Non-Quota water to FIP water users. Multiple duty water delivery to FIP water users in certain areas has further been a long standing irrigation water delivery practice by the BIA; however, it is not addressed in the CSKT Compact.

27. Page 47, Article IV.E.3. The “Shared Shortages Provision” provides for Flathead Pumping Station RDA diversions to meet FIP irrigation diversions. Based upon the CSKT Compact review, it remains unknown if the 90,000 acre-foot of Hungry Horse Reservoir allocation can be utilized to meet FIP irrigation water shortages. Article IV.E.3 further states “FIIP reservoirs may be reduced below the Minimum Reservoir Pool Elevations specified in Appendix 3.1 to supply RDA’s, subject to Article IV.E.5.” The priority system set forth in Article IV.C.1 of the CSKT Compact has the Minimum Reservoir Pool Elevations priority set higher than the RDA priority. This conflicts with Article IV.E.3.c of the Compact pertaining to the allowance of reduced Minimum Reservoir Pool Elevations to meet RDA’s.

28. Page 48, Article IV.E.5.d. The “Shared Shortages Provision” states “RDAs may be met from carryover storage, at the discretion of the Project Operator.” Carryover storage is not defined. Generally, carryover storage is utilized to meet IFR’s below reservoirs from October through March of the water year and as a

base target storage level to fill the reservoir the next spring with snowmelt runoff. The ability to meet RDA's with carryover storage is minimal and most likely would not be allowed with the period of use defined for FIP irrigation water use. In the past FIP operations by the Project Operator, during wet years, the early delivery of carryover storage for the next water year has been accomplished through the delivery of Non-Quota water to FIP water users to minimize reservoir spills to downstream junior water users. However, the CSKT Compact does not address the long-term Project Operator practice of delivering Non-Quota water to FIP water users.

29. Page 48, Article IV.F.1. "Requirement to Implement Adaptive Management and Water Measurement" provides for Adaptive Management and a comprehensive water measurement program to be implemented by a Compact Implementation Technical Team (CITT) as set forth in Article IV.G of the CSKT Compact. Historically, the Project Operator implements these programs as it is involved in the day to day operations of the irrigation project. For maximum benefits, these programs should be implemented by the Project Operator, not the CITT.

30. Page 48, Article IV.G. "Compact Implementation Technical Team" states "(CITT) to allow planning for and implementation of Operational Improvements, Rehabilitation and Betterment, and Adaptive Management". The CITT will not have the staff or resources to implement Operational Improvements, Rehabilitation and Betterment, and Adaptive Management as stated in this Article. Rather, that is the Project Operator's role. Further, Article IV.G.5 creates a Compact Management Committee ("CMC"). Based upon my experience, the CSKT Compact contains more committees and teams than any other compact developed in the State of Montana to date. Questions exist as to who will have the authority to hire professionals, including engineers, and the CSKT Compact fails to provide the source of funding for staff and committee members.

31. Page 51, Article IV.I. "Administration: Establishment of Flathead Reservation Water Management Board" of the CSKT Compact creates the Flathead Reservation Water Management Board as an "exclusive regulatory body" responsible for the daily, monthly, and annual administration and enforcement of all existing uses on the Reservation, including the FIP water users. That Board's roles as defined by the CSKT Compact directly conflict with the role of the Project Operator. Further, it states "...Appropriation Rights and Existing Uses on the Reservation except as explicitly provided otherwise in Article VII.H.1." Article VII.H.1 does not exist in the Compact

32. Page 56, Article IV.I.5.d. "Appointment of Water Commissioner(s)" provides for the commissioner(s) to have authority over only FIP diversion facilities. Standard irrigation practice is that the Project Operator administers and distributes irrigation water to FIP RDA's, canals, laterals, farm turnouts, spills, and wastes to effectively and efficiently operate the entire irrigation system. Fractionating the administration and distribution duties of the FIP irrigation water would only cause significant inefficiencies including increased spills and wastes. The Manager and Water Master for the Project Operator need to be able to have their operations staff maximize the efficiency of the entire FIP irrigation infrastructure system. Large, efficiently operated Federal irrigation projects do not have more than one Project Operator for an entire irrigation system.

33. Page 64, Article VII.A.3.d states "Congress does not authorize and appropriate the Federal share of funding agreed to pursuant to Article VI.B." The amount of the "Federal share of funding" is not provided in the CSKT Compact.

2015 CSKT COMPACT APPENDICES REVIEW COMMENTS

Comments for the public review draft of the proposed 2015 CSKT Compact Appendices related to the quantification of the FIP irrigation water are as follows:

APPENDIX 3.1: MEFS, TIFS, MINIMUM RESERVOIR POOL ELEVATIONS

1. The Minimum Enforceable Instream Flows (MEFs), Target Instream Flows (TIFs), and Minimum Reservoir Pool Elevations used streamflow information spanning the 1983-2002 period. MEFs are based on dry water conditions and TIFs are based on normal and wet water conditions and are reported for normal and wet years. The standard practice for a hydrologic analysis is the most current 30 year time period that data is available. Here, the 1984-2013 streamflow information data should have been utilized for this Appendix, increasing the database by 50 percent which includes additional wet, normal, and dry years.

2. MEFs, TIFs, and Minimum Reservoir Pool Elevations are given for wet, normal, and dry Natural Flow years. The Appendix fails to consider the long-standing industry standards utilized for these three hydrologic conditions for natural flow runoff and precipitation: minimum probable (5% or less probability), most probable (50% probability), and maximum probable (95% or greater probability) for forecasting river basin hydrologic conditions. A majority of Federal water resource projects rely upon these industry standards.

3. Some of the MEFs are very low values such as 0.1 cfs to 0.7 cfs for S-14 Creek below Tabor Feeder Canal near mouth. These MEF's will be difficult to measure at 0.1 cfs accuracy. For example, the Tabor Reservoir Minimum Reservoir Pool Elevations are listed on page 9 of Appendix 3.1. No Tabor Reservoir Minimum Reservoir Pool Elevation for the period from November 15th to August 1st is

provided. Failure to include pertinent information makes it impossible to implement the proposed 2105 CSKT Compact, as drafted.

4. The Appendices fail to provide whether or not the MEFs are to be implemented until operational efficiency improvements and rehabilitation and betterment projects are implemented and completed. Nor, does it account for any MEFs currently being implemented by the BIA and/or the Project Operator, at all these sites for all hydrologic conditions.

APPENDIX 3.2: RIVER DIVERSION ALLOWANCES

1. River Diversion Allowances (RDAs) are dedicated to serve irrigation head-works or pumping facilities for irrigated lands that are assessed and served by the Flathead Indian Irrigation Project (FIP). RDAs used exclusively to serve the FIP irrigated lands are restricted to April 15th to September 15th irrigation season, and may be extended to no later than October 15th. RDAs were based on streamflow information spanning the 1983-2002 period. Again, the standard practice for a hydrologic analysis is the most current 30 year time period that data is available. The 1984-2013 streamflow information data should have been utilized for this Appendix, increasing the database by 50 percent which includes additional wet, normal, and dry years for greater accuracy.

2. RDAs are given for wet, normal, and dry Natural Flow years. The CSKT Compact fails to consider the long-standing industry standards utilized for these three hydrologic conditions for natural flow runoff and precipitation: minimum probable (5% or less probability), most probable (50% probability), and maximum probable (95% or greater probability) for forecasting river basin hydrologic conditions. The majority of Federal water resource projects utilize these industry standards.

3. RDAs are reported for administered locations and administered plus incremental flows locations. Both volumes and peak capacities are reported for these locations. The daily RDA flows should be measured daily to determine the monthly and yearly RDA volumes at each administered location. Peak capacities are an infrastructure design parameter and not a measured value.

4. The Jocko Area, Mission Area, and Little Bitterroot Area total RDA values for the FIP are not stated for each Area and the acreage served by each administered location is not included. The total acreage served by each of the administered location for all three Areas must equal the maximum allowed total FIP irrigated acreage of 135,000 acres.

5. The incremental inflows are areas where small streams or other incidental sources contribute inflows to the FIP infrastructure; these are not intended for

direct administration. The Appendix does not address whether the incremental inflows are available for FIP irrigation water. Nor, does it address whether or not in that instance if the use of incremental flows would count against the FIP annual allocation of irrigation water by administered location. Incremental flows can amount to a significant quantity of water which has not been addressed by the CSKT Compact or Appendices.

6. DNRC utilizes the McGinnis and Alder Diversion RDAs as an irrigation water supply for the Little Bitterroot Area to serve the FIP irrigated acres. This would add 5,300 acre-feet/year of irrigation water supply to the 18,000 acre-feet/year listed for the Little Bitterroot Area RDA listed at the top of page 6, Appendix 3.2. However, no confirmation exists that this additional irrigation water supply exists for the Little Bitterroot Area RDA since it is listed as an Off-Reservation Area RDA. Placid Canal Diversion RDA is also listed as an Off-Reservation Area. No benefits are apparent for FIP irrigated areas for the Placid Canal Diversion RDA. DNRC does not include the Flathead River Pumping Plant RDA of 65,000 acre-feet/year for the RDA total for the Mission Area but it is listed in Appendix 3.2 for the RDAs. The CSKT Compact creates a question regarding whether the Flathead River Pumping Plant RDA is included for the Mission Area total RDA's for wet, normal, and dry years.

7. The DNRC RDAs for the Jocko Area are 32,700 acre-feet/year for the wet year, 33,600 acre-feet/year for the normal year, and 36,500 acre-feet/year for the dry year. The Appendix 3.3 HFDs for the Jocko Area are 12,856 acre-feet/year for the wet year, 12,464 acre-feet/year for the normal year, and 12,634 acre-feet/year for the dry year. The FIP RDA to HFD irrigation system losses for the Jocko Area equal 61% for the wet year, 63% for the normal year, and 65% for the dry year. Consequently, the FIP RDA to HFD irrigation system efficiencies for the Jocko Area equal 39% for the wet year, 37% for the normal year, and 35% for the dry year.

8. The DNRC RDAs for the Mission Area without the Flathead River Pumping Plant RDA are 200,200 acre-feet/year for the wet year, 183,700 acre-feet/year for the normal year, and 167,700 acre-feet/year for the dry year. The Appendix 3.3 HFDs for the Mission Area are 105,103 acre-feet/year for the wet year, 109,212 acre-feet/year for the normal year, and 115,442 acre-feet/year for the dry year. The FIP RDA to HFD irrigation system losses for the Mission Area equal 48% for the wet year, 41% for the normal year, and 31% for the dry year. Consequently, the FIP RDA to HFD irrigation system efficiencies for the Mission Area equal 52% for the wet year, 59% for the normal year, and 69% for the dry year.

9. The DNRC RDAs for the Little Bitterroot Area are 23,300 acre-feet/year for the wet year, normal year, and dry year with Alder and McGinnis RDAs included. The Appendix 3.3 HFDs for the Little Bitterroot Area are 13,302 acre-feet/year for the wet year, 13,297 acre-feet/year for the normal year, and 13,848 acre-feet/year for the dry year. The FIP RDA to HFD irrigation system losses for the Little Bitterroot Area equal 43% for the wet year, 43% for the normal year, and 41% for the dry year. Consequently, the FIP RDA to HFD irrigation system efficiencies for the Little Bitterroot Area equal 57% for the wet year, 57% for the normal year, and 59% for the dry year.

10. The preceding FIP RDA to HFD analysis for irrigation system losses and efficiencies has an extreme amount of unexpected and unexplained variability based on each FIP Area. For example, the Mission Area dry year FIP RDA to HFD irrigation system losses of only 31% and efficiency of 69% are nearly opposite of the Jocko Area dry year FIP RDA to HFD irrigation system losses of 65% and efficiency of 35%. Irrigation system losses and efficiencies generally do not vary to this extreme degree within the same project. In addition, the FIP RDA to HFD irrigation system losses for the Mission Area are the highest in the wet year at 48% and lowest in the dry year at 31%. Irrigation system losses are the greatest in dry years not wet years due to increased temperature, high evaporation, low precipitation, low soil moisture conditions, and high seepage rates. Based upon sound science, this Appendix leads to illogical conclusions.

APPENDIX 3.3: HISTORIC FARM DELIVERIES

1. This Appendix provides the wet, normal, and dry year FIP Historical Farm Deliveries (HFDs) for the Jocko Area, Mission Area, and Little Bitterroot Area by the RDA administrative area. In determining the HFD values contained in Appendix 3.3, the Appendices fail to define if only the administered locations RDAs are used or if the administered plus incremental flows locations RDAs are used for the values stated.

2. Again, the standard industry practice for a hydrologic analysis is the most current 30 year time period that data is available for, not the 1983-2002 hydrologic period used for the HFDs. The 1984-2013 streamflow information data should have been utilized for this Appendix, increasing the database by 50 percent which includes additional wet, normal, and dry years for greater accuracy.

3. HFDs are provided for wet, normal, and dry Natural Flow years. Again, the Appendices fail to consider long-standing industry standards and practice typically utilized for these three hydrologic conditions for natural flow runoff and precipitation: minimum probable (5% or less probability), most probable (50%

probability), and maximum probable (95% or greater probability) for forecasting river basin hydrologic conditions. A majority of Federal water resource projects use these industry standards.

4. As a general irrigation practice, with evaporation and temperatures the highest along with crop evapotranspiration rates, the dry year HFD should be the highest with the greatest irrigation demand. However, Appendix 3.3 establishes that, but for some administrative areas, the HFD for a dry year is less than the wet year HFD.

5. The HFDs for the Jocko Area are 12,856 acre-feet/year for the wet year, 12,464 acre-feet/year for the normal year, and 12,634 acre-feet/year for the dry year. The Appendix 5 FIP Water Rights Abstracts have an FTA of 1.4 acre-feet/acre for 10,604.52 acres or 14,847 acre-feet/year FTA for the Jocko Area. The Appendix 3.3 FIP normal year HFD at 12,464 acre-feet/year is 2,383 acre-feet/year (16%) less than the Appendix 5 annual FIP FTA of 14,847 acre-feet/year. Since HFD and FTA are equivalent these two values should be equal. Simply put, this Appendix contains faulty information and/or mathematical errors.

6. The HFDs for the Mission Area are 105,103 acre-feet/year for the wet year, 109,212 acre-feet/year for the normal year, and 115,442 acre-feet/year for the dry year. The Appendix 5 FIP Water Rights Abstracts have an FTA of 1.4 acre-feet/acre for 104,559.04 acres or 146,383 acre-feet/year FTA for the Mission Area. The Appendix 3.3 FIP normal year HFD at 109,212 acre-feet/year is 37,171 acre-feet/year (25%) less than the Appendix 5 annual FIP FTA of 146,383 acre-feet/year. Since HFD and FTA are equivalent these two values should be equal.

7. The HFDs for the Little Bitterroot Area are 13,302 acre-feet/year for the wet year, 13,297 acre-feet/year for the normal year, and 13,848 acre-feet/year for the dry year. The Appendix 5 FIP Water Rights Abstracts have an FTA of 1.4 acre-feet/acre for 10,604.52 acres or 14,847 acre-feet/year FTA for the Little Bitterroot Area. The Appendix 3.3 FIP normal year HFD at 13,297 acre-feet/year is 1,550 acre-feet/year (10%) less than the Appendix 5 annual FIP FTA of 14,847 acre-feet/year. Since HFD and FTA are equivalent these two values should be equal.

8. The total acres served by the Jocko Area, Mission Area, and Little Bitterroot Area HFDs should equal the CSKT Compact FIP acreage of 135,000 acres. The Appendices fail to include this information.

APPENDIX 3.4: IMPLEMENTATION OF OPERATIONAL IMPROVEMENTS

1. This Appendix states “Incremental implementation of MEFs and TIFs, Minimum Reservoir Pool Elevations, and RDAs will occur as Operational Improvements are implemented. MEF, TIF, RDA, and Minimum Reservoir Pool Elevations will become enforceable when Operational Improvements are completed following the schedules found in the tables below.” The incremental enforcement of the MEF, TIF, RDA, and Minimum Reservoir Pool Elevations requires that Operational Improvements upstream of each enforcement parameter location are completed or it will result in significant FIP water user shortages in that area of the FIP.

2. Appendix 3.4 states “Recognizing this, full enforcement of the MEF, TIF, RDA, and Minimum Reservoir Pool Elevations will not be delayed if the full appropriation from State or Federal sources that is directed to Operational Improvements occurs, but is not sufficient to meet all deficiencies the Operational Improvement is targeted to address." If this condition occurs, the Appendix fails to address the source of water used to meet the MEF, TIF, RDA, and Minimum Reservoir Pool Elevations. Based upon my review, the only remaining source of water savings to meet the MEF, TIF, RDA, and Minimum Reservoir Pool Elevations is through State or Federal funded Operational Improvements and Rehabilitation and Betterment Projects The source of water used to meet the MEF, TIF, RDA, and Minimum Reservoir Pool Elevations cannot be taken from the FIP irrigation water supply. .

3. Irrigation diversion head-works automation is addressed in this Appendix as an Operational Improvement as well as a Rehabilitation and Betterment (R&B) Project. Most R&B Projects result in significant Operational Improvements for irrigation projects. The amount of water saved through Irrigation diversion head-works automation can be significant. In recent years, the cost of Irrigation diversion head-works automation equipment has also decreased significantly so that the amount of water saved for the cost of automation can be substantial when compared to other R&B Projects. However, the Appendix does not include it as part of the substantial completion of Operational Improvements.

4. The Appendix 3.4 Tables that include the overall schedule for the implementation of these Operational Improvements is static and no revisions of these schedules are allowed or anticipated under the CSKT Compact.

5. CITT should be deleted from Table 1.0 Items 1.b. through 1.e. and 1.f. CITT should be deleted from Table 2.0 Items 6, 6.a., 6.b., 7., 7.a., and 7.b. Since this would fractionate the water measurement program and cause it to be inefficient,

CSKT should be deleted from Table 3.0 Items 2.b. through 2.d. and CITT should be deleted for Table 3.0 Item 3.d. as the Project Operator should be performing all FIP water measurement duties and running and maintaining the Operations Model. CSKT could continue measure the streams and instream flow sites and provide that data to the Project Operator. Table 3.0, Item 4, Farm Delivery Accounting, should not limit accounting to farm deliveries only but include natural inflow, reservoir storage, RDAs, canal and lateral flows, waste, and seepage. Table 3.0, Item 5, On-farm Efficiency Improvements, should include the NRCS EQIP Program. The comments for Appendix 3.4 Tables 4.0, 5.0, and 6.0 are the same as noted previously for Table 3.0.

APPENDIX 3.5: ADAPTIVE MANAGEMENT & CITT

1. The role of the Compact Implementation Technical Team (CITT) is "to plan and advise the Project Operator on the FIP Operational Improvements, Rehabilitation and Betterment, and Adaptive Management" as referenced in the first paragraph of this Appendix. The CITT's identified role in this first paragraph of Appendix 3.5 as "plan and advise" is appropriate, but is inconsistent with other language in the CSKT Compact and Appendices which shows the CITT role as "implementation, running, and maintaining" items such as forecasting and an operations model, which are not appropriate roles of the CITT.

2. Item 1.a. states "irrigation water management on natural watercourses influenced by, and infrastructure associated with, the FIP." The irrigation water management of FIP infrastructure is primarily dictated by the 2005 BIA O&M Guidelines, as implemented by the Project Operator. The CSKT Compact fails to reference and incorporate the BIA O&M Guidelines, as needed.

3. Item 1.f.i, for clarification, needs to state "**water flow** measurement program" not just "measurement program" across the FIP water supply area and "including **water flow measurement at** delivery and distribution infrastructure" not just "including measurement of delivery and distribution infrastructure". This water flow measurement program should be completed by the Project Operator except for the streams and instream flows to be completed by the CSKT.

4. Item 1.f.iii fails to include that the development of water management planning tools for the FIP will be done in conjunction with the Project Operator.

5. Item 1.f.iv improperly attempts to place ability or authority with the CITT to determine RDA's. It references "Determination of River Diversion Allowance (RDAs) for wet, normal, and dry Natural Flow water year types". RDAs are already determined in Appendix 3.2, therefore the Adaptive Management and CITT do not appear to have the authority or ability to determine the RDAs.

6. Item 1.f.v improperly attempts to place authority or ability with the CITT to determine MEFs and TIFs. More particularly, it references "Determination of Minimum Enforceable Instream Flows (MEFs) and Target Instream Flows (TIFs)". Since MEFs and TIFs are already determined in Appendix 3.1, therefore the Adaptive Management and CITT do not appear to have the authority or ability to determine the MEFs and TIFs.

7. Item 1.f.vi involves the prioritization of Operational Improvements and Rehabilitation and Betterment projects. The CSKT Compact fails to provide prioritization schedules for all R&B project needs in conjunction with the Project Operator.

8. Item 1.f.vii references the quantification and apportionment of Reallocated Water following completion of Rehabilitation and Betterment actions. This quantification and apportionment of Reallocated Water is defined in the CSKT Compact, page 44, Items 2. And 3.b.iii. However, the CSKT Compact language for quantification and apportionment of Reallocated Water is vague, ambiguous and inconsistent regarding the 50%:50% apportionment between IFRs and irrigation water supply as opposed to 100% apportionment to IFRs as noted in the CSKT Compact technical review comments.

9. Item 2.g. improperly places "responsibilities for **implementation** of Operational Improvements" with the CITT. However, the CITT will not be "**implementing** Operational Improvements" rather the Project Operator or Contractors will be **implementing** these Operational Improvements. The CITT role for Operational Improvements needs to be limited to "planning and advising" as stated previously in this Appendix.

10. Item 2.h. states "**any** Operational Improvements or Rehabilitation Projects that affect FIP's real property interests are subject to approval of the United States, acting through the BIA." This lengthy and inefficient approval process for "**any** Operational Improvements or Rehabilitation Projects" is unrealistic and not feasible for the Project Operator of any Federal irrigation project. Department of Interior (DOI) irrigation projects that are operated and maintained by local entities require constant Operational Improvements or Rehabilitation Projects such as canal lining or installation of automated water measurement devices utilizing the assessment funds from the water users without obtaining approval from the DOI. Federal irrigation project O&M and R&B would virtually come to a standstill if this approval process were to be implemented for the FIP. Nor does this approval process include any dollar or expenditure limitations.

11. Item 2.i. improperly indicates that the CITT is responsible for the allocation of water between instream and irrigation uses and making adjustments to these allocations throughout the irrigation season. Again, the CITT's role is planning and advisory for these items. For the FIP, the Project Operator is responsible and will perform the duties and tasks for the allocation of water between instream and irrigation uses and make the adjustments to these allocations throughout the irrigation season.

12. Item 2.j. calls out only one organization, the Montana Bureau of Mines and Geology, to address technical issues for CITT consultation. The vast majority of the water supply delineated in the CSKT Compact is surface water but only a groundwater related organization is referenced here for technical issues. The CSKT Compact fails to reference a Montana surface water organization to address technical issue for CITT consultation.

13. The remaining sections of Appendix 3.5 contain language referencing the "implementation and design" role of the CITT which is inappropriate and not consistent with the previously stated CITT "planning and advisory" role. Rather, the implementation and design roles for the FIP are with the Project Operator.

14. The water measurement program outlined in Item 3.d. fractionates the implementation, installation, and maintenance of the program between the CITT, the Tribes, and the Project Operator. As previously stated, this would be very inefficient and ineffective and actually increase the waste and spills of water.

15. Item 3.e. Water Management Planning Tools for FIP should be completed by the Project Operator or Contractors with CITT oversight. The refinement of the classification of wet, normal, and dry Natural Flow water-year types will not be "applied" by the CITT but the Project Operator and the CSKT. As previously stated, this refinement should be the utilization of the most recent 30-year hydrologic and meteorological data time period for minimum probable (5% or less probability), most probable (50% probability), and maximum probable (95% or greater probability) for forecasting river basin hydrologic conditions. Under the proposed Compact, the Project Operator in conjunction with the CSKT will run the water supply forecasts and the Operations Model will allocate the runoff between IFRs and irrigation supply. Forecast models do not "allocate seasonal runoff" as stated. Forecast models also do not "provide the flexibility to shift MEF and TIF monthly and weekly enforceable flow rates to mimic runoff patterns", but the Operations Model can adjust planned MEF and TIF flow rates to mimic flow rates. The operations model needs to provide monthly (12-month) model output first, followed by weekly and daily operations model runs for the current month. The Operations Model and Water Accounting Program needs to include data for

natural inflow, reservoir storage, outflows, RDAs, canals, laterals, irrigation deliveries, IFRs, wastes, and spills, not just instream flow and irrigation water as stated.

16. Item 3.f., Water Management Coordination, again improperly places implementation responsibilities with the CITT.

17. Item 3.g., Within-Year Water Management Planning and Allocation, refers to the allocation of water between instream flows and irrigation uses. As stated previously in this Technical Review Report, the CSKT Compact fails to clearly provide the allocation percentage between instream flows and irrigation uses of Reallocated Water. And, it fails to identify the entity that will be making the "weekly and monthly adjustments to certain MEFs and TIFs". The CITT will not be "defining TIFs (if applicable) and RDAs for a given year" as stated but the CITT will be reviewing the forecasts and operations model for determining the type (wet, normal, dry) of water year for the applicable MEFs, TIFs, and RDAs defined in the CSKT Compact. The TIFs and RDAs have already been determined in the CSKT Compact Appendices for the particular type of water year. It is stated here that the "CITT may agree to modify MEFs and TIFs (if applicable)." How can MEFs and TIFs be modified if the CSKT Compact Appendix 3.1 already sets these values? Under this scenario, it is possible that the MEFs and TIFs may exceed Natural Flow. However, MEFs and TIFs should not exceed Natural Flow and the Instream Flow Release should equal MEF, TIF, or Natural Inflow, whichever is less.

18. Item 3.h., Operational Improvements, includes language stating "experience implementing Operational Improvements." This language is confusing and again improperly attempts to give the CITT a role in implementation procedures for Operational Improvements. This section also refers to "CITT shall plan for design and complete any necessary environmental and engineering review of Operational Improvements." The appropriate CITT role for oversight should not include "design". The statement "CITT shall transfer water saved through Operational Improvements" is not reasonable. The CITT will not be conducting any of the water transfer duties for saved water. Further under the CSKT Compact, the saved water from Operational Improvements is not included for irrigation water locations or MEF and TIF locations.

19. Item 3.i., Rehabilitation and Betterment, again includes language for the CITT to participate in a design role which is not appropriate. The CSKT Compact fails to define the Tribes authority role over the FIP R&B actions and leaves unanswered questions for the R&B Project funding, priority, and schedule. Actual R&B Project design and construction will be completed by the Project Operator and/or qualified contractor.

20. Item 3.j., Reallocated Water from Rehabilitation and Betterment, includes language that the "CITT shall directly measure water for reallocation". The CITT will not be directly measuring water and does not have the staff, resources, or expertise to perform this duty. The language in Item 3.j.i. has the reallocation of saved water through R&B projects going 100% to IFRs but Item 3.j.ii. splits the reallocation of the saved water at 50% IFR and 50% irrigation after the MEFs and TIFS are satisfied in every year. Since for dry years the MEF applies, how can the MEFs and TIFs be met every year, as stated? In dry years, the MEF will be met and in normal and wet years the TIF is to be met, but not both every year. The "Office of the Engineer" is not defined in Article II of the CSKT Compact. The seasonal volume of Reallocated Water is not broken down into the amount each for MEF, TIF, and FIP irrigation. If the TIF is met at the 100% level following R&B Projects and Operational Improvements, why would the IFR need to be increased beyond that amount? At the 100% TIF flow level, the target wetted perimeter and critical habitat needs of the fish should have been met. However, the FIP irrigation water demand is still in a deficit irrigation condition. Therefore, after the TIF is met at the 100% level, why doesn't the reallocation of saved water go 100% to the FIP water users until the deficit irrigation demand is met? For the reallocation of saved water, the "incremental increase of MEFs and TIFs" needs to be clarified as to what maximum amount the MEFs and TIFs will be increased to. In addition, if MEF is the minimum enforceable instream flow, how can that value be increased if the minimum for that particular reach of stream has already been established as a physical parameter? The "tracking database" and "resource mitigation" referred to in this section are not defined. The priority of the "resource mitigation" water from the Reallocated Water supply is not defined in relation to MEF, TIF, and FIP irrigation water shares of the Reallocated Water supply.

APPENDIX 3.6: REHABILITATION AND BETTERMENT

1. This Appendix states "the Compact identifies rehabilitation and betterment projects for the Flathead Indian Irrigation Project (FIP)." This statement is in error as "the Compact identifies **some of the** rehabilitation and betterment projects for the Flathead Indian Irrigation Project (FIP)." The List of Projects in this Appendix is not all inclusive of the FIP R&B Projects. R&B Projects such as lining open canals and laterals are not identified. The 2007 HKM Condition Assessment Report lists several additional R&B Projects for the FIP. The CSKT Compact should not limit the FIP R&B Projects to this list, especially since many R&B Projects may have not been identified at this time.

2. The "Tribes shall have the authority over the Rehabilitation and Betterment actions that use funding from the Federal contribution to the settlement." The Tribal authority is not defined for FIP R&B Projects nor is it limited to funding approval of FIP R&B Projects. The actual implementation and construction of FIP R&B Projects should be completed as a cooperative effort between the FJBC and qualified contractors.

3. This Appendix states "Due to the large extent of gravity earthen canals across the FIP, and the high cumulative cost to replace open canals with pipe, not all lateral and sub-lateral canals will be rehabilitated." This statement fails to include the lining of open canals and laterals with geo-membrane canal liners, which due to the much lower cost than piping projects may allow for a significant increase in the number of rehabilitated FIP canals, laterals, and sub-lateral canals. A benefit/cost analysis should be completed for each proposed FIP canals, laterals, and sub-lateral canals to be rehabilitated to determine the preferred alternative of piping versus lining. The "Target Miles for Lateral and sub-lateral canal rehabilitation and betterment" table fails to include piping and lining R&B projects.

4. The fish screen R&B Projects should include Coanda self-cleaning fish screens as an alternative. The R&B Projects for fish screens, pumping plants, head-works structures, gate automation, canal structures, farm turnouts, and diversion structures should include new gates, new concrete structures, and automated data collection platforms (DCP) for water measurement, as needed. Irrigation and fish structure automation is stated but fails to state what type of automation will be completed.

APPENDIX 3.7: DETERMINATION OF WET, NORMAL, AND DRY YEARS

1. This Appendix fails to state that the RDAs, MEFs, and TIFs are established to better achieve fishery objectives while also providing for historical irrigation use for FIP irrigable assessed acres of up to 135,000 acres, as opposed to just "existing irrigation use".

2. The wet, dry, and normal years for defining RDA, MEF, and TIF was based on modeled natural streamflow for the April through July forecasting period of the 1983-2002 study period. The 1984-2013 streamflow information data should have been utilized for this Appendix, increasing the database by 50 percent which includes additional wet, normal, and dry years for greater accuracy and includes eleven more years of more recent runoff conditions, IFRs, and irrigation practices.

3. This Appendix states that "Dry years are the four years for which the Apr-Jul natural flow is below the 80th percentile exceedance level." Dry years should also

include the Apr-Jul natural flow that is below the 65th percentile exceedance level, as well. This Appendix states that "Wet years are the four years for which the Apr-Jul natural flow is above the 20th percentile exceedance level." Wet years should also include the Apr-Jul natural flow that is above the 35th percentile exceedance level, as well. This Appendix states that "Normal years are those falling between the 80th and 20th percentile exceedance levels." As defined, there are 12 out of 20 normal years. Normal years should be the Apr-Jul natural flows that are between the 65th and 35th percentile exceedance levels. The draft CSKT Compact language in this Appendix limits the hydrologic conditions to a narrow band of 20 percent for wet and dry years and for normal years there is a very broad band of 60 percent. Standard actual runoff, irrigation, and instream flow hydrologic conditions are closer to the one-third percentile for each hydrologic condition. In other words, 33 percent for dry, wet, and normal years. Therefore, the preceding recommended 65th-100th percentile for dry years, 35th-65th percentile for normal years, and 0-35th percentile for wet years should be adopted to reflect actual hydrologic conditions as utilized for existing large Federal irrigation projects.

4. This Appendix fails to consider the long-standing industry standard and practice utilized for these three hydrologic conditions for natural flow runoff and precipitation. Most Federal water resource projects utilize minimum probable (5% or less probability), most probable (50% probability), and maximum probable (95% or greater probability) for forecasting river basin hydrologic conditions.

5. This Appendix utilizes only streamflow gages for defining the dry, normal, or wet hydrologic condition. Streamflow should not be the only parameter used for the hydrologic condition for future operations. Precipitation to date, expected precipitation, snow-water equivalent snowpack levels, reservoir level, and soil moisture conditions should all be utilized for forecasting runoff and future operations. In addition, the running 12-month operation model needs to include all three hydrologic conditions for a minimum probable runoff scenario, most probable runoff scenario, and a maximum probable runoff scenario. Hydrologic conditions can change quickly and running all three hydrologic conditions in the operations model and tracking the current hydrologic condition will allow for the dynamic changes required to efficiently operate the irrigation project. The actual hydrologic condition on a monthly time step will have a 90% chance of being between the minimum probable and maximum probable runoff operating plans.

6. The remainder of this Appendix delineates the wet, dry, and normal years for the 1983-2002 study period for the Jocko Area, Mission Area, and Little Bitterroot Area. For example, the Jocko Area dry year hydrologic condition at 80%

exceedance level would be for April-July flows below 108,113 acre-feet, the wet year at 20% exceedance level would be for April-July flows above 154,103 acre-feet, and the normal year would be for years between 20% and 80% exceedance levels for April-July flows which are above 108,113 acre-feet and below 154,103 acre-feet. The irrigated acreage for the Jocko Are is 10,604.82 acres as stated in the FIP Water Rights Abstracts, Appendix 5. An average or 50% exceedance level for the Jocko Area April-July flow is 135,735 acre-feet. Therefore, in a dry year at the 80% exceedance level, the April-July flows at 108,113 acre-feet would be 27,622 acre-feet less than the average year April-July runoff flow. That calculates to 2.6 acre-feet/acre less available April-July water supply available to FIP water users in the Jocko Area in a dry year versus an average year. The 80% exceedance level for the April-July flows below 108,113 acre-feet should be considered extremely dry conditions, not just dry. If a dry year is redefined at the 65% exceedance level, the April-July flows would be at 123,898 acre-feet which would be only 11,837 acre-feet less than the average year April-July runoff flow. That would then calculate to only 1.1 acre-feet/acre less available April-July water supply available to FIP water users in the Jocko Area in a dry year versus an average year. This 65% exceedance levels for April-July flows for a dry year would be still an impact to FIP water users and considered a dry hydrologic condition but is 58% less deficit to the FIP water users irrigation supply than the 80% exceedance levels for April-July flows. The Mission Area and Little Bitterroot Area April-July runoff flows should also be revised as 65th-100th percentile for dry years, 35th-65th percentile for normal years, and 0-35th percentile for wet years to reflect actual hydrologic conditions.

APPENDIX 5.0: FIP ABSTRACTS (JANUARY 7, 2015 VERSION)

1. The FIP Water Use – Jocko water rights abstract includes under Purpose (use) incidental use for stock-water, wetlands, and lawn and garden. Therefore, for these incidental uses, no other contract or agreement is required even though erroneously called out in the draft CSKT Compact language as a requirement. The CSKT Compact references the Maximum Flow Rate contained in the 2013 FIP Water Use Agreement, Appendix A. However, Appendix A is not attached to the 2015 draft CSKT Compact. The Total Maximum Volume for the Jocko Area RDA is not contained in the CSKT Compact, but only the Administered Location RDAs for Jocko in Appendix 3.2. The maximum farm turnout allowance is stated in the Abstract for the Jocko Area as 14,847 **acre-feet**. This FTA should be stated as 14,847 **acre-feet/year not just acre-feet** along with the 1.4 acre-feet/acre FTA rate that is stated. The 2013 FIP Water Use Agreement, Appendix A has 1.3 acre-feet/acre for a dry year, 1.26 acre-feet/acre for a normal year, and 1.28 acre-feet/acre for a wet year which are less than the Appendix 5 Abstract. However, since the FTAs are not included in the draft CSKT Compact then this

FTA amount should be deleted. The Maximum Acres is stated as 10,604.82 acres which is not equal to the 9,909 acres that DNRC is utilizing for the FIP Jocko Area. The Maximum Acres of 10,604.82 acres for the FIP Jocko Area stated in the Appendix 5 Abstract will be the maximum allowed irrigable assessed acres for the Jocko Area. The Maximum Acres does not appear to be accurate when the total FIP irrigated acreage of 135,000 acres is considered with the Mission and Little Bitterroot irrigated acreages included.

2. The FIP Water Use – Mission water rights abstract includes under Purpose (use) incidental use for stock-water, wetlands, and lawn and garden. Therefore, for these incidental uses, no other contract or agreement is required even though erroneously called out in the draft CSKT Compact language as a requirement. The Maximum Flow Rate is not stated since the 2013 FIP Water Use Agreement, Appendix A is not attached to this 2015 draft CSKT Compact. The Total Maximum Volume for the Mission Area RDA is not stated, but only the Administered Location RDAs for the Mission Area in Appendix 3.2. The maximum farm turnout allowance is stated in the Abstract for the Mission Area as 146,383 **acre-feet**. This FTA should be stated as 146,383 **acre-feet/year not just acre-feet** along with the 1.4 acre-feet/acre FTA rate that is stated. The 2013 FIP Water Use Agreement, Appendix A has 1.03 acre-feet/acre for a dry year, 1.07 acre-feet/acre for a normal year, and 1.14 acre-feet/acre for a wet year which are less than the Appendix 5 Abstract. However, since FTAs are not included in the draft CSKT Compact then this FTA amount should be deleted. The Maximum Acres is stated as 104,559.04 acres which is not equal to the 101,584 acres DNRC is utilizing for the FIP Mission Area. The Maximum Acres of 104,559.04 acres for the FIP Mission Area stated in the Appendix 5 Abstract will be the maximum allowed irrigable assessed acres for the Mission Area. The Maximum Acres does not appear to be accurate when the total FIP irrigated acreage of 135,000 acres is considered with the Jocko and Little Bitterroot irrigated acreages included.

3. The FIP Water Use – Little Bitterroot water rights abstract includes under Purpose (use) incidental use for stock-water, wetlands, and lawn and garden. Therefore, for these incidental uses, no other contract or agreement is required even though erroneously called out in the draft CSKT Compact language as a requirement. The Maximum Flow Rate is not stated since the 2013 FIP Water Use Agreement, Appendix A is not attached to this 2015 draft CSKT Compact. The Total Maximum Volume for the Little Bitterroot Area RDA is not stated, but only the Administered Location RDAs for Little Bitterroot Area in Appendix 3.2. The maximum farm turnout allowance is stated as 18,309 **acre-feet**. This FTA should be stated as 18,309 **acre-feet/year not just acre-feet** along with the 1.4

acre-feet/acre FTA rate that is stated. The 2013 FIP Water Use Agreement, Appendix A has 1.10 acre-feet/acre for a dry year, 1.10 acre-feet/acre for a normal year, and 1.14 acre-feet/acre for a wet year which are less than the Appendix 5 Abstract. However, since FTAs are not included in the draft CSKT Compact then this FTA amount should be deleted. The Maximum Acres is stated as 13,077.87 acres which is not equal to the 10,226 acres DNRC is utilizing for the FIP Little Bitterroot Area. The Maximum Acres of 13,077.87 acres for the FIP Little Bitterroot Area stated in the Appendix 5 Abstract will be the maximum allowed irrigable assessed acres for the Little Bitterroot Area. The Maximum Acres does not appear to be accurate when the total FIP irrigated acreage of 135,000 acres is considered with the Mission and Jocko irrigated acreages included.

APPENDIX 7.0: BUREAU OF RECLAMATION MODELING REPORT

1. The Colorado State University model, MODSIM-DSS, for a study period of 1929-2008 was utilized by the Bureau of Reclamation to evaluate the potential use of storage water from Hungry Horse Reservoir to augment water supplies for the CSKT of the Flathead Nation. The three scenarios modeled were the Base Case, the Natural Q scenario, and the Natural Q plus 90K scenario.

2. The analysis results showed that the annual maximum elevations of Hungry Horse Reservoir showed a difference of one foot or less in 86 percent of the water years when comparing the Base Case and the Natural Q plus 90K scenarios. In the Natural Q plus 90K scenario, most of the Tribal diversions are met with the extra 90,000 acre-feet released from Hungry Horse Reservoir. There were less than 20,000 acre-feet of diversion shortages for all of the years, with over 80 percent of the years having no shortages in the Natural Q plus 90K scenario.

3. A comparison of summer Flathead Lake elevations showed that in 83 percent of the time over the 70-year modeled period that there was no difference in summer elevations between the Base Case, the Natural Q scenario, and Natural Q plus 90K scenario. The greatest differences in elevation between the Base Case and the Natural Q plus 90K scenario was 0.4 feet which occurred less than 3 percent of the time over the 70-year modeled period.

4. The decreases in flows at the Perma gage were the greatest during the summer flow augmentation period of July through September with the differences being 9 percent of the total flow (619 cfs) for the Natural Q scenario and 13 percent of the flow (761 cfs) for the Natural Q plus 90K scenario.

5. The Bureau of Reclamation modeling and evaluation of the potential use of storage water from Hungry Horse Reservoir to augment water supplies for the CSKT of the Flathead Nation is thorough and precise. However, the potential use of storage water from Hungry Horse Reservoir to provide supplemental water supplies for the CSKT is not defined. For example, a question exists; do these potential uses of this supplemental CSKT water supply source for new Tribal diversions include IFRs and irrigation, or only IFRs?

APPENDIX 9.0: FLATHEAD SYSTEM COMPACT WATER ABSTRACT AND MAP

1. The Flathead System Compact Water – Water Rights Abstract provides 229,383.00 acre-feet/year to the CSKT for any purpose for a period of use from January 1 to December 31. If the any purpose is allowed, the remarks section states that the maximum annual volume consumed equals 128,158 acre-feet (55.9%) for maximum annual volume diverted of 229,383 acre-feet. Even though the purpose of use can be "any purpose", what is the general intended use by the CSKT for this water right, such as IFRs or irrigation, especially for the maximum annual consumed volume of 128,158 acre-feet?

2. The Remarks section refers to the 90,000 acre-feet/year of the Hungry Horse Reservoir storage water supply. Is the 90,000 acre-feet/year of the Hungry Horse Reservoir storage water supply to be deducted from the maximum annual consumed volume of 128,158 acre-feet and the maximum annual volume diverted of 229,383 acre-feet for this CSKT water right?

3. The Remarks section refers to the 11,000 acre-feet/year of the water supply for lease off-reservation to be supplied from the 90,000 acre-feet/year of the Hungry Horse Reservoir storage water supply. Again is the 90,000 acre-feet/year of the Hungry Horse Reservoir storage water supply to be deducted from the maximum annual consumed volume of 128,158 acre-feet and the maximum annual volume diverted of 229,383 acre-feet for this CSKT water right?

APPENDIX 11.0: FIP INSTREAM FLOW NODES ABSTRACTS AND MAPS

1. This Appendix provides the Water Rights Abstracts for the FIP instream flow nodes. The relationship of these FIP instream flow Water Rights Abstracts to Appendix 13, Interim Instream Flows and Interim Reservoir Pool Elevations, is not stated. For example, the IFRs listed in these Water Rights Abstracts are flow values in cfs for a monthly time-step but the Appendix 13 Interim Instream Flows appear to be for an annual flow in cfs. As one example, the Water Right Abstract for the FIP IFR for Water Right Number 76L 30052776 Compact, Jocko River, Middle Fork, has flow rates that vary monthly from 10 cfs in December to 96 cfs

in June. The Appendix 13 Interim Instream Flows for the 76L 30052776 Jocko River, Middle Fork IFR is 20 cfs year round.

2. The Appendix 3.1 MEFs and TIFs do not match the IFRs listed in Appendix 11. For example, for the 76L 30052776 Jocko River, Middle Fork IFR, Appendix 3.1 shows flow values for the MEF in a dry year and the normal and wet year TIF values monthly in cfs. The wet year Appendix 3.1 TIF has 9 cfs for December but the Appendix 11 IFR has 10 cfs for December. The Appendix 11 Water Rights Abstracts for the FIP instream flow nodes for the 76L 30052776 Jocko River, Middle Fork IFR only shows one monthly flow value but the TIFs in Appendix 3.1 are different values for normal and wet years. The Appendix 3.1 Jocko River, Middle Fork TIF for June in a normal year is 26 cfs but for a wet year is 96 cfs, a difference of 70 cfs or a substantial increase of 269% for a wet year TIF versus normal year.

3. The annual volume difference from the Appendix 13 Interim Instream Flows to the Appendix 11 Water Rights Abstracts for the FIP instream flow nodes is substantial by site. For the 76L 30052776 Jocko River, Middle Fork IFR site, the Appendix 13 Interim Instream Flow is 20 cfs year round or 14,480 acre-feet/year and the annual volume for the Appendix 11 Water Rights Abstracts monthly flows varying from 10 cfs to 96 cfs would be 29,626 acre-feet/year, which is a difference of 15,145 acre-feet/year or an increase of 105% from the Interim Instream Flow volume. The analysis for the remaining numerous FIP IFR sites for the comparison of Appendix 13 Interim Instream Flows to the Appendix 11 Water Rights Abstracts for FIP IFR sites have not been completed. In the interest of time, this analysis has not been completed to date for this Technical Review Report.

4. The Remarks section for these Appendix 11 Water Rights Abstracts for FIP IFR sites states that the 2013 Water Use Agreement is attached to the Water Rights Compact as Appendix 3. This is not the case for the 2015 draft CSKT Compact.

APPENDIX 13.0: INTERIM INSTREAM FLOWS AND INTERIM RESERVOIR POOL ELEVATION

1. This Appendix lists the Interim Instream Flows and Interim Reservoir Pool Elevations. The values listed in Tables 1.0 and 2.0 in this Appendix have not been verified to determine if these values were enforced by the CSKT and Project Operator during the last decade of project operations.

2. This Appendix states that these Interim Instream Flows are to be replaced with the specific instream flow water rights identified in Article III.C.1.d.ii upon their

enforceability. The CSKT Compact Article III.C.1.d.ii refers to "The Tribes have Instream Flow rights in the quantities and locations identified in the abstracts of water right attached hereto as Appendix 11". As the preceding Appendix 11 technical review comments state, the Appendix 3.1 MEFs and TIFs do not match the IFRs listed in Appendix 11 and the monthly flow values are not consistent. Therefore, the FIP Instream Flows enforceability in the Appendix 11 Water Rights Abstracts cannot be completed until these MEF and TIF values are revised accordingly for the wet, dry, and normal runoff conditions.

3. This Appendix states that these Interim Reservoir Pool Elevations are to be replaced with the specific Minimum Reservoir Pool Elevation water rights identified in Article III.C.1.e upon their enforceability. The CSKT Compact Article III.C.1.e refers to "The Tribes have the right to water necessary to maintain Minimum Reservoir Pool Elevations for FIP reservoirs in the quantities and locations set forth in the table and abstracts of water right attached hereto as Appendix 15". The Interim Reservoir Pool Elevations in this Appendix are taken from the 2013 Appendix A to the Water Use Agreement which is not included in the 2015 draft CSKT Compact.

4. The Appendix 13, Table 2 Interim Reservoir Pool Elevations can be compared to the Appendix 15 FIP Minimum Reservoir Pool Elevations to determine the elevation changes that occur from interim to permanent minimum reservoir pool elevations. The FIP Reservoirs show the following change from interim to permanent minimum reservoir pool elevations in feet, above mean sea level:

FIP Reservoir	Interim Elev	Permanent Elev	Change
a. Upper Dry Fork	2,915.0	2,915.0	0.0
b. Lower Dry Fork	2,842.0	2,842.0	0.0
c. Mission	3,370.0	3,379.0	+9.0
d. McDonald		3,549.0	
e. Kicking Horse	3,047.0	3,049.0	+2.0
f. Ninepipe	2,995.0	2,998.0	+3.0
g. Lower Crow	2,825.0	2,839.0	+14.0
h. Pablo	3,184.0	3,188.0	+4.0
i. Hubbart	3,150.4		
j. Turtle (Twin)		3,068.0	
k. Tabor:	See Date Breakout Below		
Nov 15th to Aug 1st	4,006.0	4,006.0	0.0

FIP Reservoir	Interim Elev	Permanent Elev	Change
Aug 1st to Aug 15th	3,980.0	3,980.0	0.0
Aug 15th to Nov 15th	3,927.0	3927.0	0.0

As shown by the table above, the greatest change to the FIP Minimum Reservoir Pool Elevations from interim to permanent is 14.0 feet for the Lower Crow Reservoir. Upper Dry Fork, Lower Dry Fork, and Tabor Reservoirs show no change from interim to permanent minimum reservoir pool elevations. For McDonald, Turtle (Twin), and Hubbart Reservoirs, either the interim or permanent minimum reservoir pool elevation data was not available in Appendix 13 or Appendix 15. The impacts of the permanent minimum reservoir pool elevation changes to the irrigation water supply to FIP water users have not been evaluated through Operation Model runs over the most recent 30-year period.

APPENDIX 14.0: INTERIM INSTREAM FLOW PROTOCOLS

1. The enforcement procedures stated in this Appendix were effective as of December 31, 2014 for the interim instream flows. This Appendix states "Ensuring compliance with the interim instream flows is the responsibility of the Project Operator at the Flathead Indian Irrigation Project (FIIP)". The Project Operator cannot ensure compliance of the interim instream flows without measuring these flows to determine if compliance is met. However, the CSKT Compact has the CSKT measuring the interim instream flows, not the Project Operator.

2. This Appendix states "If the flow in a given stream reach drops below the magnitude established for the interim instream flow in that reach, and the natural flow is equal to or greater than the interim instream flow, the CSKT Water Management Program (WMP): a) notifies the Project Operator directly to request rectification of the interim instream flow infraction ...". Therefore, if the natural flow is less than the interim instream flow value, the Project Operator releases only the natural flow amount.

3. This Appendix states "In the event that the Project Operator, through the operations of FIP facilities, **cannot comply with any given interim instream flow**, the Superintendent or designee may curtail secretarial water right diversions to achieve compliance. FIP, and if necessary, secretarial water right diversions shall continue to be curtailed until the given interim instream flow is met." This language directly conflicts with the preceding language in Appendix 14 that states "and the natural flow is equal to or greater than the interim instream flow".

4. The last paragraph of this Appendix states “if the natural flow in a given stream reach drops below the magnitude established for the interim instream flow, the WMP documents both the magnitude of the interim instream flow and the magnitude of the natural flow and delivers a letter of insufficient flow to the Project Operator and the Superintendent”. This Notice should not be considered a Noncompliance Notice of insufficient flow when the natural flow is less than the interim instream flow amount.

APPENDIX 15.0: FIP RESERVOIR MINIMUM POOL ABSTRACTS AND MAPS

1. The Remarks section for these Appendix 15 Water Rights Abstracts for FIP Minimum Reservoir Pool Elevations states that the 2013 Water Use Agreement is attached to the Water Rights Compact as Appendix 3. This is not the case for the 2015 draft CSKT Compact.

2. The Interim Reservoir Pool Elevations in this Appendix Water Rights Abstracts are only referenced in the Remarks section of the Abstracts and are not included in the main body of the Abstract.

APPENDIX 38.0: FLATHEAD PROPOSED PRELIMINARY DECREE

1. Part III.C.1.a of this Preliminary Decree provides for the quantification of the FIP irrigation water. The Preliminary Decree states “The Tribes have the right to water that is supplied to the Flathead Indian Irrigation Project to be used for such purposes in such volumes and flow rates and from such sources of supply as identified in abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 5. The exercise of this portion of the Tribal Water Right is subject to the FIP Water Use Agreement entered into by the Tribes, the Flathead Joint Board of Control, and the United States. That Agreement is attached to [the] Compact as Appendix 3”. The 2015 draft CSKT Compact does not include the Appendix 2 Decree and Appendix 3 Agreement as referenced in this Preliminary Decree.

2. The priority date for the portion of the Tribal Water Right used by the FIP is July 16, 1855 which is a very senior water right for FIP.

3. This Preliminary Decree defines the Flathead System Compact Water for any beneficial use purpose, a maximum diversion volume of 229,383 acre-feet/year, a maximum depletion volume of 128,158 acre-feet/year, and a period of use from January 1 through December 31. Even though the purpose of use can be “any purpose”, it is unclear what the general intended use by the CSKT is for this water right. For example, is the intended use for IFRs and/or irrigation use, especially for the maximum annual consumed volume of 128,158 acre-feet?

4. This Preliminary Decree is dated February 13, 2013 and the language contained in this Decree does not match the language in the 2015 draft CSKT Compact and Appendices.

CONCLUSIONS

Overall, the 2015 draft CSKT Compact and Appendices, as drafted, is neither workable nor implementable in its present form. Rather, it would require significant modifications, analysis, and revisions before any legislative action by the State of Montana Legislature. The quantification values are neither accurate nor consistent. The quantification of the FIP irrigable assessed acres, irrigation water supply, river diversion allowances, and acre-feet/acre irrigation water farm deliveries cannot be completed until these revisions are completed and the values are accurate and consistent. Therefore, the impacts of the 2015 draft CSKT Compact and Appendices to the FIP water users cannot be accurately determined at this time.

DATED this 13TH day of February, 2015

Ed Everaert

Ed Everaert, P.E.

Matching Irrigation Water Delivery on Irrigated Pasture to Local Transpiration and a Comparison with the Proposed CSKT Compact Water Use Agreement Irrigation Water Delivery-St. Ignatius, MT July – September, 2012

By

J.R. (Jerry) Laskody*

I. Introduction

As a result of proposed Flathead Irrigation Project water deliveries specified in the CSKT Water Use Agreement, the author began a study of applied water on MacDonald silt loam soils on irrigated pastures located approximately 5 miles Northeast of St. Ignatius, Montana. (T19NR19W Sec 29 W ½ of the SE ¼) The author measured pressure at the midpoint of a wheel line sprinkler system at several field positions and using sprinkler nozzle data obtained from the Bureau of Reclamation (BuRec)'s Agrimet Irrigation Guide (Ref.1) and determined the water delivery from the sprinkler system during an irrigation set. Irrigation scheduling was determined by using the Kimberly-Penman evapo-transpiration data for pasture grass obtained from the BuRec Agrimet Station located at the St. Ignatius Airport (SIGM) (Ref.2) to determine water transpired from pasture grass. The soil is assumed to hold 2 inches of water per foot of soil, the rooting depth is assumed to be two feet and the 50% depletion is assumed at wilt (Ref. 1). (These are typical values for the MacDonald soil types 105 and 106 in a pasture application.) This then implies a requirement for two (2) inches of water in the root zone to meet the plant's requirements. The land in question has a duty rating of 2.0 and the basic quota in 2012 was 12 inches. Thus target water delivery was 24 inches for the irrigation season. It should be pointed out that the land's duty is not recognized in the proposed CSKT Water Use Agreement although it represents historic usage in the Flathead Irrigation Project.

The analysis contained herein conclusively demonstrates that the Compact proposed allocations of water in the Mission Irrigation District of the Flathead Irrigation Project are significantly less (52 % less) than historic usage, thus refuting the Compact Commission's repeated assertions that "...historic usage is protected in the Compact...".

II. Analysis

The typical irrigation process is to fill the soil profile with an irrigation set, wait until the two inches of water has been transpired by the plant and then re-fill the profile, continuing this process throughout the growing season. Since the transpiration varies as a strong function of weather conditions and since the actual delivery of water from the nozzle to the root zone is not 100% efficient (strongly driven by atmospheric conditions also) the time between repeat irrigations is not necessarily a constant time interval. In cool, humid, and calm conditions it is a longer interval than when the weather is hot, dry, and windy. For example if the average transpiration is 0.25 inches /day, and our irrigation efficiency was 67% and our nozzle delivery was 3 inches per set, we Would deliver 2 inches of water to the root zone (3.0 inches/set x 0.67=2.0) every 8 days (2.0 inches/0.25 inch/day=8 days). In the specific case reported here, the transpirations rates were closer to 0.2 inches per day and so the irrigation cycle was repeated every 10 days (2.0 inches/ 0.20 inches/day = 10 days).

The big unknown in this scheduling is "what is the irrigation efficiency?" Measurements have been made on our ranch in hot (95°F,) dry (10%-15% relative humidity), and windy conditions (10mph and gusting) of 46%. This implies that 54% of the water issuing from the nozzle never gets into the ground! It is possible that for a few hours during the night, when the temperatures are cool (55°F), it's humid (>80% relative humidity) and calm and perhaps the irrigation efficiency may reach 70% for short time period. The Montana State University Irrigation Guide (Ref.3) and the BuRec's Agrimet Irrigation Guide recommend irrigation efficiencies 65% for wheel line sprinklers and hand line sprinklers, but based on my experience, 60% is a better value for ambient conditions here in the Mission Valley. Nonetheless, required applied water was determined using a range of efficiencies to show the impact of efficiency on applied water to meet plant needs

The attached sheets graphically display the daily transpiration as measured at the SIGM site approximately 4 miles from our ranch, as well as the individual daily transpiration data. From the time period of July 2, 2012 through September 16, 2012, summing the daily transpiration data yields a value of 14.67 inches of transpired water from the plants. We had 0.8 inches of precipitation during this time period, and assuming 100% irrigation efficiency for the rainfall, would yield a net transpiration requirement of 13.87 inches to be supplied to the root zone to meet plant requirements. (It should be noted the pastures were used in a rotational grazing system for 16 cow calf pairs, 2 first calf heifers a mature bull and a butcher steer so actual transpiration requirements might have been greater. Nonetheless, grass pasture evapo-transpiration data was used to determine plant needs and hence irrigation scheduling.)

Assuming efficiencies of 60%, 65%, and 70%, would imply that for these conditions 23.1 inches, 21.3 inches and 19.8 inches of applied water respectively would be required to meet plant demands.

An analysis of the water actually applied during this time period utilized information from the BuRec Agrimet Irrigation Guide for 13/64" nozzles operating at mean pressures of 49 psi on 40x60 spacing. These yields 0.34 inches of applied water per hour, so for an 11 hour set, 3.74 inches of water would be delivered per set. My records for the E ½ of the N40 (20 acres) show six irrigations in this time period so total delivered water during this time period was 22.4 inches. Additionally, due to abnormally dry conditions, one irrigation in

May, 2012 was needed, so this put the total irrigation requirement for the 2012 irrigation year at 26.1 inches. This compares with the 12.5 inches of delivered water proposed for Mission Irrigation District delivery in the 2012 CSKT Compact Water Use Agreement.

The above data represents one irrigation season and does not take into account yearly variations. The standard deviation of transpiration during this time period, based on a 20 year sample from 1992-2011 in Ref. 4 implies the expected standard deviation of transpiration from year to year to be about +/- 10% of the average for the measured *monthly time interval.* Applying that to the 2012 data for the July2-September 16 would imply a +/- 1.4 inches variation of Etosgr. This would lead to an expected yearly variation in applied water of 2.3 inches (eta =0.6), 2.1 inches (eta=0.65) and 2.0 inches (eta=-0.7). So natural yearly variations in evapo-transpiration cannot explain the allocation quantities proposed in the CSKT Water Use Agreement.

Based on this analysis, the CSKT Compact Water Use Agreement proposes to deliver 52% less water to our ranch than our historic usage!

III. Conclusions

The above results conclusively demonstrate that:

1. The historic Flathead Irrigation Project water deliveries are significantly greater than the proposed delivery in the CSKT Water Use Agreement for irrigators in the Mission Irrigation District. It also validates the use of the duty system for water allocations. This data counters the oft repeated claim by the Montana Reserved Water Rights Compact Commission (COMCOMM) that "...historic usage is protected..." in the CSKT Compact.
2. Since the proposed water delivery was based on CSKT's HYDROSS modeling of the irrigation system and average cropping distributions within the Project, the data presented herein point to a gross error in the modeling/cropping assumptions. The COMCOMM was also apparently concerned about the use of HYDROSS for quantification purposes as noted in their October 25, 2010 letter to the CSKT (Ref.5)
3. This under prediction of water delivery results from flawed modeling of the system by the CSKT and the unwillingness of the CSKT and the COMCOMM to utilize actual "on ranch" usage data to calibrate the HYDROSS model. Calibration of model results to accurate data sets is an absolute necessity! The author proposed this course of action to the Flathead Joint Board of Control and their consultant and also to the COMCOMM in 2012. No response from either party was ever received to this proposal.

IV. Recommendations

In a June, 2013 meeting with Duane Meacham, the Solicitor for the Portland Regional Office of the BIA , stated that in all the compacts the BIA was involved in, irrigators "...never lost a single drop of water as a result of the compacting process". While the results presented herein are taken from a single ranch in the Mission Irrigation District, the gross error between the CSKT Water Use Agreement proposed irrigation water deliveries and the actual plant transpiration required applied water, demand that the *entire question of water delivery in the Compact Water Use Agreement be critically* scrutinized.

Further, this scrutiny should be conducted in a public forum, by independent agronomists and others independent experts familiar with the irrigation systems. Such scrutiny must include on farm measurements of representative farms and ranches in all the irrigation districts in the Flathead Irrigation Project. Only then can "historic use" be quantified, only then can irrigators have assurance that they will not lose a single drop of water in this adjudication.

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*The author holds a B.S. Aeronautical Engineering from Purdue University (1965) and an M.S. Engineering (1972) from the University of Washington. Employed as a Propulsion Engineer by the Boeing Company for 34+ years, he was a member of the NASA Aeronautics Propulsion Systems Advisory Committee from 1996 until his retirement in 1999. Retiring as Chief Engineer-Propulsion Research & Preliminary Design, his career specialty was Propulsion Aerodynamics and encompassed both theoretical and empirical work. He was responsible for development of performance specification for propulsion systems and validation methods to verify installed performance as well as the aerodynamic development of engine nacelles. He holds three US Patents for propulsion related devices and led developments teams on the 757, 7J7, 777, 737NG Programs and was Propulsion System Manager for the NASA/Boeing/Douglas High Speed Civil Transport (HSCT) Program. He and his wife operate a small, irrigated cattle ranch near St. Ignatius, MT. Mr. Laskody is Chairman of the Mission Irrigation District in the Flathead Irrigation Project.

V. References

1. "Agrimet Irrigation Guide", US Bureau of Reclamation Agrimet Website
2. "Crop Water Usage-SIGM- 2012" US Bureau of Reclamation Agrimet Website
3. Irrigation Water Management When and How Much to Irrigate" Montguide MT8901, Revised September , 1990
4. "Crop Water Usage-Evapotranspiration Totals and Averages 1992-2011-SIGM" US Bureau of Reclamation Agrimet Website
5. Letter dated October 25, 2010, Bill Schultz (RWRCC) to Clayton Matt (CSKT) Re: Review of HYDROSS Model Jocko and Mission Baseline Condition

VI. Nomenclature

Etosgr - Kimberly-Penman daily transpiration for pasture grass~ inches

aveEtosgr - monthly average Etosgr ~inches

sumEtosgr - ∑ Etosgr in a given month ~inches

stddev - standard deviation of daily Etosgr during given month ~inches

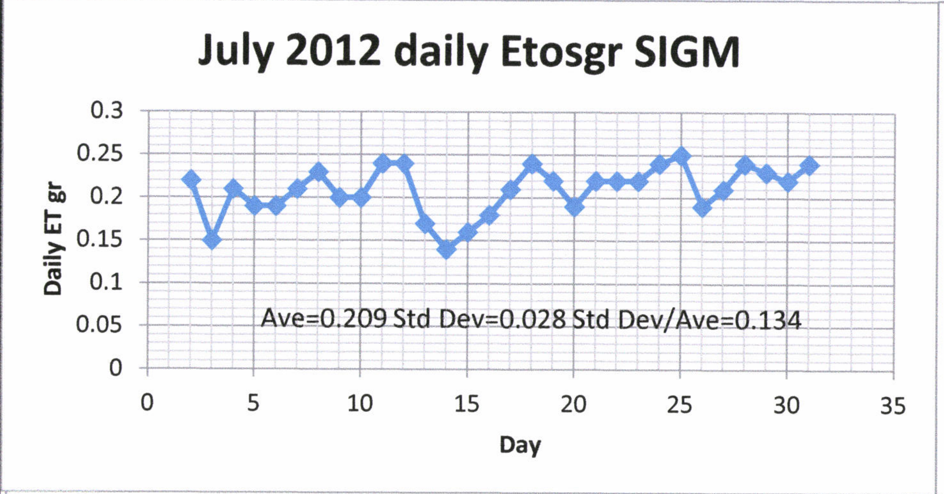
stddev/ave - stddev /aveEtosgr (dimensionless)

Precip - monthly precipitation ~inches

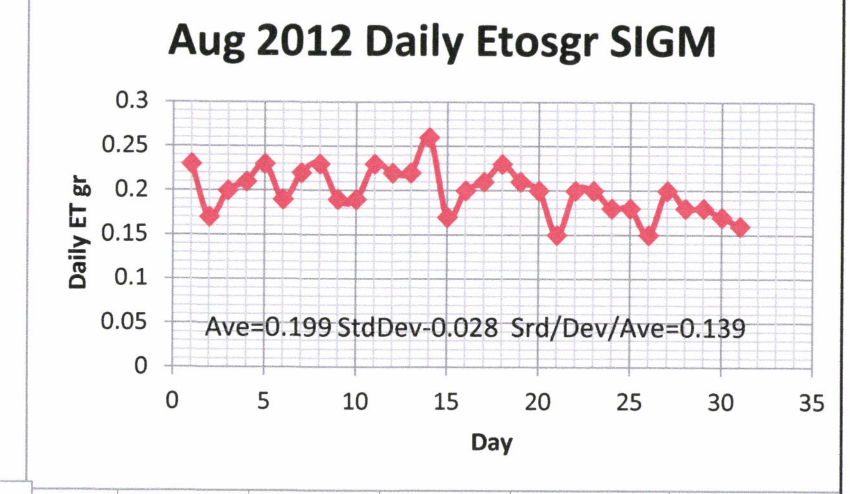
eta-irrigation efficiency =applied water reaching the root zone/applied water (dimensionless)

Etosgr Data-SIGM

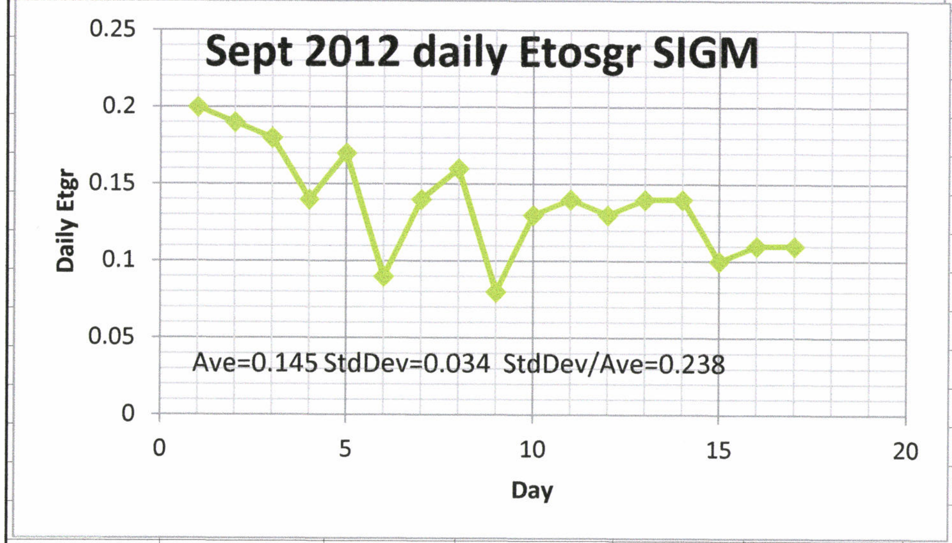
	July '12	Aug '12	Sept '12		tot Etosgr		Net Etosgr		eta*	Applied H2O	Actual Appld
ave Etosgr	0.209	0.199	0.145		14.67	inches T	13.87			7/2 to9/16	H20
sum Etosgr	6.270	6.160	2.24						0.6	23.12	
std dev	0.028	0.028	0.034						0.65	21.34	22.4
stdev/ave	0.134	0.139	0.238						0.7	19.81	
Precip	0.8	0	0						* -irrigation efficiency		


July 2012 daily Etosgr SIGM

Ave=0.209 Std Dev=0.028 Std Dev/Ave=0.134


Aug 2012 Daily Etosgr SIGM

Ave=0.199 StdDev-0.028 Srd/Dev/Ave=0.139


Sept 2012 daily Etosgr SIGM

Ave=0.145 StdDev=0.034 StdDev/Ave=0.238

Etosgr Data-SIGM

			Kimberly - Penman Evapotranspiration-SIGM July 2-September 17, 2012		
July	**Etos(grass)**	**August**	**Etos(grass)**	**Sept**	**Etos(grass)**
		1	0.23	1	0.2
2	0.22	2	0.17	2	0.19
3	0.15	3	0.2	3	0.18
4	0.21	4	0.21	4	0.14
5	0.19	5	0.23	5	0.17
6	0.19	6	0.19	6	0.09
7	0.21	7	0.22	7	0.14
8	0.23	8	0.23	8	0.16
9	0.2	9	0.19	9	0.08
10	0.2	10	0.19	10	0.13
11	0.24	11	0.23	11	0.14
12	0.24	12	0.22	12	0.13
13	0.17	13	0.22	13	0.14
14	0.14	14	0.26	14	0.14
15	0.16	15	0.17	15	0.1
16	0.18	16	0.2	**16**	0.11
17	0.21	17	0.21	17	0.11
18	0.24	18	0.23	18	0.13
19	0.22	19	0.21	19	0.12
20	0.19	20	0.2	20	0.11
21	0.22	21	0.15	21	0.1
22	0.22	22	0.2	22	0.08
23	0.22	23	0.2		
24	0.24	24	0.18		
25	0.25	25	0.18		
26	0.19	26	0.15		
27	0.21	27	0.2		
28	0.24	28	0.18		
29	0.23	29	0.18		
30	0.22	30	0.17		
31	0.24	31	0.16		
					Summary of Results

Testimony Presented to the House Judiciary Committee Re:
Senate Bill 262 – April 11, 2015
By
J.R. (Jerry) Laskody
Chairman,
Flathead Joint Board of Control

Chairman Bennett and members of the House Judiciary Committee, my name is Jerry Laskody (spell last name) and I am an irrigator from St. Ignatius, MT as well as chairman of the Mission Irrigation District and chairman of the Flathead Joint Board of Control.

I appear before this committee in opposition to Senate Bill 262 that attempts to implement the very flawed CSKT Water Compact. The Compact is poorly drafted; it is internally inconsistent; and, it deprives the Flathead Project irrigators of at least 55% of their measured historic project irrigation water deliveries at the farm turnout. In fact it provides significantly less irrigation water than the 1.4 acre ft/acre than the 2013 Compact's Water Use Agreement. **Our historic use is NOT protected.**

The Flathead Joint Board of Control commissioned a study of the Compact by Ed Everaert, an irrigation engineer with over 32 years experience in the field. Ed is here to answer any questions you might have. For the sake of brevity, I will not go into the 30 items of concern contained in Mr. Everaert's report-it is available for your review. I would however like to discuss five issues of Mr. Everaert's report.

1. The quantification of irrigation water deliveries
2. The elimination of non-storable water for irrigation use
3. The elimination of multiple duty water
4. The lack of stock water, and
5. The lack of clear methodology to determine how "saved water" resulting from efficiency improvements will be allocated.

Historic irrigation water delivery is one of the key issues in the Compact. Its importance is self evident—less water, less production. I will compare water delivery per the CSKT Compact with the water usage I measured on our ranch.

Per Mr. Everaert's review, the proposed 2015 Compact irrigation water deliveries for our 135,000 acre Project will average 1.0 ac-ft/ac at the farm turnout. My measured water use is 2.2 ac-ft/ac which represents a substantial 55% reduction. I wrote a paper on this fact and presented it to the WIPC Technical Working Group in June of 2014. My measured results were verified by our opposition's consultants, DOWL-HKM. PER ETHAN MACE, NO HISTORIC, MEASURED AND RECORDED PROJECT DATA WAS USED TO DETERMINE HISTORIC IRRIGATION USAGE IN THE 2015 COMPACT.

Not only are average annual quota irrigation water deliveries reduced by this Compact, but availability of non-storable Project spill water for irrigation is eliminated even though the Code of Federal Regulations and the Project Operating Plan requires that this water be made available. In their attempts to pre-implement this Compact, the BIA has not provided this non-quota water for the past two years materially damaging many irrigators.

Multiple duty water has also been eliminated by this Compact. This water, in excess of the normal quota, has been available for over 70 years and it is duly recorded in the Project record books. Elimination of extra duty water will significantly reduce land values and crop revenues.

In another takeaway, the continued historical deliveries of stock water listed as an authorized incidental water use in the Appendix 5 FIP Water Rights Abstracts are not defined by this Compact.

Finally the 2015 Compact provides no deterministic methodology to quantify how saved water will be allocated between FIP irrigators and in stream flows after operational improvements and rehabilitation and betterment projects are completed. Committees will be formed, measurements will be made, meetings will be held. Then discussions will take place and we will magically have some sort of a sharing arrangement. That sort of contract language is laughable at best! What we will have, in the absence of a deterministic methodology is proposal after proposal, followed by argument after argument and finally followed by a court action. This is a recipe for "paralysis by analysis" and is simply not acceptable.

With this large reduction in water deliveries, what about the negative effects of reduced agricultural production on the local economy. Senator Vincent's WIPC committee tasked the Technical Working Group with studying the economic impact of the Compact then staffed it with hydrologists and fisheries experts who admitted that they could NOT possibly undertake these types of studies. Thus, we are left with no economic impact data to guide the decision making process because WIPC didn't make the studies.

I stated earlier that the Compact would remove 55% of my historic water delivery. That reduction in delivery will result in a 60% reduction in our gross ranch income. No ranch can sustain that large of a reduction in gross income and survive, let alone the resulting inevitable loss in property value. Lacking any data from WIPC, I'm afraid you'll have to take my word regarding the economic impact of the Compact on our ranch operations.

These are facts. How could anybody conclude that this Compact, with its vast take away of irrigation water, protects the irrigated agricultural enterprise envisioned and implemented by Congress when the Flathead Project was developed? How could the Compact Commission and the bill's sponsor continue to trumpet that "historic use if protected" in light of these takeaways?

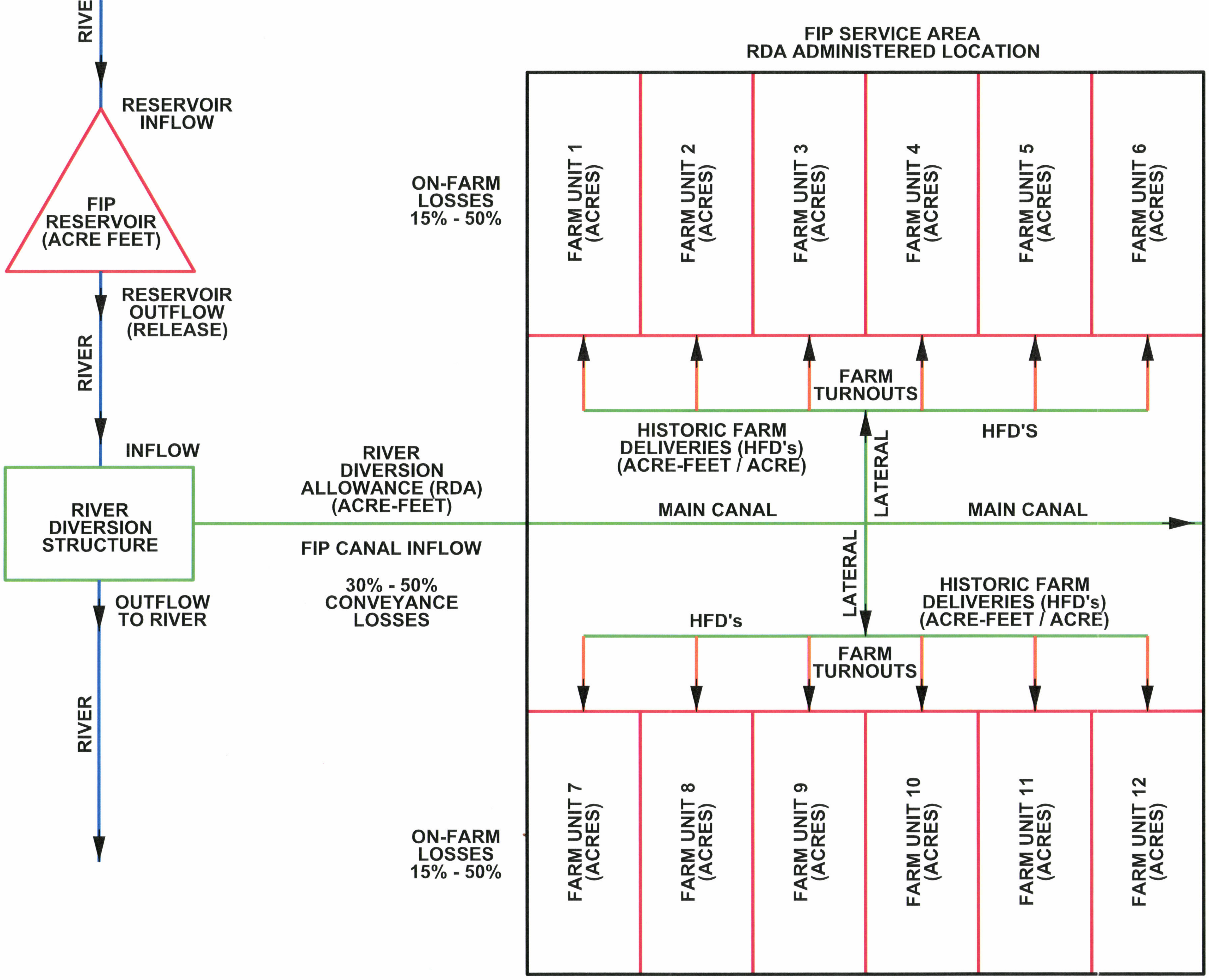
In later testimony, you will hear about another report authored by Dr.Barry Dutton on irrigator's measured historical deliveries over a four year
period on various soils, various crops, and multiple location within the Flathead Project. Where my water usage was based on a single ranch, the Dutton report had a relatively large sample size and looked at various crops. Dr. Dutton's report corroborates my measurements and concludes that the proposed **2015 Compact irrigation water deliveries to project irrigators are significantly less than their historic irrigation water deliveries.**
These independen, measurement based results clearly lead to only one *conclusion:* **The CSKT Compact results in a significant take away of FIP irrigation water and does not protect Project irrigator's historic use.**

Please consider the devastation that will occur to agricultural production and the local economy if this Compact is approved by the Legislature. On behalf of 2400 family farms and ranches in the Flathead Project and the *thousands of citizens of* Western Montana, *I urge you to vote "NO" on* Senate Bill 262.

J.R. Laskody 4/11/2015

EXHIBIT 30
DATE 4/1/15
SB 262

FLATHEAD IRRIGATION PROJECT (FIP)


RIVER
RESERVOIR INFLOW
FIP RESERVOIR (ACRE FEET)
RESERVOIR OUTFLOW (RELEASE)
RIVER
INFLOW
RIVER DIVERSION STRUCTURE
OUTFLOW TO RIVER
RIVER
RIVER DIVERSION ALLOWANCE (RDA) (ACRE-FEET)
FIP CANAL INFLOW
30% - 50% CONVEYANCE LOSSES
FIP SERVICE AREA
RDA ADMINISTERED LOCATION
ON-FARM LOSSES 15% - 50%
FARM UNIT 1 (ACRES)
FARM UNIT 2 (ACRES)
FARM UNIT 3 (ACRES)
FARM UNIT 4 (ACRES)
FARM UNIT 5 (ACRES)
FARM UNIT 6 (ACRES)
FARM TURNOUTS
HISTORIC FARM DELIVERIES (HFD's) (ACRE-FEET / ACRE)
HFD'S
LATERAL
MAIN CANAL
MAIN CANAL
LATERAL
HFD's
HISTORIC FARM DELIVERIES (HFD's) (ACRE-FEET / ACRE)
FARM TURNOUTS
ON-FARM LOSSES 15% - 50%
FARM UNIT 7 (ACRES)
FARM UNIT 8 (ACRES)
FARM UNIT 9 (ACRES)
FARM UNIT 10 (ACRES)
FARM UNIT 11 (ACRES)
FARM UNIT 12 (ACRES)

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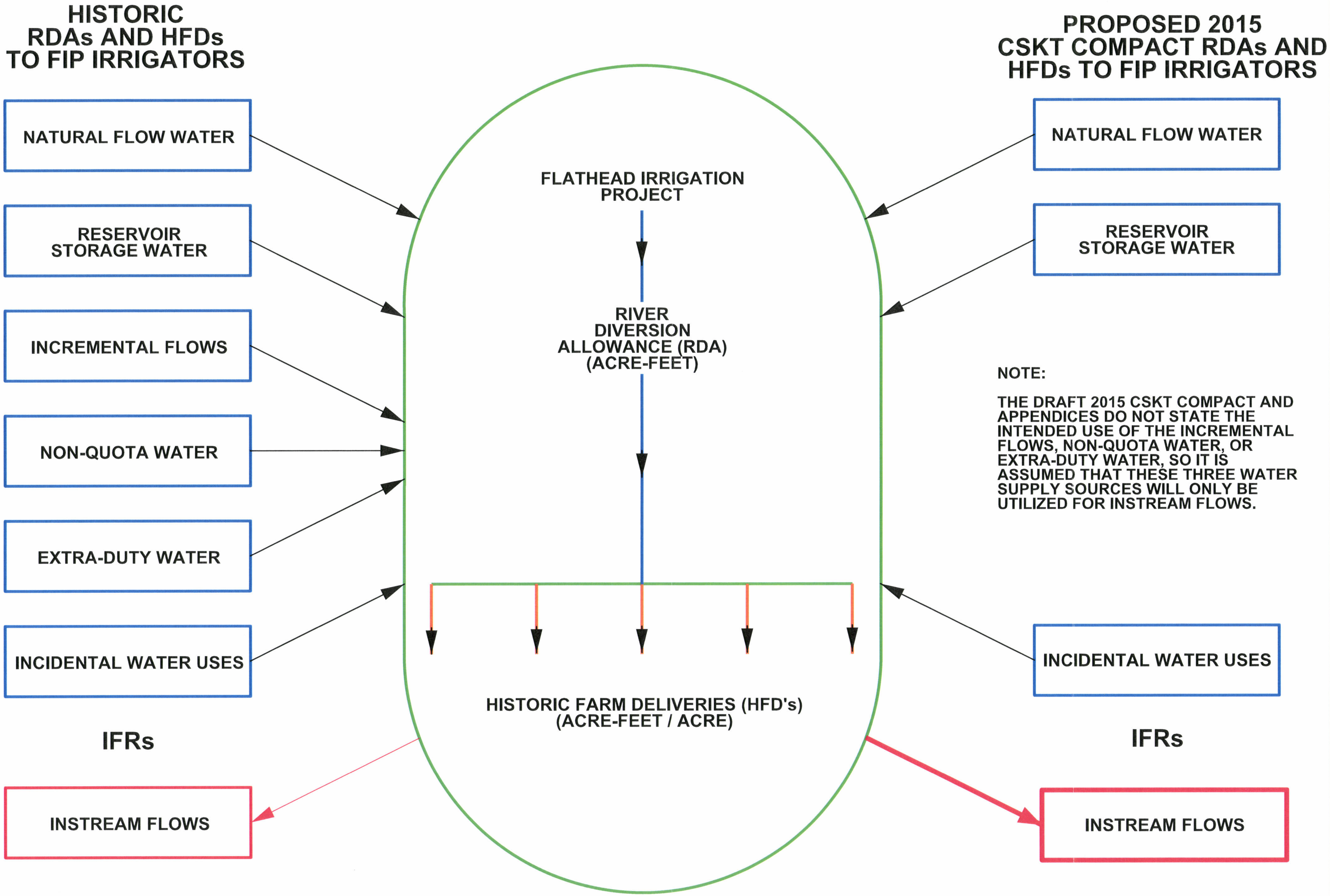
JOB # 2014-064

FLATHEAD IRRIGATION PROJECT

Project Flow Schematic

SHEET
1 OF 2

FLATHEAD IRRIGATION PROJECT (FIP)


HISTORIC RDAs AND HFDs TO FIP IRRIGATORS
NATURAL FLOW WATER
RESERVOIR STORAGE WATER
INCREMENTAL FLOWS
NON-QUOTA WATER
EXTRA-DUTY WATER
INCIDENTAL WATER USES
IFRs
INSTREAM FLOWS
FLATHEAD IRRIGATION PROJECT
RIVER DIVERSION ALLOWANCE (RDA) (ACRE-FEET)
HISTORIC FARM DELIVERIES (HFD's) (ACRE-FEET / ACRE)
PROPOSED 2015 CSKT COMPACT RDAs AND HFDs TO FIP IRRIGATORS
NATURAL FLOW WATER
RESERVOIR STORAGE WATER
INCIDENTAL WATER USES
IFRs
INSTREAM FLOWS

NOTE:

THE DRAFT 2015 CSKT COMPACT AND APPENDICES DO NOT STATE THE INTENDED USE OF THE INCREMENTAL FLOWS, NON-QUOTA WATER, OR EXTRA-DUTY WATER, SO IT IS ASSUMED THAT THESE THREE WATER SUPPLY SOURCES WILL ONLY BE UTILIZED FOR INSTREAM FLOWS.

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JOB # 2014-064

FLATHEAD IRRIGATION PROJECT

RDA Flow Schematic

SHEET
2 OF 2

EXHIBIT 31
DATE 4/11/15
SB 4/11/15

HISTORIC WATER USE AND CROP WATER REQUIREMENTS AT THE FLATHEAD INDIAN IRRIGATION PROJECT

Lake and Sanders Counties, Montana

Prepared for:
BOONE COLE, JERRY LASKODY, SHANE ORIEN, WAYNE BLEVINS AND TIM ORR
11482 Hwy 200
Dixon, MT 59831

April 2, 2015

Prepared by:
BARRY L. DUTTON
Professional Soil Scientist
Land & Water Consulting
2815 Tivoli Way
Missoula, MT 59802

EXECUTIVE SUMMARY

This report was compiled based on my past work at the Flathead Indian Irrigation Project (FIIP) from 1989 to 1992 and 25 years of irrigation consulting in western Montana. It also includes information from the 2015 Proposed Flathead Compact and from discussions with technical experts representing the State of Montana.

My historic irrigation data is based on actual field **measurements** of applied irrigation water and not **predictions** based on remotely-sensed data such as satellite imagery. From 1989 to 1992 I traveled farm to farm measuring rainfall, irrigation and crop water use at the FIIP. My work covered 38 farms and 137 fields throughout the entire project area, including all major crops. I installed hundreds of rain gauges under sprinkler irrigation systems to measure actual irrigation amounts. I used neutron soil probes, resistivity sensors, gravimetric measurements, direct soil observations and other techniques to measure irrigation water movement into soils and its removal by crops. I combined my direct measurements with predictions from local Agrimet weather stations to provide individual farmers weekly or bi-monthly updates on soil moisture conditions and crop water use. I also published a weekly summary of crop water use in the local newspaper along with predictions of future conditions.

During 1989-92 irrigators applied up to 24 inches (2 feet) of water to crops. Many applied 10-20 inches. This is much more than the 12.4 to 15.6 inches *proposed* in the 2015 Compact. The proposed Compact amounts (12.4 to 15.6 inches) are much less than crop water requirements for local crops such as potatoes and melons and is less than needed to produce higher yields of hay and pasture crops.

HISTORIC IRRIGATION AMOUNTS	**COMPACT PROPOSAL**
Up to 24 inches	12.4 to 15.6 inches (but no guarantee)

The 2015 Compact does not actually indicate how much water individual irrigators would receive so the amounts can only be "*interpreted*" from the data provided. The 2015 Compact implies that "*Historic Farm Deliveries*" will be continued. However, the proposal is to provide large blocks of water to large geographic areas and **is not a commitment to ensure individual irrigators receive the water they have historically**. **It is impossible to determine how much water individual irrigators would receive but it appears to be dramatically less than in the past.** Final decisions on water delivery would be left in the hands of irrigation system managers (currently the BIA). No clear path or process is identified for irrigators to provide evidence of past delivery amounts and ensure that future deliveries to individual farms match historic levels.

The large blocks of water called River Diversion Allowances (RDAs) do not include enough water to satisfy higher historic uses by some irrigators without leaving others too little to support a crop. Changes to RDAs cannot be made without years of complex monitoring and documentation to implement. Potential increases to RDAs based on increased pumping can only service a limited number of irrigators who are connected to that portion of the FIIP.

No provisions are made in the proposed 2015 Compact for many waters local irrigators used in the past. Examples include tailwater (unused water at the end of the irrigation system), high spring flows, water unused by other irrigators and water generated by large runoff or rainfall events. These waters were the reason irrigators could apply up to 24 inches in the past. The proposed 2015 Compact suggests all water above the RDAs will be shifted to other uses. No provisions are made for irrigators to solve their future water shortages in ways available to other Montana irrigators such as trading/leasing/purchasing or otherwise marketing water.

Throughout my career, I have never seen such wide-spread efficient use of water in-the-field as I witnessed at the FIIP. Those irrigators somehow manage to produce higher quality and more productive crops with less water. My most common recommendation throughout this program was to **apply more water**. It is obvious that additional water could boost agricultural production and income significantly across the entire project area and that less will cause a decline.

The proposed compact has serious implications for the future of irrigated agriculture at the FIIP. If irrigators do not receive historic amounts of water their production levels and crop choices will be reduced. Some irrigators could see water and production levels fall by half and their most valuable crops eliminated. Most farms cannot survive such a reduction in income. If you cut off irrigation to hay or pasture crops you reduce production/income but still have something to harvest. If you cut off irrigation to potatoes, melons, or most row crops you have nothing to harvest. Basing water allocations on averages will produce average farmers and average yields. There is no guarantee that future farmers will be able to produce above-average crops or specialty crops. If local irrigated agriculture continues moving towards smaller farms and more specialized crops, the current compact does not provide water options for these additional agricultural enterprises.

1.0 INTRODUCTION

This report discusses crop water needs at the Flathead Irrigation Project in western, Montana. It documents *historic irrigation* water use based on actual measurements in individual fields (Section 3.0). The report also identifies *irrigation water requirements* for local crops using standard calculation methods (Section 4.0). Potential mitigation options to protect historic uses and provide sufficient irrigation water for future crops are presented in Section 5.0. The main conclusions of the report are presented in Section 6.0. Sources of Information (Section 7.0) and Appendices (Section 8.0) reference the materials used in compiling this report.

Throughout this report, water is discussed in inches. To convert inches to feet simply divide by 12. For instance, the highest historic alfalfa irrigation application cited below is 27 inches (27/12 = 2.25 feet). To convert feet to inches, multiply feet by 12. For instance, the proposed 2013 Average Farm Turnout Allowance of 1.4 feet is converted to (1.4 x 12 =) 16.8 inches and is rounded to 17 inches.

2.0 INFORMATION SOURCES AND METHODS

INFORMATION SOURCES

Information for this report was assembled from many sources as listed in Sections 7.0 and 8.0 below. From 1987 to 1989 I conducted an Integrated Crop and Pest Management Program in Lake County for the Montana Extension Service. This program included weekly field visits to consult on crop choices, fertilization, seeding, insects, diseases, weeds and irrigation. From 1989 to 1994, I helped facilitate installation of two AGRIMET weather stations (Round Butte and St. Ignatius) and then developed and directed the Flathead Irrigation Information System. This system included irrigation scheduling for individual farms and specific fields as well as weekly news releases with crop water use for all crops. Summary reports for all activities were prepared at that time. Throughout this period I traveled field to field, farm to farm, recording rainfall, irrigation, crop water use and related information. This is actual data from the field and not predictions, calculations, estimates or interpretations.

METHODS

My work covered 38 farms and 137 fields throughout the entire project area, including all major crops. I installed hundreds of rain gauges under sprinkler irrigation systems to measure actual irrigation amounts. I used neutron soil probes, resistivity sensors, gravimetric measurements, direct soil observations and other techniques to measure irrigation water movement into soils and its removal by crops. I combined my direct measurements with predictions from local Agrimet weather stations to provide individual farmers weekly or bi-monthly updates on soil moisture conditions and crop water use. I also published a weekly summary of crop water use in the local newspaper along with predictions of future conditions.

Most of the local information cited here comes from the authors past work in the area and from the two AGRIMET weather stations at Round Butte and St. Ignatius. These stations were installed as part of a multi-state system to record weather information and estimate crop water needs. I personally aided in the installation of these weather stations and have used their data for over 25 years. The methodology used for calculating crop water needs comes from:

Irrigation: 6th Edition. 2011. The Irrigation Associations bible of irrigation practice. 1089p.

Irrigation Guide. 1997. USDA-Natural Resources Conservation Service. National Engineering Handbook.

Irrigation Water Requirements. 1993. USDA- Natural Resources Conservation Service. National Engineering Handbook Part 623.

3.0 HISTORIC IRRIGATION WATER USE

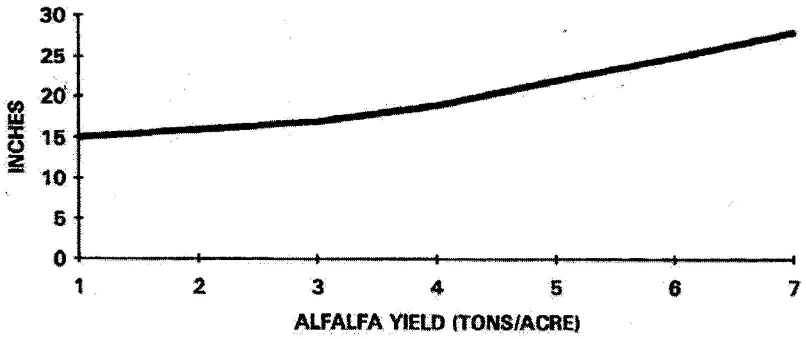
During work on my Integrated Crop and Pest Management Program and Irrigation Scheduling Program in 1987-1992, I was made aware of the FIIP "quota" and "duty" systems. The quota system was described as the annual allotment of water provided to each irrigator. The quota was determined each year by irrigation project managers and irrigator representatives depending on water availability and climate predictions each year. The duty system was described as a means of providing extra water for lands that had historically been found to need more water for adequate crop production. Double-duty lands were reported to receive double the established annual quota for any given year. The reasons for this extra water were said to include lower rainfall areas, higher crop water use areas (hotter and drier) and sandy/rocky soils with low water holding capacity.

From 1989 to 1992 I conducted irrigation scheduling at 137 fields on 37 farms across the Flathead Indian Irrigation Project area. During that period, these irrigators applied the following amounts of irrigation to local crops (Land & Water 1994):

CROP	INCHES OF IRRIGATION	NUMBER OF FIELDS
Alfalfa	3-18	50
Grass Hay	9-20	12
Small Grains	2-16	53
Potatoes	6-24	9
Corn	5-7	3

In general, those irrigators who applied more water saw a direct response in increased yield. The report produced for that project included the following graph (Labeled Figure 7 below) illustrating my interpretation of the general relationship between the amount of applied water and local alfalfa production. This graph suggests that it takes 15 to 30 inches of rainfall + irrigation to produce higher yields.

FIGURE 7. GENERAL LOCAL RELATIONSHIP BETWEEN MAXIMUM POTENTIAL ALFALFA YIELD AND TOTAL WATER (INCHES) SUPPLIED TO THE CROP BY RAINFALL AND IRRIGATION.



Additional data sources are likely available to document historic irrigation amounts at the FIIP. Examples of these data sources include electrical records from which pumped water volumes can be calculated, on-farm water application calendars/notebooks/records and irrigation project turnout reports.

The compact commission used data on historic crop water use from several sources. A study by Kjaersgaard and Allen (2009) was used to estimate historic crop water use in the Mission Valley using Landsat data. Bill Greiman, the agricultural engineer for the compact commission, also made an independent estimate using more traditional data including AGRIMET, Crop Type Mixes and Project flows (**Appendix D of the 2013 Compact**).

A simplified version of this calculation for the Mission area appears below:

28.9[1] / .82[2] x .66[3] = 23 inches - 6 inches of effective precipitation = 17 inches

[1] The average annual potential crop water use for alfalfa – St. Ignatius AGRIMET station.
[2] The efficiency of a pivot system (82%) – note wheel and hand lines are 65-70% efficient and result in larger irrigation needs.
[3] The average portion of potential crop water use actually applied by irrigators. (Calculated by Bill Greiman by comparing the volume of water supplied to specific areas compared with the acreage mix of irrigated crops - pers. com. Bill Greiman 2012).

The average alfalfa use figure of 28.9 inches seems reasonable compared with my own experience. The 82% efficiency for pivots is the value currently used by the USDA-NRCS and is reasonable, however, there are probably more wheel-move and hand-line systems in the area than pivots. These systems have much lower efficiencies (65-70%) and therefore require more water to properly irrigate a field. The 66% figure for the *average* of potential crop water use that is actually applied by local irrigators may be a reasonably accurate *average* but ignores the better irrigators who seek to produce an above-average crop. The danger in setting River Diversion Allowances (RDAs) using *average* irrigation applications means that if some irrigators are allowed to irrigate at their higher-than-average historic levels, other irrigators will get less than average unless the RDAs are increased.

4.0 IRRIGATION WATER REQUIREMENTS

How much water does a crop need? Irrigation water requirements are based on a variety of crop, site, system and soil factors. The main factors determining irrigation water requirements (IWR) at the Flathead Indian Irrigation Project are:

Potential Crop Water Use x Efficiency of the System – Effective Precipitation – Stored Soil Moisture = Irrigation Water Requirement

4.1 Potential Crop Water Use

Potential Crop Water Use is the maximum amount of water a crop can extract from the soil and release (transpire) into the atmosphere. It is generally associated with peak production, the more water, the higher the production, up to the physical and biological potential of the site. Peak production is achieved when the crop is dense, fully developed, has adequate water and nutrients and is not limited by disease, insects, weeds or other factors.

Many local irrigators do not apply the full potential crop water use to their crops due to lack of water, lower yield targets, system issues, individual farm goals and other limiting factors. Applying less than the potential is called ***deficit irrigation***. The majority of irrigators on the FIIP practice deficit irrigation. However, those who attempt to consistently produce higher value crops or higher production levels apply water at or near the potential rate, at least for the most critical periods throughout the crops development.

The most important factors related to potential crop water use are the weather factors of temperature, humidity and wind, and the crop factors of crop stage and type. General data on local crop water use is available from the Montana Extension Service, the USDA Natural Resources Conservation Service, the USDI Bureau of Reclamation and other sources. Two AGRIMET weather stations were installed in the Flathead Irrigation Project Area in 1989 (Round Butte) and 1991 (St. Ignatius). These stations currently provide the best source of local information on potential crop water use.

Table 1 summarizes average annual potential crop water values from the Round Butte and St. Ignatius AGRIMET stations. This table also lists the highest years values. The complete 25 year record is presented in **Table 2.** My impression of local potential crop water use is that it generally increases across the Flathead Irrigation Project area from east to west with lower crop water use along the Highway 93 corridor and higher use as you go west to the Flathead river and beyond. This corresponds generally with growing season rainfall, temperature and humidity conditions. Potential crop water use also seems to increase as you move southwest towards the Moeise and Dixon areas due to lower elevations and a slightly longer growing season. When conducting my ICPM program in the 1980s, I usually started working with Moeise-Dixon area growers in mid-March when their fields greened up and with Mission Valley growers in mid-April when their fields greened up almost a month later. This difference in climate and growing season is reflected by successful melon production in the Dixon area.

TABLE 1. Summary of Potential Crop Water Use at Round Butte and St. Ignatius, Montana AGRIMET Weather Stations and the Highest Year on Record (inches). In each pair of figures (26-29), the first is the value for Round Butte and the second for St. Ignatius. All values are in inches of water.

Crop	*Average Annual*	*Highest Year*
Alfalfa	26-29	30-35
Pasture	21-23	24-28
Small grains	18-20	22-25
Potatoes	17-20	22-26

4.2 Irrigation System Efficiency

Irrigation system efficiency is an essential component of determining the irrigation water requirements. No irrigation system applies water at 100% efficiency. Since irrigation systems do not apply water evenly across the field, more water is needed to ensure the drier spots receive enough. Current USDA-NRCS guidelines for common sprinkler irrigation system types are:

Pivot	82%
Wheel Line	70%
Hand Line	65%

Table 3 Illustrates the effect of efficiency on crop water need. Because irrigation systems are not completely efficient, more water is required for less efficient systems. Even with the highest efficiency system (Pivot) crop water needs are significantly higher than the gross requirement estimated by AGRIMET.

TABLE 2. Annual Potential Crop Water Use at Round Butte and St. Ignatius, Montana AGRIMET Weat

Bolded figures within squares are the years with the highest potential crop use for the 20-22 year record.

RDBM -- Round Butte, Montana

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	200
Alfalfa (Mean)	--	25.6	26.6	24.4	26.8	21.7	25.8	22.6	24.5	22.2	25.7	29.3	27.2	27.6	25.5	28.9	24.7	25.2	27.2	**30.0**	26.6	28.
Pasture	--	20.2	20.9	19.2	21.0	17.1	21.0	18.4	19.8	18.1	20.8	23.3	22.0	21.8	20.7	23.3	20.1	20.5	21.2	**24.1**	21.5	22.
Lawn	--	--	--	--	--	20.9	25.4	20.1	23.9	22.1	25.1	28.2	26.6	26.4	25.0	28.1	24.3	24.8	26.2	**29.0**	26.0	27.
Winter Grain	--	16.7	16.9	15.8	18.9	15.9	18.0	15.4	18.0	18.6	17.7	17.4	19.6	20.1	18.6	**21.5**	18.9	18.4	21.2	18.3	18.6	21.
Spring Grain	--	17.3	17.7	15.5	18.2	14.0	17.5	15.0	17.5	15.4	13.3	18.2	18.6	16.8	17.1	**21.9**	19.0	18.0	19.2	19.5	18.4	19.3
Potatoes	--	16.7	17.8	15.6	17.2	13.9	17.5	14.7	16.0	14.6	15.7	16.8	16.0	16.1	15.0	**22.8**	19.0	16.9	19.5	22.6	20.2	20.
Field Corn	--	17.4	17.8	15.2	17.0	12.4	17.1	15.0	17.2	14.2	--	--	--	--	--	--	--	--	--	--	--	--
Rape	--	--	--	--	--	--	--	--	--	--	14.4	--	--	--	--	--	--	--	--	--	--	--
Peas	--	--	--	--	--	--	--	--	--	--	--	11.4	11.4	10.8	10.7	13.9	11.8	11.5	13.0	11.8	11.7	**13.**
Apples	--	--	--	--	--	--	--	--	--	--	24.2	23.4	21.8	19.1	20.4	24.1	21.0	20.7	24.3	**25.8**	24.5	25
Cherries	--	--	--	--	--	--	--	--	--	--	24.2	22.7	21.8	19.3	20.0	23.3	21.0	19.9	21.1	**25.7**	23.1	25

SIGM -- St. Ignatius, Montana

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	20
Alfalfa (Mean)	--	--	--	24.0	26.9	27.0	**34.6**	25.1	27.4	22.2	29.2	31.8	29.2	31.2	27.9	32.2	27.2	28.2	31.1	34.2	30.4	31
Pasture	--	--	--	19.0	21.3	21.2	**28.0**	20.4	22.0	18.0	23.5	25.3	23.6	24.6	22.7	25.8	21.9	22.8	24.3	27.4	24.5	25
Lawn	--	--	--	--	--	25.9	**33.8**	24.6	26.6	22.1	28.4	30.7	28.4	29.7	27.2	31.3	26.6	27.6	29.9	33.0	29.6	30.
Winter Grain	--	--	--	15.0	18.6	17.6	22.6	16.6	19.1	18.3	18.9	17.8	20.1	21.6	20.2	**23.6**	21.0	20.7	23.2	20.2	20.8	22
Spring Grain	--	--	--	15.3	18.1	17.1	23.3	16.8	19.3	14.8	14.7	19.2	19.8	19.0	18.5	**24.7**	20.4	20.3	21.6	22.1	21.4	21
Garlic	--	--	--	--	--	--	--	--	--	--	20.4	--	--	--	--	--	--	--	--	--	--	--
Potatoes	--	--	--	16.0	17.8	19.1	24.5	16.7	18.7	**14.5**	18.8	18.4	18.3	19.0	17.0	24.9	20.2	18.7	22.8	**26.2**	23.6	23
Rape	--	--	--	--	--	--	--	--	--	--	15.5	--	--	--	--	--	--	--	--	--	--	--
Peas	--	--	--	--	--	--	--	--	--	--	--	12.1	12.2	11.7	11.3	**15.1**	12.9	11.7	14.1	13.3	13.3	14

TABLE 3. Potential Crop Water Use calculated from the Round Butte and St. Ignatius, Montana AGRIMET Weather Stations. The first number of each range is Round Butte and the second is St. Ignatius. Average annual values are presented as well as those from the highest water use year on record. Gross Water Requirements are presented in the first Table and then are adjusted in the following 3 tables for irrigation system efficiencies of common local system types. In each pair of figures (26-29), the first is the value for Round Butte and the second for St. Ignatius. All values are in inches of water.

Gross Water Requirement Estimate Calculated from AGRIMET Data

Crop	*Average Annual*	*Highest Year*
Alfalfa	26-29	30-35
Pasture	21-23	24-28
Small grains	18-20	22-25
Potatoes	17-20	22-26

Adjusted for Pivot System Efficiency = 80%

Crop	*Average Annual*	*Highest Year*
Alfalfa	33-36	38-43
Pasture	26-29	30-35
Small grains	23-25	28-31
Potatoes	21-25	28-33

Adjusted for Wheel Line System Efficiency = 70%

Crop	*Average Annual*	*Highest Year*
Alfalfa	37-41	43-49
Pasture	26-29	34-40
Small grains	26-29	31-36
Potatoes	24-29	31-37

Adjusted for Hand Line System Efficiency = 65% Efficient

Crop	*Average Annual*	*Highest Year*
Alfalfa	43-48	50-57
Pasture	35-38	40-47
Small grains	30-33	37-42
Potatoes	28-33	37-43

4.3 Rainfall and Effective Rainfall

The irrigation water requirement is reduce by the amount of rainfall that enters the root zone and is available for crop uptake. The ***gross rainfall*** is the total amount that falls as measured by a rain gauge. The ***net rainfall* or *effective rainfall*** is that portion that actually enters the root zone. At the Flathead Irrigation Project, the portion that does not enter the root zone is lost to evaporation from crop and soil surfaces soon after falling. Little or no loss to runoff or deep percolation occurs under local sprinkler irrigation.

Table 4 lists gross rainfall data for St. Ignatius and Hot Springs Montana from the Western Climate Center. St. Ignatius is on the east side of the irrigation project, close to the Mission Mountain and receives the most annual precipitation (16 inches). Hot Springs is on the west side of the project and receives the least annual precipitation (14.7 inches). The St. Ignatius AGRIMET station reports 15.6 inches which correlates well with the longer climate center record. The Round Butte AGRIMET station is approximately half way between St. Ignatius and Hot Springs and reports 13.4 inches. These data suggest a general trend of decreasing rainfall as you go from west to east across Flathead Indian Irrigation Project croplands. This trend was also observed in the field data I recorded across the project in 1989-92.

Table 5 summarizes *Gross and Net or Effective Rainfall* for the growing seasons of permanent and annual crops. These gross rainfall data generally agree with the field data I recorded across the project in 1989-92.

Estimates for net rainfall can vary widely by method. Some methods make adjustments on an event basis considering temperature, humidity, wind, crop water use and other factors. Other methods use a single average factor across the season. I chose to calculate net rainfall as 30% of gross rainfall based on personal experience scheduling irrigation at the Flathead Irrigation Project area and other western Montana locations. By comparison, factors of 15-40% have been reported for similar crops in southern Idaho (Stetson and Mecham 2011).

TABLE 5. Growing Season Gross and Net Rainfall at Hot Springs, Round Butte and St. Ignatius, Montana. Net estimated as 30% of gross.

Growing Season	**Hot Springs**		**Round Butte**		**St. Ignatius**	
	Gross	Net	Gross	Net	Gross	Net
Permanent Crop Growing Season (April1- Oct 1)	6.9	2.1	8.3	2.5	10.0	3.0
Annual Crop Growing Season (April 1 – August 1)	5.1	1.5	6.2	1.9	7.4	2.2

Table 4. Precipitation and Other Parameters for St Ignatius and Hotsprings.
Source: Western Regional Climate Center, wrcc@dri.edu

ST IGNATIUS, MONTANA (247286)

Period of Record : 2/ 6/1896 to 12/31/2010

Parameter	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	33.3	38.5	47.9	58.8	67.4	74.8	84.6	83.1	71.6	58.2	43.0	35.1	58.0
Average Min. Temperature (F)	17.4	20.6	26.0	32.9	39.5	45.7	49.7	48.3	41.3	33.5	26.3	20.4	33.5
Average Total Precipitation (in.)	**0.95**	**0.76**	**1.04**	**1.43**	**2.30**	**2.51**	**1.12**	**1.17**	**1.43**	**1.19**	**1.07**	**0.98**	**15.95**
Average Total SnowFall (in.)	11.3	8.0	6.4	1.8	0.4	0.0	0.0	0.0	0.1	1.0	5.8	9.2	43.9
Average Snow Depth (in.)	3	2	1	0	0	0	0	0	0	0	1	1	1

Average Precipitation April-Sept 9.96 April-July 7.36

HOT SPRINGS, MONTANA (244297)

Period of Record : 8/ 2/1969 to 9/30/2012

Parameter	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	33.8	39.3	48.5	58.4	66.8	75.6	85.1	84.7	73.5	59.2	42.8	33.9	58.5
Average Min. Temperature (F)	17.1	20.7	25.9	31.6	38.6	45.3	49.7	48.8	40.3	31.4	24.5	17.8	32.6
Average Total Precipitation (in.)	**1.82**	**1.20**	**0.94**	**0.83**	**1.62**	**1.58**	**1.05**	**0.85**	**0.97**	**0.88**	**1.44**	**1.52**	**14.71**
Average Total SnowFall (in.)	10.1	9.5	6.1	0.6	0.0	0.0	0.0	0.0	0.0	0.5	4.7	6.6	38.1
Average Snow Depth (in.)	1	1	1	0	0	0	0	0	0	0	0	1	0

Average Precipitation April-Sept 6.90 April-July 5.08

4.4 Stored Soil Moisture

Stored soil moisture also can contribute to the irrigation water requirement if the stored soil moisture from winter snowmelt and spring rainfall persists until the active growing season. My own experience scheduling irrigation in western Montana over the past 20+ years is that stored soil moisture is declining over time. This may be due to increasingly early snowmelt and the longer period for evaporation/transpiration loss before the main growing season. In some years is due to less rainfall/snowmelt and higher temperatures.

Soils at the Flathead Irrigation Project are highly variable and so have a wide range of ***available water holding capacities*** (AWHC). **Finer soils** (higher silt and clay content and few rocks) occur throughout the area and have AWHCs of about 2 inches per foot of soil. Small grain, potato, melon and similar crops are managed for a 2 foot root zone yielding a total water holding capacity of 4 inches in the root zone. Hay and pasture crops are managed for a 3 foot root zone for a total of 6 inches AWHC. By comparison, many areas including the Moeise valley have **coarser soils** (sandy and rocky) with low AWHCs, often ½ - 1 inch per foot or less. A two foot root zone will therefore hold 1-2 inches instead of 4 in the better soils and a three foot root zone 1½ - 3 inches instead of 6.

My experience in recent years has been that agricultural soils start the growing season with about half of their AWHC. So a finer textured soil that holds 6 inches in the three foot root zone will start the season with about 3 inches of water for crop use. A coarser textured soil that holds 3 inches will start the season with about 1.5 inches or half as much.

4.5 Summary of Irrigation Requirements

Table 5 summarizes the main factors of Irrigation Water Requirements for the Flathead Irrigation Project as discussed in Sections 4.1 – 4.4 above. These factors are:

Potential Crop Water Use x Efficiency of the System – Effective Precipitation – Stored Soil Moisture = Irrigation Water Requirement

Table 5 values represent the range of conditions experienced in years with high and low crop water use, high and low rainfall and high and low stored soil moisture. This summary uses an irrigation system efficiency of 80% (pivot) which is higher than many systems currently in operation across the project.

Comparison of these Irrigation Requirements with the Farm Turnout Allowances (Appendix 3) which were used to calculate River Diversion Allowances suggests potential problems. In average years **12.8-15.1 inches** of irrigation water is available and in dry years **13.7 – 15.4 inches** of irrigation water is available. These amounts are not sufficient to satisfy crop water needs for any of the crops listed in Table 5 under average conditions and much less than needed during years hot, dry years with above average crop water use.

Table 5 implies that irrigators should have had a difficult time in the past. However, my own experience, discussed in Section 3.0, was that irrigators producing the best crops managed to receive extra water in the past above the proposed turnout allotments.

The figures in **Table 5** do not mean that most crops cannot be grown at all with the proposed water allocation but that production and crop choices will be affected in dry, average and even wet years. Hay and pasture crops can simply stop growing when water is limited and there will still be something to harvest in most years. Alfalfa however is sensitive to drought conditions, especially at critical crop stages and will disappear out of a stand if dry conditions persist. Small grain crops may also survive and produce, but again at lower production levels. A lack of water at the end of small grain crop stages can result in reduced kernel size, quality and total yield. However, a lack of water near the end of a potato or melon crop can result in complete crop failure.

If irrigators are informed early enough, they may be able to plan for alternate crops or lower yields. Knowing ahead of time is critical for planning crop choices and production targets for fertilizer and other inputs. This is especially important for crops such as potatoes and melons. If water delivery ends part-way through the season, these crops are doomed. You can't sell partially-formed potatoes and melons.

Table 5. Average Annual Irrigation Requirements Summary

Crop	Potential Crop Water Use[1]	Effective Rainfall[2]	Stored Soil Moisture[3]	Average Annual Potential Irrigation Requirement[4]
Alfalfa	33-36	2-4	1-3	26-33
Pasture	26-29	2-4	1-3	19-26
Small grains	23-25	2-4	1-3	16-22
Potatoes	21-25	2-4	1-3	14-22

[1] Adjusted for Pivot System Efficiency = 80%

[2] Gross Rainfall x .30

[3] 50% of the Available Water Holding Capacity of the root zone

[4] To be compared with the proposed River Diversion Allowances based on Farm Turnout Allowances of 12.4 – 15.6 inches.

5.0 POTENTIAL MITIGATION

The irrigation requirements summarized in Section 4.0 are much higher than the average amount of water applied historically by most project irrigators. This suggests that more water is needed for local irrigators if full production and crop choice is a goal. However, the irrigation project reports that it simply does not have the capacity to deliver the full crop water needs to all turnouts. The challenge moving forward is to maintain instream flow goals and also provide sufficient water for crop production - including the higher production and higher value crop growers. Examples of potential options to meet this goal are:

1. Include a provision to ensure that irrigators receive the amount of water they have in the past. Preserving historic farm deliveries is a stated goal in the proposed 2015 Compact but the proposed River Diversion Allotments (based on the 2013 Farm Turnout Allowances) do not seem to provide sufficient water to meet this goal on an individual farm basis.

2. Provide flexibility in the system so irrigators who want to plant higher value crops or get higher production can be sure of obtaining the water to do so. This appears possible under the proposed 2015 Compact but is complicated and time-consuming.

3. Make it clear that irrigators can manage water allotments within their property borders by concentrating water on a smaller acreage to increase production or crop choices.

4. Allow for additional water allocations when water is available. In the past many local irrigators have been able to obtain extra "free" water including early season flows, tail-water from other irrigators or ditch systems, and from other sources. The compact agreement seems to imply that these sources will no longer be available and improvements to the system that reduce tail-water or seepage will only be used for instream flows, not for irrigation.

5. Allow for additional irrigation when instream flow managers are confident biological goals are met. This could be special irrigation alerts that allow irrigators to pour it on for a set period when streamflows are high and/or crops are at critical periods for production.

6. Provide early notification of water availability and assurance of late-season delivery. Irrigators need to know the predicted water availability as early as possible to plan crop choices, yield targets, fertilizer inputs and other options.

7. Develop farm-specific drought plans to help irrigators identify and rank options based on changing conditions during the irrigation season (what and how to sacrifice if water delivery is curtailed). This program should include all water users in a "shared sacrifice" effort.

8. Develop a Water Management Program Including such features as:

   - Irrigation Scheduling with Weekly Reporting for individual irrigators and for general distribution to all irrigators. These reports should include crop water use, critical crop water use periods, drought strategies, supply predictions and other information designed to help irrigators produce more with less water. Media and direct contact options should be provided to widely disseminate information.

   - Irrigation Energy Audits and Retrofits to improve system performance and reduce energy use. This program can reduce farm energy use and costs for while freeing energy to be sold at a higher cost elsewhere. Improved irrigation system performance helps grow a better crop with less water.

   - Irrigation Maintenance Workshops to maintain system performance.

   - Irrigation Guide to provide a resource and central repository for the best local irrigation information and practices.

6.0 CONCLUSIONS

These conclusions were developed based on a review of the proposed 2015 Compact Agreement combined with the data compiled in this report and my past local experience.

- This report documents that individual irrigators have historically managed to obtain and apply significant amounts of irrigation water, up to 24 inches per year (2 feet). These amounts are significantly higher than the 12.4 to 15.6 inches (1.03 to 1.30 feet) per acre used to calculate River Diversion Allowances in the proposed 2015 Compact.

- The amount of water that individual irrigators will receive in the future cannot be determined at this time but is left in the hands of future Flathead Irrigation Project managers. Appendix A4 of the 2013 version of the proposed compact included a *Farm Turnout Allowance* which specified that irrigators would receive 12.4 – 15.6 inches (1.03 - 1.30 acre-feet) per acre. Without a specific number, irrigators cannot compare their historic use of up to 24 inches with the 2015 compact proposal.

- The Farm Turnout Allowances from the proposed 2013 compact were used to calculate the River Diversion Allowances presented in Appendix 3.2 of the proposed 2015 Compact (Pers. com. Ethan Nace 2015). This does not provide a specific amount individual irrigators will receive but instead provides a "pool" of water from which all irrigators will be served. Individual irrigators therefore cannot determine how much water they actually receive. Since these numbers are based on average irrigation applications they do not provide enough water for those who historically applied more than average without taking away from other irrigators or increasing the River Diversion Allowance (RDA). The final decision on future water allocations and RDAs is left to future irrigation project managers. The proposed 2015 compact allows adjustment of the RDAs but the process requires monitoring and documentation which could take years to complete.

- Some irrigators have historically been able to obtain and apply more water than the proposed average RDA allocations suggest. As a result they have been able to grow higher-value and higher-yielding crops, even on soils with lower water holding capacities. These are the irrigators that will be most affected by strict allocation limits.

- The *Irrigation Water Requirements*, calculated by standard methods, are much higher than the proposed average RDA allocation based on the 2013 *Farm Turnout Allocations* for all crops. The potential irrigation water use is much higher than the historic use suggesting that crop production could be increased significantly if additional irrigation was provided.

- The Flathead Irrigation Project has maintained that it does not have the capacity to deliver the full crop water need to all turnouts throughout the growing season. Potential infrastructure improvements throughout the system combined with on-farm water management could increase system capacity and increase crop yields. However, water from many system improvements is designated to be used for instream flows and not additional irrigation.

- Additional pumping is proposed as the method of providing more water for River Diversion Allowances if needed. However, water from this source cannot physically be delivered to most project lands (no canals/ditches).

- The proposed compact does not include recognition of climate change. If trends continue towards warmer temperatures and more variable precipitation, irrigation requirements will increase in the future.

- The proposed compact does not include recognition of new trends in local land use and agriculture. As more new farmers emerge with an interest in producing local food they will need additional water to produce it.

- A variety of mitigation measures are listed in Section 5.0 that can help irrigators use limited supplies more effectively on the farm and for project managers to increase the efficiency and effectiveness of water delivery.

- The proposed water (RDA) allocations may not end irrigated agriculture in the area, but will limit production and crop choices across the landscape. The most severe effects will be felt by irrigators in the western and southwestern portions of the project. Some operations will not survive this reduction in water and income.

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8.0 APPENDICIES

The following appendices include reports and spreadsheets used as the major sources of information for this report and are available on request.

Appendix A.
Land and Water Consulting. 1994. Flathead Irrigation Information System: Summary Report and Irrigation Guide. Flathead Joint Board of Control. St. Ignatius, MT. 44p.

Appendix B.
Greisman, B. 2012. Excel spreadsheet compiled by Bill Greisman, agricultural engineer for the Compact Commission to compute crop water needs and historic use.

Appendix C.
Appendix A4: Farm Turnout Allowances from the proposed 2013 Compact.

Appendix A.

1994 Land and Water Consulting Flathead Irrigation Report authored by Barry Dutton

FLATHEAD IRRIGATION INFORMATION SYSTEM

SUMMARY REPORT AND IRRIGATION GUIDE

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Last and most important, we would like to express our deepest appreciation to the irrigators who helped initiate the program and who participated in energy audits and irrigation scheduling. Much of the knowledge contained in this report was acquired over years of experience by local irrigators who have been generous in letting us capture this knowledge for the use of all current and future water users.

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1.0 INTRODUCTION

This irrigation guide summarizes the results of a four year program to improve irrigation energy and water use at the Jocko, Mission and Flathead irrigation districts in Lake, Missoula and Sanders counties of west-central Montana. Data collected during this program are summarized and methods are recommended for using water and energy more efficiently. This report is not meant to be a comprehensive design manual but should provide important and useful data for irrigators as well as energy and water managers. The focus of this effort has been sprinkler irrigation systems but many of the principals apply to other irrigation systems. This program and report were completed by a team of two soil scientists, an irrigation system designer, a registered professional engineer and several technicians.

2.0 IRRIGATION SCHEDULING

The goal of irrigation scheduling is to apply the right amount of water at the right time in order to maximize crop production and minimize adverse environmental impacts. Where water is available in unlimited supply, irrigation scheduling attempts to match irrigation applications with actual crop water use (evapotranspiration). Where water supplies are limited, irrigation applications are made at only the most critical crop stages.

When irrigation water is properly applied, runoff and erosion are minimized. Proper application ensures that soil water holding capacity is not exceeded and potential pollutants are not washed through the soil. These pollutants include fertilizers, pesticides and other materials.

2.1 PROGRAM DESCRIPTION

An irrigation scheduling program was developed during this project to help individual irrigators understand their irrigation management better, to collect information about local irrigation practices, to improve irrigation timing and to pass this information on to a larger audience. The program had several important components.

Two automated weather stations were installed at Round Butte (1989) and St. Ignatius (1991) by the U S Bureau of Reclamation staff from the Boise, Idaho AGRIMET center. These stations record and relay weather data to the Boise AGRIMET center via satellite.

Weather data was processed in Boise to calculate daily evapotranspiration and crop water use. These predictions of crop water use were adjusted using field experience gained by Land and Water Consulting. Adjustments were made to account for annual and seasonal climate variation, crop planting dates and soil moisture patterns.

Soil moisture conditions were monitored in 28-47 fields each year representing the range of local climate, soils, crops and water availability. Rain gauges were placed at soil moisture sampling locations in each field to measure irrigation applications and outside each irrigated field to measure rainfall. Soil moisture was evaluated using a combination of neutron probe measurements, gravimetric samples and the "feel method". Work was performed by soil scientists with years of experience evaluating soil moisture conditions and irrigated agriculture.

Information was summarized in a weekly report for each irrigator including soil moisture status, crop development stage, climate data and recommendations for irrigation. A weekly summary of crop water use, soil moisture conditions and irrigation recommendations was published in the local newspaper for general public use. This information included lawn irrigation as well as agricultural crops.

A computer program called AGWATER was adapted for local use in educating irrigators and students about irrigation system performance and irrigation scheduling. This program allows the user to simulate changing nozzles, pressures, spacings, timing and other irrigation factors then see a graphic presentation of the predicted effects on soil moisture. This allows "what if" questioning before investing in major changes.

The results of this project include a better educated group of participating irrigators, a more knowledgeable general irrigator public, a group of educational tools and a compilation of data on current irrigation practices.

2.2 EVAPOTRANSPIRATION AND CROP WATER USE

Evapotranspiration is the amount of water transpired by plants and the amount of water evaporated from the soil surface. Plants transpire water to satisfy physiological requirements such as photosynthesis and solute transport. ET is driven mainly by solar radiation received at the plant and soil surface and by the surrounding vapor pressure gradient of the air. These in turn are determined by temperature, humidity, reflectance, wind, cloud cover and other variables. ET varies on a daily basis as well as an annual basis with mid-day and mid-summer yielding the highest potential ET.

Plants and soil also influence ET. Leaf area, rooting depth, growth stage, soil texture and available soil water all have an effect. It is important to note that if no water is available for ET then ET will not occur no matter how great the demand is. ET is most often estimated using climatic data.

2.21 AGRIMET

The U.S. Bureau of Reclamation operates a satellite-based network of automatic agricultural weather stations called Agrimet. Two stations are located in this area including one at Round Butte and one at Saint Ignatius. Each station monitors air temperature, relative humidity, precipitation, wind and solar radiation. Data are relayed via satellite to the Bureau's Vax computer in Boise, Idaho. The computer calculates ET for an alfalfa-reference crop using the 1982 Kimberly Penman equation. This represents the potential ET for a mature alfalfa crop where water is not limiting. Crop coefficients are used to adjust the alfalfa ET to other crops.

These coefficients take into account the different growth stages and water requirements of these other crops.

2.22 Crop ET

Table 1 illustrates average monthly ET for local agricultural crops based on data from the local Agrimet weather stations. Different start dates are indicated for some annual crops. These data suggest that local alfalfa has an annual ET of 24 to 26 inches. Those areas where growth starts earlier use slightly more water. Winter wheat uses 16-17 inches and spring grains 15-17 inches. Potatoes use 15-18 inches.

TABLE 1. SUMMARY OF AGRIMET CROP WATER USE DATA - Average monthly, average annual and peak daily crop water use in inches.

ST. IGNATIUS ('91 - '92)

CROP & PLANTING	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	ANN	PEAK* DAILY
ALFALFA	0.22	1.87	3.96	4.49	5.57	5.20	3.32	0.38	25.01	0.20
PASTURE	0.29	1.93	3.57	4.00	4.91	4.59	2.98	0.34	22.61	0.18
WTR. GRAIN	0.33	2.13	4.59	5.28	4.08	0.00	0.00	0.00	16.41	0.20
SPR. GRAIN (early)	0.00	0.68	3.65	5.26	5.80	0.42	0.00	0.00	15.81	0.21
SPR. GRAIN (mid.)	0.00	0.32	2.87	5.19	6.19	1.02	0.00	0.00	15.59	0.23
SPR. GRAIN (late)	0.00	0.14	1.99	4.99	6.42	1.84	0.00	0.00	15.38	0.23
POTATOES (early)	0.00	0.00	1.27	3.62	5.96	5.25	1.86	0.00	17.96	0.22
POTATOES (mid.)	0.00	0.00	0.44	2.46	5.60	5.42	2.35	0.00	16.27	0.20
POTATOES (late)	0.00	0.00	0.00	1.41	4.73	5.55	2.76	0.15	14.60	0.20

ROUND BUTTE ('89 - '92)

CROP & PLANTING	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	ANN	PEAK* DAILY
ALFALFA	0.23	2.26	4.13	4.80	5.76	4.74	3.51	0.39	25.82	0.21
PASTURE	0.35	2.29	3.70	4.27	5.09	4.22	3.14	0.24	23.30	0.19
WTR. GRAIN	0.30	2.59	4.83	5.66	3.90	0.00	0.00	0.00	17.28	0.21
SPR. GRAIN (early)	0.00	0.81	3.92	5.65	5.99	0.28	0.00	0.00	16.65	0.22
SPR. GRAIN (mid.)	0.00	0.37	3.15	5.60	6.34	0.50	0.00	0.00	15.96	0.23
SPR. GRAIN (late)	0.00	0.14	2.21	5.45	6.66	1.21	0.00	0.00	15.67	0.24
POTATOES (early)	0.00	0.00	1.41	4.01	6.22	4.79	1.76	0.00	18.19	0.23
POTATOES (mid.)	0.00	0.00	0.52	3.02	5.99	4.97	2.31	0.00	16.81	0.22
POTATOES (late)	0.00	0.00	0.00	1.77	5.24	5.11	2.82	0.08	15.02	0.19
FIELD CORN	0.00	0.00	0.69	2.64	5.74	5.44	3.14	0.00	17.65	0.21

ET does vary slightly across the area as reflected in crop water use figures from the Round Butte and St. Ignatius weather stations. Areas east of highway 93 are likely to have ETs similar to St. Ignatius while the rest of the area is more similar to Round Butte. The Moiese, Dixon and Hot Springs areas may have values slightly higher than Round Butte due to a longer growing season and slightly warmer temperatures. This difference is only 1-3 inches at the most for alfalfa and less for other crops.

These Agrimet-derived ET predictions are similar to those published by the USDA Soil Conservation Service for Climate Zone 3 which covers most of this area. Part of the area, especially near Hot Springs, is listed in Climate Zone 2 which has slightly higher consumptive use (2-3 inches for alfalfa).

Peak daily ET was computed by increasing the average daily ET for the peak month by 13 percent. The 13 percent increase was determined by computing the average alfalfa-reference ET for the highest 10 consecutive days in July and computing the percent increase above the July daily average. A 10 day period was chosen because it is a common length for an irrigation cycle in Western Montana.

Most differences in irrigation practices across the study area were due to water availability and not to differences in ET.

2.23 Local Climate Variations

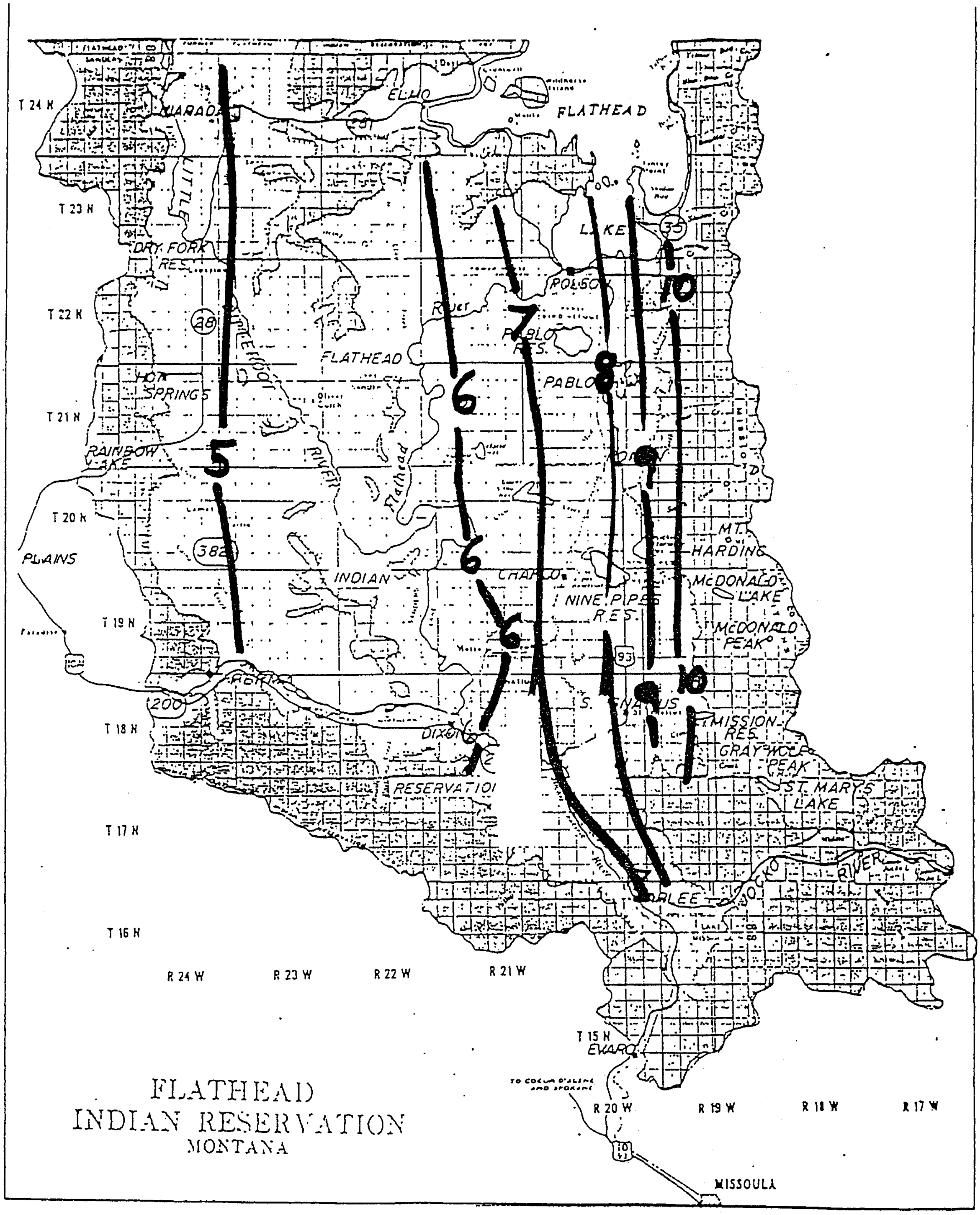
Climate variations within the local area are significant enough to affect irrigation practices. Annual and growing season rainfall generally increase from west to east across the irrigated valley-bottom lands from Hot Springs on the west to the Mission Mountain foothills on the east. Figure 1 illustrates average growing season rainfall (April 1 - October 1) interpreted from rainfall measurements in alfalfa fields 1989-1992. Growing season rainfall is approximately 5 inches at Hot Springs increasing to 6 inches in Dixon, Moiese, west Round Butte and west Valley View. Growing season rainfall increases rapidly east of Highway 93 to about 10 inches near the Mission Mountain foothills. These differences affect irrigation practices most at the start of the growing season. Crop growth starts 1-3 weeks earlier in the western and southwestern portions of the study area than in the eastern and northern portions.

Rainfall patterns in individual storms usually follow these same general patterns with total amounts increasing eastward. However, rainfall amount may vary tremendously over short distances. Storms were recorded which reversed the normal pattern and left more rain in the western areas than the eastern.

2.3 CROP WATER USE BY LOCAL IRRIGATORS

Most local irrigators do not have sufficient irrigation water available to satisfy crop water needs (ETO) and are therefore practicing **deficit irrigation**. Table 2 lists average rainfall and irrigation for crops evaluated during this four year study. These values are added as the total applied water which can then be compared with the potential crop water use (ETO). Potential crop water use minus the amount of applied water equals the average deficit.

FIGURE 1. AVERAGE GROWING SEASON RAINFALL (April 1 - October 1, in inches)


5
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R 24 W
R 23 W
R 22 W
R 21 W
R 20 W
R 19 W
R 18 W
R 17 W
ELMO
FLATHEAD
LAKE
POLSON
PABLO RES.
PABLO
LITTLE
DRY FORK RES.
HOT SPRINGS
RAINBOW LAKE
PLAINS
FLATHEAD
RIVER
Flathead
INDIAN
CHARLO
NINE PIPES RES.
MT. HARDING
McDONALD LAKE
McDONALD PEAK
ST. IGNATIUS
MISSION RES.
GRAY WOLF PEAK
ST. MARYS LAKE
DIXON
RESERVATION
ARLEE
JOCKO
RIVER
EVARO
MISSOULA
28
382
35
93
200
10
FLATHEAD
INDIAN RESERVATION
MONTANA

TABLE 2. AVERAGE RAINFALL AND IRRIGATION WATER APPLICATIONS COMPARED WITH POTENTIAL CROP WATER USE (ETO). RANGE OF IRRIGATION APPLICATIONS AND AVERAGE IRRIGATION DEFICIT ARE ALSO LISTED.

COMBINED FOUR YEAR AVERAGES 1989-1992							
CROP	n	RAINFALL	IRRIGATION	RANGE APPLIED (IRRIGATION)	APPLIED[1]	ETO[2]	DEFICIT[3]
ALFALFA	50	7.5	10.2	8.9 - 26.5	17.8	27.5	-9.7
BARLEY	2	5.8	3.6	3.3 - 15.4	9.4	16.1	-6.7
CORN	3	4.0	6.6	8.5 - 12.1	10.6	15.1	-4.5
GRASS HAY	12	6.4	15.6	15.3 - 25.6	22.0	27.2	-5.2
OATS	5	4.5	4.6	5.9 - 15.2	9.1	16.3	-7.2
POTATOES	9	4.4	11.1	9.2 - 28	15.5	20.0	-4.5
SPRING WHEAT	12	4.8	6.9	6.2 - 22.3	11.7	15.7	-4.0
WINTER WHEAT	24	4.7	7.1	6.5 - 18.8	11.8	16.5	-4.8

[1] TOTAL H20 APPLIED = RAINFALL + IRRIGATION

[2] ETO = POTENTIAL CROP WATER USE (EVAPOTRANSPIRATION)

[3] DEFICIT = TOTAL H20 APPLIED - ETO

Table 2 indicates that these crops are receiving an average of 4-10 inches less water than needed to satisfy crop water needs. This under-watering stresses the crop which reduces yields, quality and profits.

Appendix B compares crop water needs with applied irrigation and rainfall for individual fields throughout the four year study. In approximately 8% of the cases, more irrigation water was applied than needed for crop ET. This only occurred with annual crops such as spring grains or seed potatoes. Most of this water was not lost but was stored lower in the soil profile for use by future crops. Most of these sites are in a crop rotation and the extra moisture is used by subsequent perennial crops which also extract moisture from deeper depths. The monitoring program did not detect widespread over-irrigation sufficient to move agricultural chemicals or other pollutants into ground or surface waters.

Since deficit irrigation is the common local practice, irrigation water use efficiency is very high. This high value reflects the fact that most of the applied water is used by plants and little or none is lost to runoff or deep percolation below the root zone.

Figure 2 illustrates a seasonal soil moisture pattern for an alfalfa crop where the irrigator is attempting to satisfy actual crop water use (ETO). In this case, the irrigator has managed to keep the moisture content reasonably high throughout the season by applying 16 inches of irrigation water. His reward was a yield of approximately 6 tons/acre. Figures 3 and 4 illustrate more common local soil moisture pattern in alfalfa where crops are severely stressed for portions of the year. These irrigators applied 8 - 11 inches of irrigation water and achieved yields of 3 - 4 tons/acre.

Figure 5 illustrates a seasonal soil moisture pattern for a well-irrigated small grain crop where the irrigator is attempting to satisfy actual crop water use (ET). Note that the available water holding capacity increases as rooting depth increases with annual crops. In this case, soil moisture was kept reasonable high throughout the season by applying 10 inches of irrigation water. The result was a yield of approximately 100 bushels/acre.

Figure 6 illustrates a more common local soil moisture pattern in small grains where only one irrigation is applied (near the boot stage). This irrigator applied 3 inches of irrigation water for a yield of approximately 70 bushels/acre. This high yield for only 3 inches of irrigation water was due to slightly higher rainfall and precise timing of the one irrigation.

Figure 7 illustrates the general relationship between maximum potential local alfalfa yield and the total amount of water supplied to the crop. Many factors affect yield and this graph is only presented as an illustration.

2.4 DEFICIT IRRIGATION AND CRITICAL GROWTH PERIODS

Deficit irrigation requires a different strategy than irrigation which attempts to fulfill all crop water use needs (ETO). In deficit irrigation, the goal is to apply the limited water supply for the maximum effect.

Critical growth periods are the growth stages where water supply has the greatest impact on final yield. The first critical growth period is germination/emergence. Rainfall and soil moisture are usually sufficient for local crops during this growth period since most crops are planted in spring or fall when natural soil moisture is highest. The next most critical period for small grains is at heading/flowering and for alfalfa or other hay crops is after cutting. Critical growth periods are identified in the discussions of each local crop.

Local irrigators should concentrate their efforts on applying water at these critical growth periods. These periods are identified in the discussions of individual local crops.

2.5 ROOTING DEPTH

Rooting depth is important in determining the amount of water the soil will hold and how to manage irrigations. Small grain root zones are often considered as up to 3 feet and alfalfa root zones as up to 5 feet. These root zone depths should be used in areas with unlimited water supplies and sandy or gravely soils. However, due to deficit irrigation practices, much of this

FIGURE 2. SOIL MOISTURE PATTERN IN A WELL-IRRIGATED ALFALFA FIELD
(Ronan area, clayey soil, sideroll system, 1992, yield = 6 t/a).

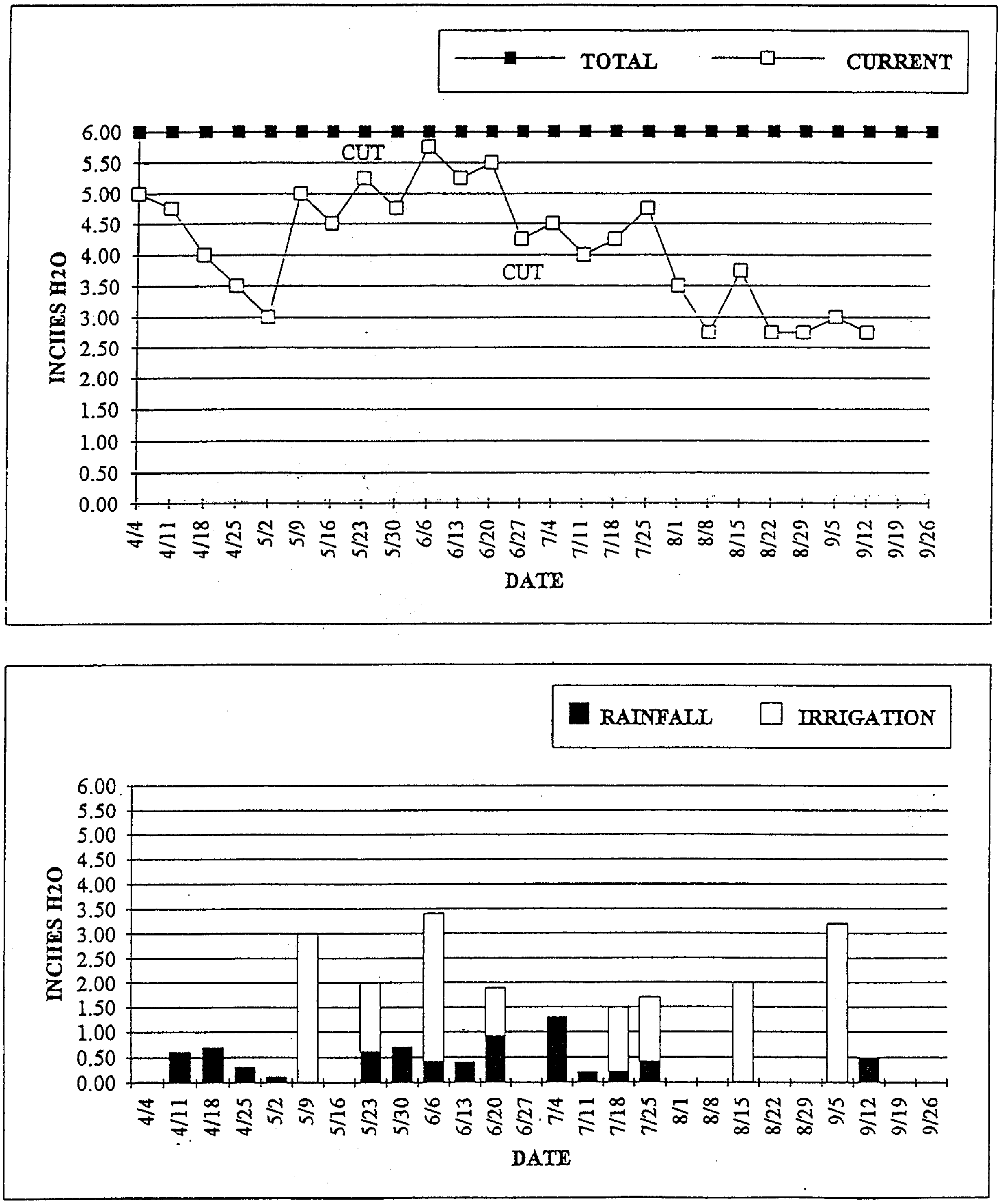
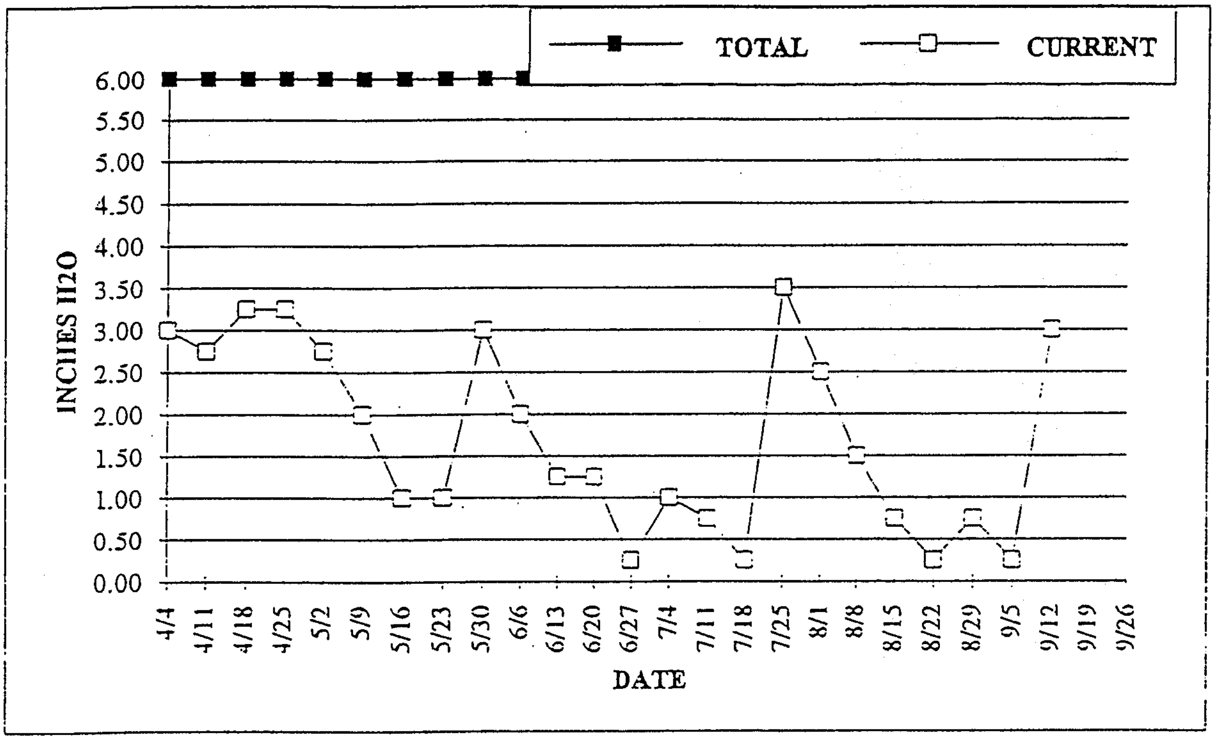


FIGURE 3. SOIL MOISTURE PATTERN IN A CONSERVATIVELY-IRRIGATED ALFALFA FIELD (Valley view area, clayey soil, sideroll system, 1992, yield = 4 t/a).



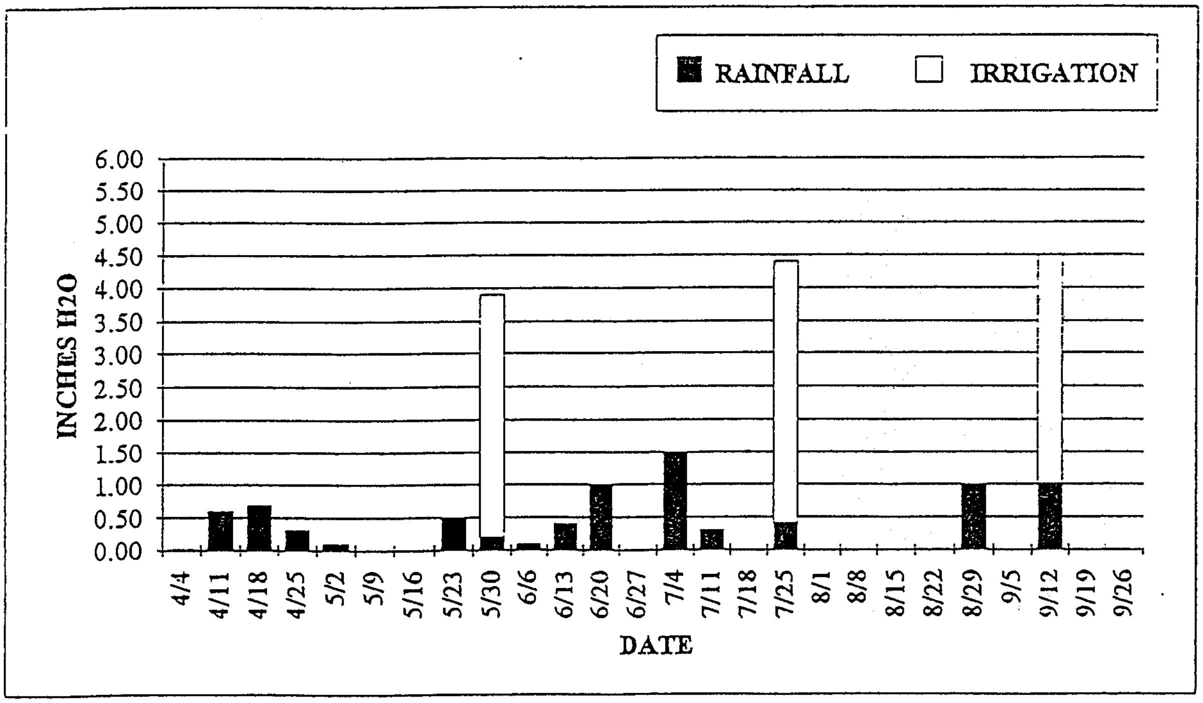
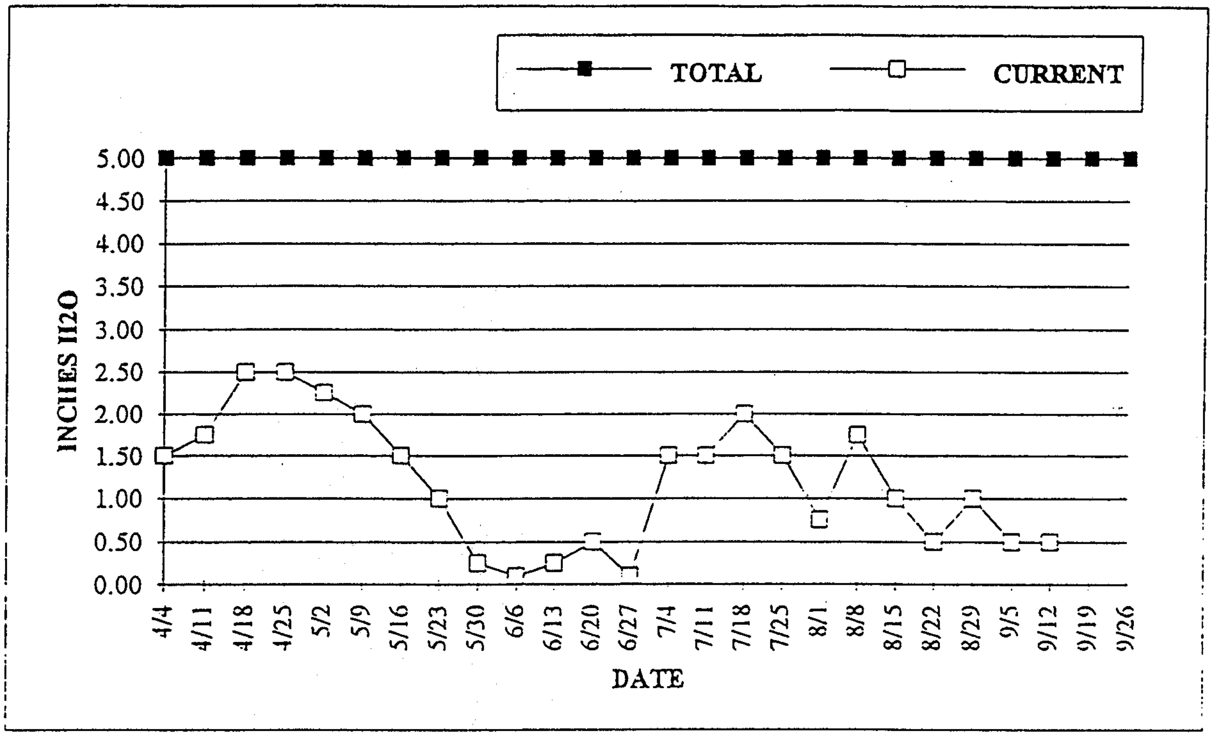


FIGURE 4. SOIL MOISTURE PATTERN IN A CONSERVATIVELY-IRRIGATED ALFALFA FIELD (Polson area, loamy soil, sideroll system, 1992, yield = 3 t/a).



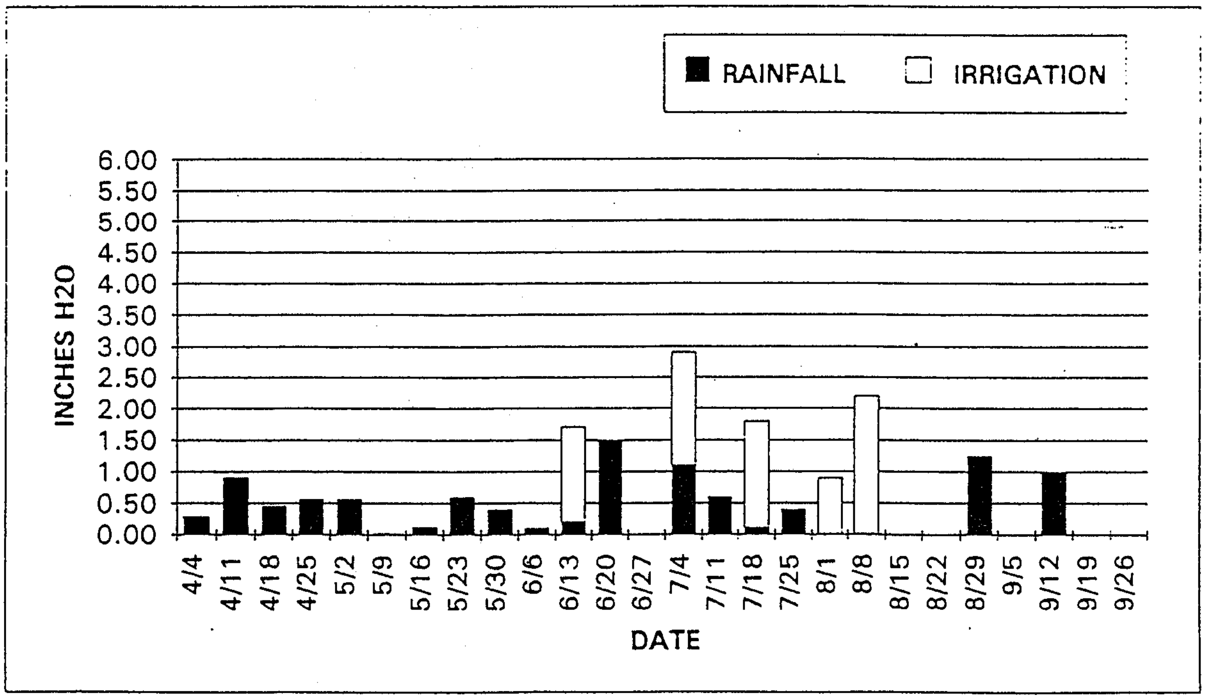
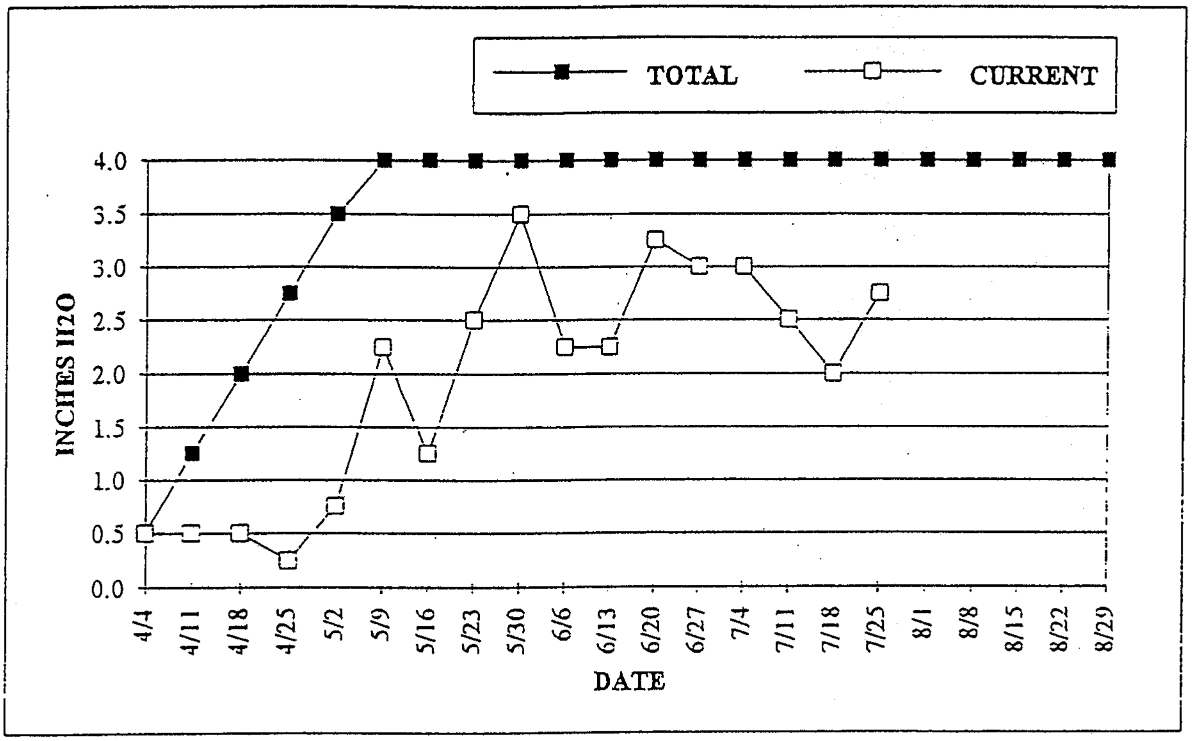


FIGURE 5. SOIL MOISTURE PATTERN IN A WELL-IRRIGATED WINTER WHEAT FIELD (Moiese area, clayey soil, side roll system, 1992, yield = 100 bu/ac).



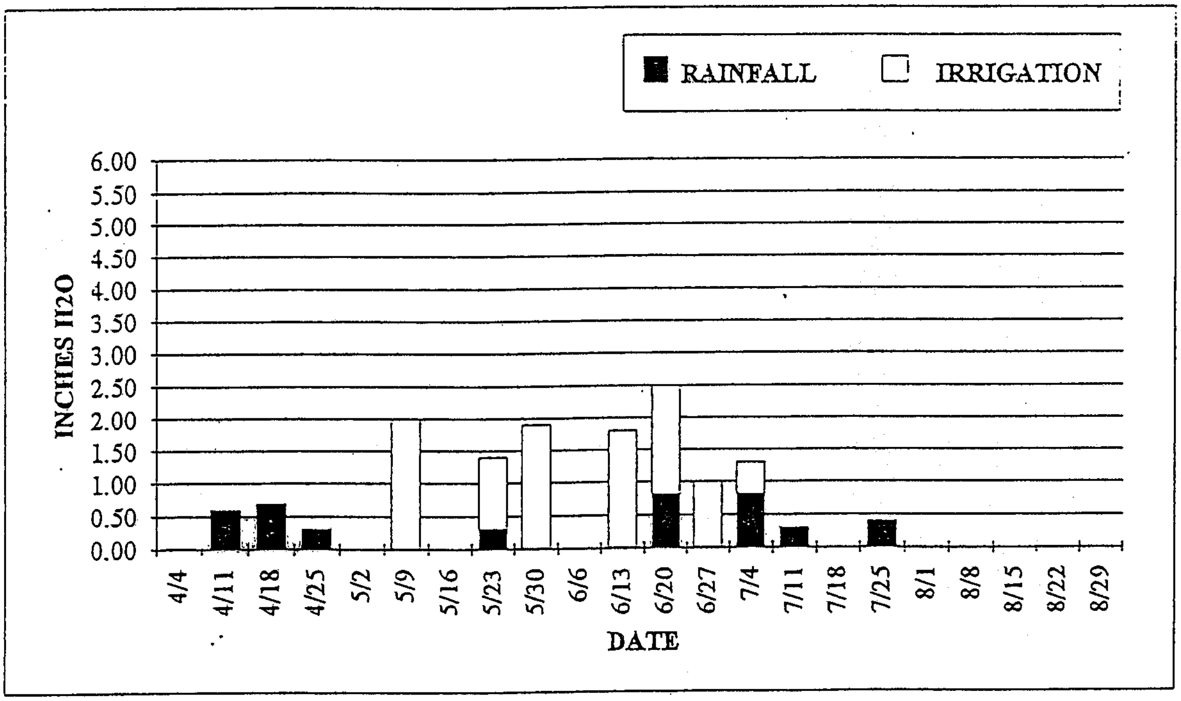
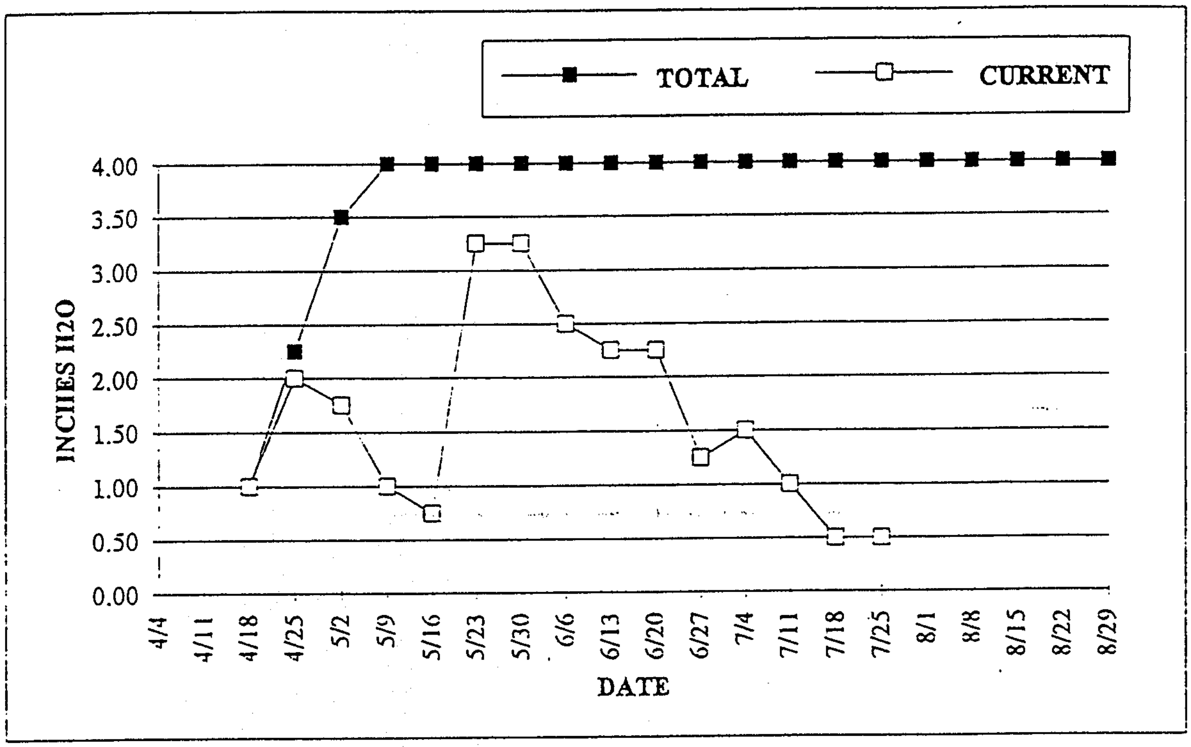


FIGURE 6. SOIL MOISTURE PATTERN IN A CONSERVATIVELY-IRRIGATED BARLEY FIELD (Ronan area, clayey soil, side roll system, 1992, yield = 80 bu/ac).



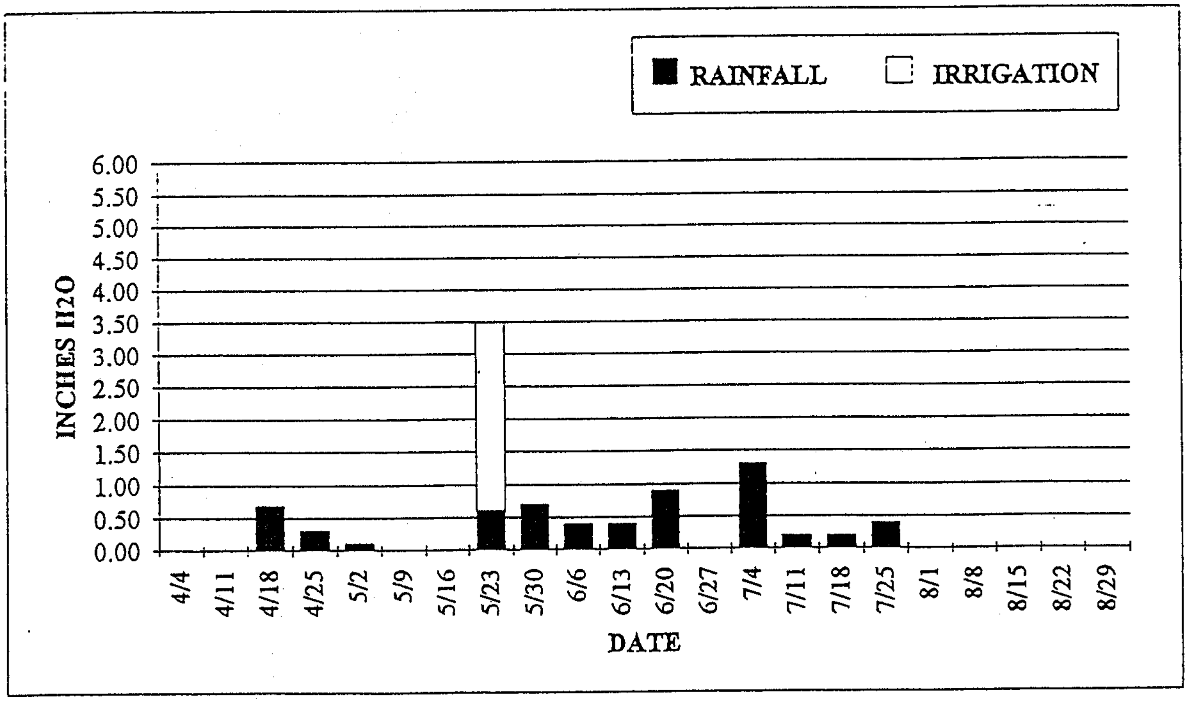
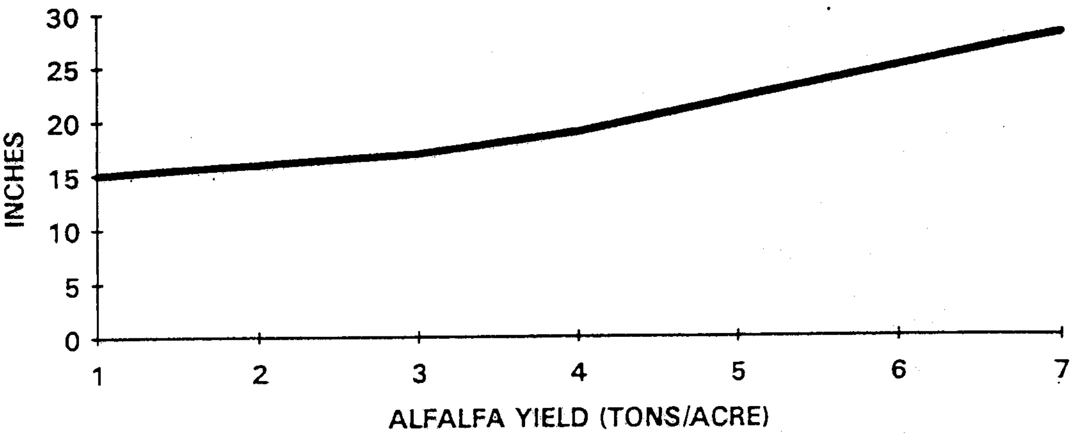


FIGURE 7. GENERAL LOCAL RELATIONSHIP BETWEEN MAXIMUM POTENTIAL ALFALFA YIELD AND TOTAL WATER (INCHES) SUPPLIED TO THE CROP BY RAINFALL AND IRRIGATION.



local area has crop root zones which are shallower than in well-irrigated areas. Many local irrigators apply approximately 3 inches of water per application. This amount of water will moisten a dry sandy soil to 2.0-3.0 feet and a clayey soil to 1.5-2.0 feet. Figure 8 illustrates that even on a medium textured soil (loam), irrigation and rainfall only affected the upper two feet of soil significantly. There was little change in soil moisture content throughout the year below 3-4 feet. Figure 9 illustrates a similar relationship for a clay textured soil.

For the purpose of local irrigation management, we suggest using a small grain root zone of 2 feet and an alfalfa root zone of 3 feet.

Rooting depth increases as crops mature. Annual crops such as grains begin from seed each year and so rooting depth increases as the crop grows. It is possible to overwater in the early season when the root zone is very shallow but in most cases, the extra water will be used by the crop later as the root system develops. Overwatering from sprinkler irrigation in this area is usually a few inches at most on an annual basis. Where we have observed over-watering of grain crops, the extra water has been used by subsequent hay and pasture crops which are much deeper rooted.

2.6 AVAILABLE WATER HOLDING CAPACITY

Available water holding capacity (AWHC) is the amount of water the soil will hold for plant growth. Soil texture, organic matter content and depth are the most important factors of AWHC in this area. AWHC can vary widely. A clayey or silty soil without rocks may hold 6 inches of water in a three foot root zone while a sandy soil with 50% rock content may only

FIGURE 8. SOIL MOISTURE PROFILES THROUGHOUT THE 1992 GROWING SEASON FOR A WINTER WHEAT FIELD WITH LOAM-TEXTURED SOIL.

MOEISE AREA - SPRING WHEAT 1992 (AB)
SIDEROLL IRRIGATION SYSTEM
NEUTRON PROBE COUNTS FROM 5/9/92 TO 8/1/92

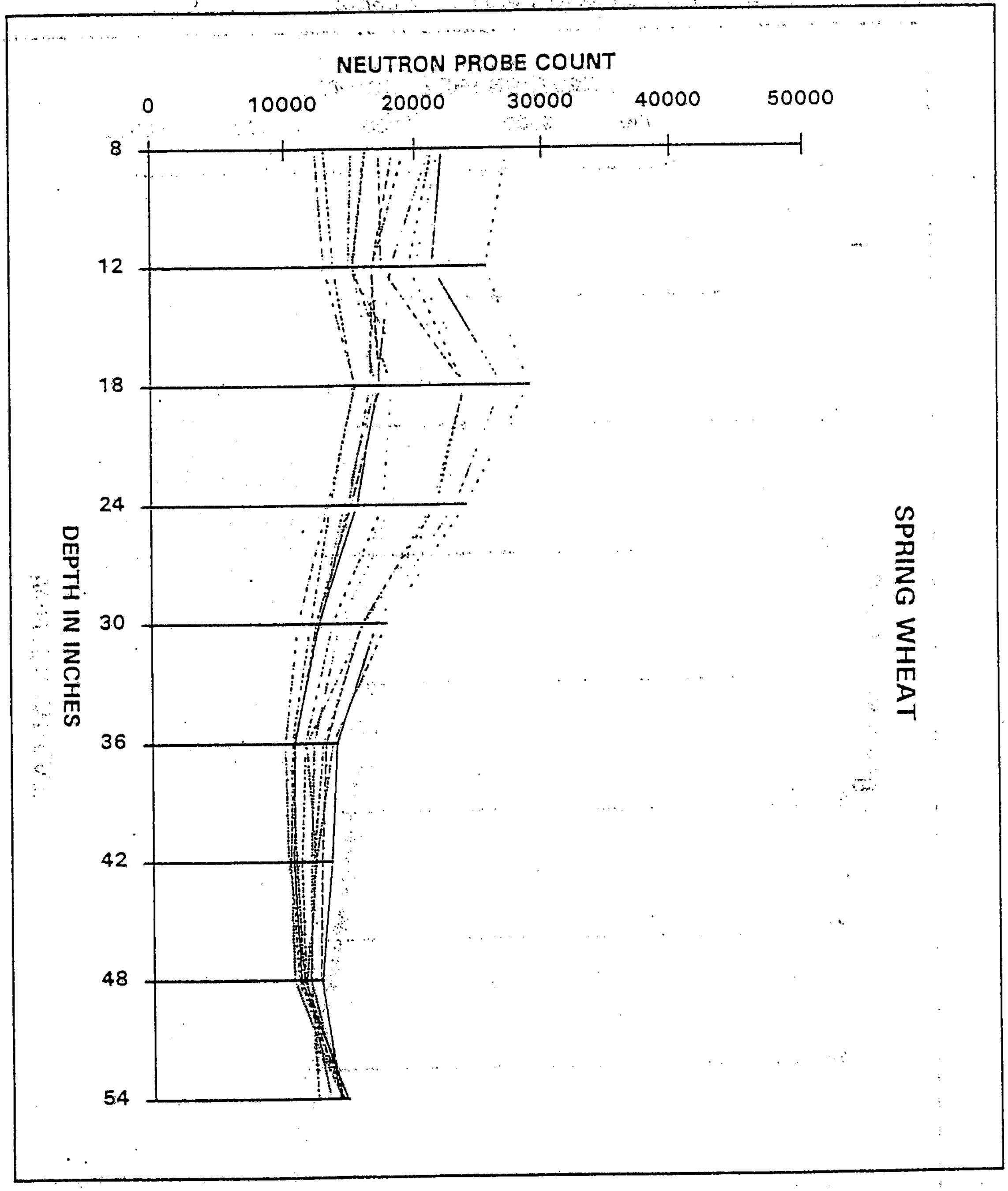
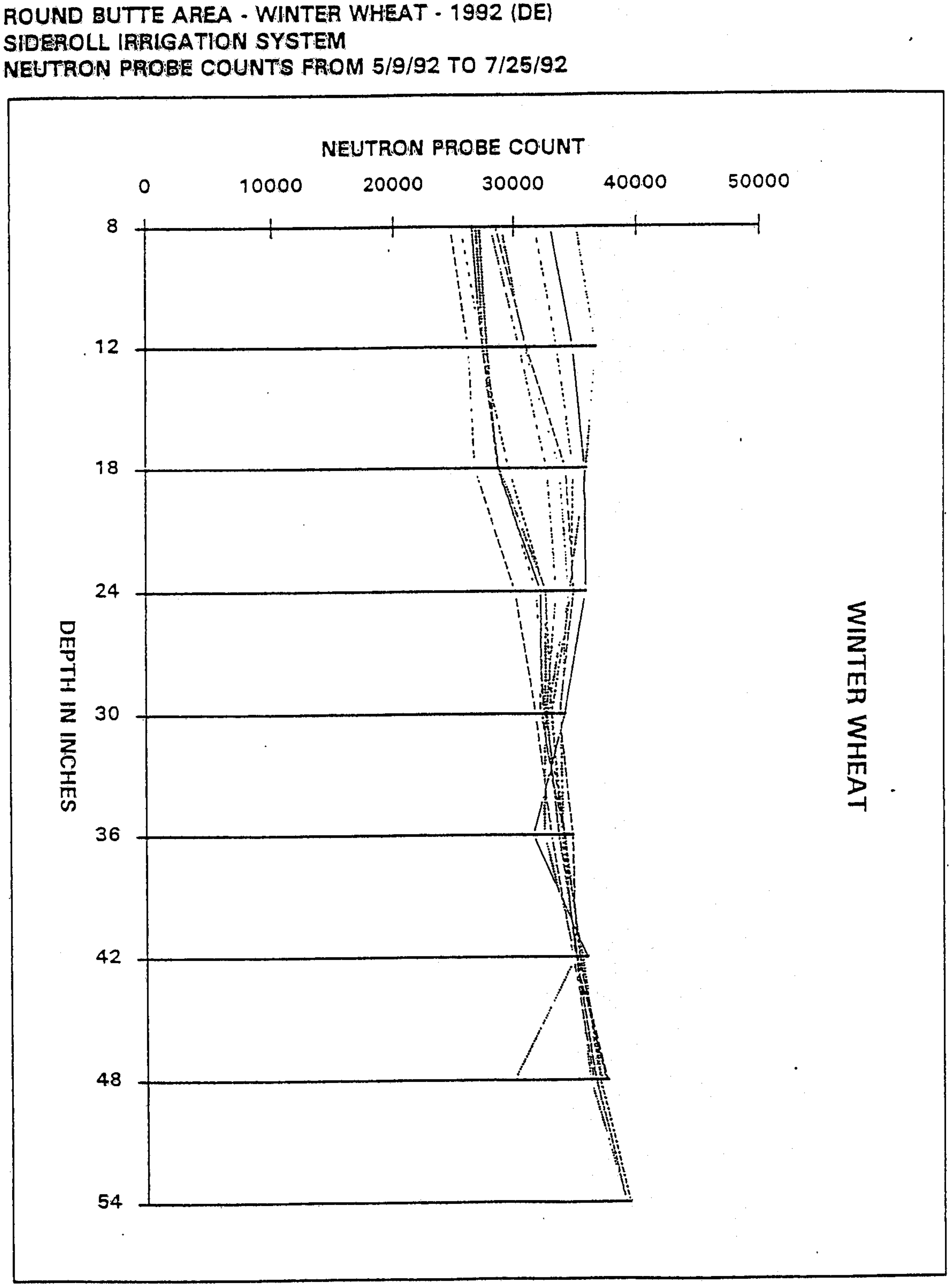


FIGURE 9. SOIL MOISTURE PROFILES THROUGHOUT THE 1992 GROWING SEASON FOR A SPRING WHEAT FIELD WITH CLAY TEXTURED SOIL.



hold 1.5 inches in three feet of soil. Information on AWHC can be generalized from soil maps available from the USDA Soil Conservation Service. Be sure to only use the root zone depths discussed above. AWHC can also be estimated using the following procedure.

STEP 1 - Determine the soil texture of each layer throughout the 2-3 foot root zone using the guides in Appendix C.

STEP 2 - Determine the AWHC of each layer based on its soil texture using the guides. Make reductions based on the rock content.

STEP 3 - Determine the total AWHC of the entire root zone by multiplying the AWHC of individual soil layers by their thicknesses.

EXAMPLE: AWHC of a silt loam/sandy loam soil growing alfalfa in the Valley View area with a 3 foot effective root zone.

DEPTH	SOIL TEXTURE	AWHC	ROCK CONTENT	AWHC
0-1 FT	SILT LOAM	2 IN/FT	0%	2.00 INCHES
1-2 FT	SANDY LOAM	1.5	30%	1.00 INCHES
2-3 FT	SANDY LOAM	1.5	50 %	0.75 INCHES

TOTAL ROOT ZONE = 3.75 INCHES

AWHC can be calculated for different crop stages as rooting depth increases throughout the growing season. For further information see the Montana Pocket Irrigators Guide, the AGWATER computer program or the USDA Soil Conservation Service Montana Irrigation Manual.

Irrigation should not begin until there is sufficient depletion of AWHC to retain the applied water in the root zone. This will prevent over watering and movement of water and agricultural chemicals below the root zone. The **critical moisture level** (also called the management allowed deficit or **MAD**) is the point at which crop stress begins and yield is reduced. This value is usually 40-60% of the AWHC. Under ideal conditions, this is the point at which irrigation water should be applied.

For the example above, the MAD level would be 3.75/2 = 1.89 inches. If water is available and the system is capable of applying this amount, irrigation should begin. Since most local irrigators are practicing deficit irrigation, they typically stress their crops by allowing soil moisture to fall below the MAD level. Attempts are made to boost soil moisture above MAD only at the most important crop growth stages.

2.7 APPLICATION UNIFORMITY

Irrigation application uniformity affects crop yield and quality. The better the uniformity across the field, the more area is getting properly irrigated. Christansens uniformity coefficient is used as a measure of irrigation uniformity with a value of 1 being completely uniform. Center pivot and lateral move irrigation systems have very good application uniformity (> .9). Lateral move sprinkler systems have moderate uniformity coefficients (.4-.7) which may vary widely.

The most common local problem with uniformity distribution is improper or uneven sprinkler pressure. Sprinklers are designed to operate within a set range of pressure. Excessive pressure means reduced drop size and increased drift and evaporation losses. Inadequate pressure prevents proper spray breakup resulting in the "doughnut" pattern around sprinklers.

Uneven pressure along lateral lines is commonly due to elevation changes in sloping and rolling fields. These pressure differences may result in as much as a 1 inch difference in water application during a set from one sprinkler to another. This problem can be solved by installing flow control nozzles or pressure regulators in fields with more than about 20 feet of elevation difference.

Uniformity can be increased on lateral move systems including hand lines by maintaining proper pressure to sprinklers (40-60 psi for standard nozzles) and by installing self-levelers on sprinklers. Reducing sprinkler and lateral spacing increases equipment costs and number of sets but may pay off, especially for high value crops. A 60 foot spacing is commonly used in this area but 60 feet is at the upper end of the performance limits of these sprinklers and any problem with pressure or flow severely impacts uniformity. You can also avoid placing the lateral in the same spot on each irrigation cycle by using alternate risers swing lines, flexible end tubes or offsets.

Uniformity can be increased on center pivot systems by installing drop tubes to decrease wind effects and by proper maintenance to ensure pressure and nozzle performance.

2.8 GENERAL IRRIGATION RECOMMENDATIONS

One of the most striking features of local agriculture is the extreme variation in climate, soils, water availability and other important factors. What increases yield in one location reduces it and causes pollution in another. One soil may store enough moisture to last a month while another in the next field stores only a weeks supply. Due to these variations, not all recommendations work for all irrigators and should be considered as "food for thought" instead of as "the bible".

The comments and recommendations in this report emphasize ideal practices which may serve as targets. Not all suggestions work for all irrigators but some should prove useful or stimulate thought which results in other worthwhile practices. For best results, experiment, pay attention and record the results.

Formulate an over-all irrigation strategy and re-evaluate it each year. Consider the amount of water you think you will have available and how best to use it. Concentrate your water and irrigation efforts on your most valuable crops. It is usually more profitable to irrigate a smaller acreage well than to irrigate a larger acreage poorly. Decide early in drought years which fields will receive little or no irrigation if supply problems develop. Consider your water supply and available manpower.

Try to be aware of critical crop periods and make a special effort to have equipment working properly. It is important to repair breakdowns quickly at these times.

Watch closely during seed emergence and irrigate if soil moisture is inadequate. This is usually only necessary in extremely dry years, in the driest portions of the area or when spring crops are planted very late.

Hard surface crusts may form on some local soils especially those with high silt and clay content and high lime content. The crust usually forms after light rainstorms which moisten a thin layer of surface soil and then evaporate. These crusts may inhibit germination and emergence of grain crops if they form soon after seeding. Irrigation can be used to soften the soil surface and increase seeding success. Watch during emergence if your soil may be affected and weather conditions are appropriate.

Don't start irrigating on the same day each year. Use common sense to judge how much wetter or drier it's been and then get out and look at your soil moisture to confirm it. Don't start irrigating if the soil is obviously moist. On the other hand, watch for signs of stress early when winter moisture recharge has been low. We have observed a 1-3 week variation in when irrigation should begin from one year to another.

2.9 IRRIGATION OF COMMON LOCAL CROPS

These guides were developed for local conditions and should not be applied to other areas. They were compiled from data collected during this project, from interviews with irrigators and from field observations.

Small grains have specific properties important to irrigation. Since wheat, barley and oats are grasses, they can withstand greater moisture stress than many other plants including crops like potatoes and alfalfa. After an adequate plant density is achieved, moisture stress can be severe in the early growth stages.

ALFALFA IRRIGATION TIPS - FJBC AREA

Alfalfa yield is directly related to the amount of water the crop receives. When soil moisture is exhausted, alfalfa plants simply stop growing. Other Montana studies report a 1/6 to 1/5 ton/acre/year yield increase for each inch of water.

CROP WATER USE

This table illustrates average crop water use (ETO) throughout the growing season. Values will vary with a variety of crop and climate factors. Values are in inches of water. Use with forms in Appendix I.

MONTH	WEEKLY (COOL & MOIST)	WEEKLY (HOT & DRY)	MONTHLY AVERAGE
MARCH	.05	.10	.25
APRIL	.25	.75	2.00
MAY	.50	1.25	4.00
JUNE	.50	1.50	4.75
JULY	.75	1.75	5.75
AUGUST	.50	1.50	5.00
SEPTEMBER	.50	1.25	3.50
OCTOBER	.10	.20	.40

CRITICAL MOISTURE PERIODS:

1 GERMINATION/EMERGENCE - The alfalfa seedbed must be kept moist during germination and emergence to ensure a dense, uniform stand. Apply 1-3 light irrigations to keep surface seedbed moist and prevent crusting. Some dedicated alfalfa growers irrigate on 4 or 8 hour sets during the establishment period. Others reseed alfalfa during the spring when rainfall is most likely. When seedlings are established, irrigate deeply to bring the entire potential root zone to field capacity which will stimulate a deep, well-developed root system.

2 CUTTING - Plants are most stressed during and after cutting and this is a common time for weak plants to die. Under ideal conditions, irrigation should occur 5-10 days before cutting to allow sufficient time for the surface soil to dry out and not rut from equipment. Irrigation should be timed just after cutting to minimize stress. If not irrigated before cutting, water should be applied as soon as possible afterwards.

IRRIGATION STRATEGY WHEN WATER IS UNLIMITED

If water is not limited, applications should be made to satisfy crop water needs (ETO). Figure 2 illustrates an example of this type of irrigation practice. Monitor soil moisture to determine application timing. Otherwise, use the alfalfa water use table above and a "checkbook" method (Appendix I). Determine how much water your system applies in one application (Appendix A). Keep track of weekly water use and irrigate when you have used up the amount your system will apply.

As an example of the checkbook method, assume your side roll system applies 3 inches of water in a 12 hour set. In May, two cool are followed by two wet weeks and total ETO is as follows: (.5+.5+1.25+1.25=3.5). This means you have used up more than the 3 inches your system applies. Remember to subtract for rainfall.

Cutting creates severe moisture stress so irrigate before cutting when possible. Irrigate as close to cutting as practical leaving sufficient time for the surface soil to dry and tolerate equipment traffic. Irrigate immediately after cutting if not before. Local experience suggests that irrigation before the first cutting can increase first cutting yield by .5-.75 tons per acre. This is even true east of Highway 93 in most recent dry years. One hazard of irrigating before cutting is the potential for wet weather which combined with the irrigation causes poor hay drying and quality. Cutting reduces ET by 30% early and late in the season and by 60% during the hottest weather.

When producing alfalfa seed crops, avoid excess moisture after seed has started to form (dry conditions help trigger seed production).

IRRIGATION STRATEGY WHEN WATER IS LIMITED

If water is limited, concentrate irrigation at cutting periods. The preferred method is to irrigate once before first cutting (twice if a dry year). If east of highway 93, it may not be necessary to irrigate before first cutting in moist years. Irrigate as soon as possible after each cut. If extra water is available, irrigate 5-10 days before cutting also. Otherwise, watch for signs of serious moisture stress including a dark bluish-green leaf color and limp, wilted leaves.

WINTER WHEAT IRRIGATION TIPS

CROP WATER USE (INCHES OF WATER)

This table illustrates average crop water use (ETO) throughout the growing season. Values will vary with a variety of crop and climate factors and are only presented as a general guide. Use with forms in Appendix I.

MONTH	WEEKLY (COOL & MOIST)	WEEKLY (HOT & DRY)	MONTHLY AVERAGE
MARCH	.05	.10	.30
APRIL	.35	.75	2.40
MAY	.75	1.50	4.75
JUNE	.75	1.50	5.50
JULY	.75	1.25	4.00
AUGUST			0

CRITICAL MOISTURE PERIODS:

1 GERMINATION/EMERGENCE - Winter wheat receives sufficient rainfall and snow melt to germinate and emerge in our area. This may occur over winter and spring resulting in uneven emergence. Irrigators with access to late season water irrigate before or in some cases after planting winter wheat to encourage germination and store soil moisture for spring growth.

2 BOOT TO HEADING - This is the period when yield is most affected by soil moisture. Plan ahead to time irrigation so that most of the field had adequate water during this period. If it takes 11 days to irrigate a field, start before the critical period begins. In some cases, large available water holding capacity and rapid crop water use will allow two irrigations in a row during this period. Be careful not to over-irrigate.

3 JOINTING - Some investigators have found that moisture stress during jointing increases tillering and that some of the new tillers do not produce seed or produce at a low level.

IRRIGATION STRATEGY WHEN WATER IS UNLIMITED

If water is not limited, applications should be made to satisfy crop water needs. Monitor soil moisture if possible to determine application timing. Use the evaporation pan method as an alternative. Otherwise use the winter wheat water use table above and a "checkbook" method. Determine how much water your system applies in one application (Appendix A). Keep track of weekly water use and irrigate when you have used up the amount your system will apply (Appendix I).

For example, your side roll system may apply 3 inches of water in a 12 hour set. In May you have two cool, wet weeks and two hot, dry weeks (.5+.5+1.25+1.25=3.5). This means you have used up more than the 3 inches your system applies. Remember to subtract for rainfall.

Quit irrigating when kernels are in the soft dough stage and there are 2-3 inches of available soil moisture left in the root zone.

Quit irrigating if late-season weeds are present which may impede harvest by over-topping the crop. These include pigeon grass, witchgrass and kochia. The grasses are usually only a problem east of Highway 93 in the Mission Valley.

Quit irrigating if root diseases are present which may increase lodging and reduce yield and test weights.

IRRIGATION STRATEGY WHEN WATER IS LIMITED

When water supply or manpower is severely limited, apply one irrigation at about the boot stage. A second irrigation soon after is the second priority. Irrigation at earlier growth stages is the last priority and is usually not necessary except in the drier portions of the study area. Too much irrigation at early stages can cause excessive height growth and increase lodging.

SPRING GRAIN IRRIGATION TIPS

CROP WATER USE (INCHES OF WATER)

This table illustrates average crop water use (ETO) throughout the growing season for a spring grain crop planted on April 15. Values will vary with planting date and a variety of crop and climate factors. These values are only presented as a general guide. Use with forms in Appendix I.

MONTH	WEEKLY (COOL & MOIST)	WEEKLY (HOT & DRY)	MONTHLY AVERAGE
APRIL	.15	.25	.40
MAY	.25	1.00	3.25
JUNE	.75	1.75	5.25
JULY	.75	1.75	6.00
AUGUST	.10	.50	1.00

CRITICAL MOISTURE PERIODS:

1 GERMINATION/EMERGENCE - Spring grains usually have sufficient rainfall and soil moisture to germinate and emerge in this area. However, in dry years, soil moisture content and crop emergence should be monitored. The later the planting date, the less likely there will be adequate moisture. Growers in the drier parts of the county should pay close attention to soil moisture and emergence. Uneven emergence creates problems for chemical applications and harvesting since crop stage may vary across the field.

2 BOOT TO HEADING - This is the period when yield is most affected by soil moisture. Plan ahead to time irrigation so that most of the field had adequate water during this period. If it takes 11 days to irrigate a field, start before the critical period begins. In some cases, large available water holding capacity and rapid crop water use will allow two irrigations in a row during this period. Be careful not to over-irrigate.

3 JOINTING - Some investigators have found that moisture stress during jointing increases tillering and that some of the new tillers do not produce seed or produce at a low level.

IRRIGATION STRATEGY WHEN WATER IS UNLIMITED

If water is not limited, applications should be made to satisfy crop water needs. Monitor soil moisture if possible to determine application timing. Use the evaporation pan method as an alternative. Otherwise use the spring grain water use table above and a "checkbook" method. Determine how much water your system applies in one application (Appendix A). Keep track of weekly water use and irrigate when you have used up the amount your system will apply (Appendix I).

For example, your side roll system may apply 3 inches of water in a 12 hour set. In May you have two cool, wet weeks and two hot, dry weeks (.5+.5+1.25+1.25=3.5). This means you have used up more than the 3 inches your system applies. Remember to subtract for rainfall.

Quit irrigating when kernels are in the soft dough stage and there are 2-3 inches of available soil moisture left in the root zone.

Quit irrigating if late-season weeds are present which may impede harvest by over-topping the crop. These include pigeon grass, witchgrass and kochia. The grasses are usually only a problem east of Highway 93 in the Mission Valley.

Quit irrigating if root diseases are present which may increase lodging and reduce yield and test weights.

IRRIGATION STRATEGY WHEN WATER IS LIMITED

When water supply or manpower is severely limited, apply one irrigation at about the boot stage. A second irrigation soon after is the second priority. Irrigation at earlier growth stages is the last priority and is usually not necessary except in the drier portions of the study area. Too much irrigation at early stages can cause excessive height growth and increase lodging.

3.0 ENERGY EFFICIENCY

This section describes efforts to conserve electrical energy in local irrigated agriculture. Program history and goals are explained and the results of energy efficiency improvements are summarized. The most common methods for increasing energy efficiency are discussed so that other irrigators can focus their efforts in the most productive manner.

3.1 PROGRAM HISTORY AND GOALS

The energy surplus of the 80's has been used up and new sources of supply are again in the spotlight. Additional concern for fish habitat and water quality, will affect future plans and solutions. The Northwest Power Planning Council (NWPPC) has asked the Bonneville Power Administration (BPA) to identify conservation measures which can offset increasing demands for electrical power.

The WATERWI$E program is one of a family of conservation programs which also includes the Super Good Cents Home program. In WATERWI$E, BPA provides a cost-share incentive through local utilities which encourages sprinkler irrigators to become more efficient users of electricity. The incentive helps irrigators with the cost of retrofitting existing irrigation systems and is paid by participating utilities at a 50% rate after work is completed. Total cost-share is determined by the amount of energy actually saved. Only those systems with significant savings qualify for the incentive.

3.2 PROGRAM DESCRIPTION

The program is a two-stage process. Stage I identifies potential energy savings and Stage II documents savings after retrofitting. All evaluations are performed by a certified irrigation system designer and soil scientist with experience in crop production. Appendix J includes an example irrigation system Stage I Analysis.

3.21 Stage I Analyses

A Stage I analysis is the initial irrigation system evaluation. It tells the irrigator how the system is operating now and where the inefficiencies are. This analysis evaluates pumping plant efficiency, pipe sizes and friction losses, system leaks, field topography and elevations, valves and fittings, watering patterns, nozzles, electrical considerations and crop water usage. System measurement include electrical horsepower (volts, amps and power factor) and flow rates. The irrigator is hand-delivered the results with a brief cover letter containing cost-share information and proposed retrofit conditions. Further questions and dialogue continue throughout the retrofitting process. Recommendations seek to find the greatest amount of energy savings while maintaining or increasing crop production levels.

3.22 Stage II Analyses

Stage II's are performed after retrofit measures are implemented to document actual energy savings and to verify equipment installations.

3.3 HOW ENERGY IS SAVED

The most common ways this program saves energy are by 1) reducing pressure, 2) reducing flow rates, and 3) by increasing pumping plant efficiency.

3.31 Reducing System Pressure

Many irrigation systems produce more pressure than necessary. Reductions in pressure can often reduce energy use without adversely affecting crop quality and yield.

Frequently, there is an excessive amount of pressure in the system due to an oversized pump. This can be corrected by trimming the impeller or replacing the pump. Properly sized valves, fittings and piping are essential for minimizing pressure. Undersized fittings and piping create excessive friction loss. Larger fittings and pipe have a higher capital cost but the pay-back period from energy savings is often quite short. Identifying undersized portions of the system is critical for achieving the lowest operating pressures. Field elevations have an important bearing on design pressures, especially in fields added later to an existing system. Pressure can also be lowered using new technologies for linear-move and center-pivot systems while still maintaining adequate application rates. These are referred to as low-pressure systems.

3.32 Reducing System Flow Rates

Reducing flow rates (amount of water being pumped) also reduces energy use. Flow reductions are recommended whenever application rates exceed soil infiltration capacity and run-off is occurring. This is most common with fine textured soils (clays and silts). Land & Water also recommends reducing flow when more water is being applied at one time than the soil can hold in the root zone. This results in water loss below the root zone and is most common in coarse soils (sands and gravels). The solution to this problem is changing the design to accommodate shallower irrigations that occur more frequently. This is achieved by either adding capacity (more laterals) or shortening set lengths. In any case, the pump must be capable of matching the new design or it must be replaced. Over-watering of this kind also results in leaching fertilizers and pesticides below the root zone.

3.33 Increasing Pumping Plant Efficiency

Pumping plant efficiency (PPE) is a measure of how well electrical energy is converted to water pressure and flow. The pumping plant refers to the motor, pump and electrical equipment. Modern irrigation pumping plants can achieve efficiencies of 70-76%. Systems tested by Land & Water in the past 4 years have ranged from 26-74% with an average of 58%. These efficiencies suggest that there are significant opportunities for energy conservation in local irrigated agriculture.

The 2 main reasons for poor pumping plant efficiency are a worn pump or the wrong pump for the job.

Worn Pumps

Pump wear usually means deterioration of the impeller and wear rings. Poor screening systems that allow the impeller(s) to become clogged also reduce efficiency.

Wrong Pump for the Job

Many sprinkler systems were installed when energy costs weren't much of a consideration, often resulting in too large or too small a pump. Rules of thumb such as "10Hp per line" were often applied inappropriately. It's no accident that pump manufacturers make dozens of different pumps with various hydraulic characteristics to serve a broad range of operating conditions. Choosing a new pump requires careful consideration of the range of operating conditions the irrigator requires. Land & Water has helped irrigators identify pumps with much higher efficiencies to meet their specific needs.

3.34 Other Sources of Energy Savings

Energy savings may also result from a variety of other factors including:

- improved inlet piping (proper sizing, fewer angles)
- improved discharge piping (proper sizing, fewer angles)
- improved screening of debris which may block piping and impellers
- larger mainline
- pump weather protection (especially shade)

3.4 RESULTS OF ENERGY EFFICIENCY EVALUATIONS

Table 3 summarizes test results for the 177 systems examined under this program. Energy savings are presented in kilowatt hours (KwH). Potential energy savings are identified in Stage I analyses and actual energy saved by retrofits is documented in Stage II analyses.

TABLE 3 SUMMARY OF ENERGY EFFICIENCY TESTS

YEAR	# OF STAGE I's	# OF STAGE II's	POTENTIAL KwH SAVED	ACTUAL KwH SAVED
89	23	23	217742	
90	60	40	269331	
91	42	25	267670	78131
92	32	23	193829	106618
93				177969

Table 3 illustrates a potential energy savings of almost 1 million KwH. Of this potential, 362,718 KwH have already been saved through retrofits. Irrigators who implemented retrofits in saved an average of 12,507 Kilowatt hours per year and 7 kilowatts of demand. At todays' power rates ($.036/kwh and 10.84/hp) this represents an annual savings of $552.00 per irrigator. In many cases, the actual energy savings exceeded the potential savings identified by the Stage I examination. One irrigator cut his electric bill in half by following retrofit recommendations.

Identifying potential energy savings is just a first step. Savings are achieved only if the irrigators are persuaded to implement the recommendations. It wasn't until the 3rd year of the program that irrigators started to make the recommended changes. This pattern is typical of other areas in the northwest participating in the BPA program. It often takes irrigators a year or two to plan, budget and finally install the needed retrofit measures.

Land & Water approached each analysis as the first step in a long-term relationship that includes the irrigator, analyst and utility. Information and dialogue between the irrigators and LW continued throughout the off-season. Local irrigation equipment dealers are now familiar with the program and often contact LW for specific information on retrofit needs for individual irrigators. In an effort to achieve maximum energy savings, LW hand-delivered test results, provided follow-up contacts and offered a toll-free 800 phone number.

The response to this program has been overwhelmingly positive. Irrigators save energy, water and time while maintaining or increasing crop production and profits. Utilities benefit from energy savings and help their customers stay in business so they can continue to purchase power. All concerned appreciate energy savings, water quality protection, fisheries improvement and other benefits. Participants enjoy a "good neighbor" attitude from doing something to address the difficult problems facing water and energy users.

3.5 IMPROVING IRRIGATION SYSTEM PERFORMANCE

This section discusses some of the most common subjects of concern among local irrigators who have participated in this program. These discussions are general and are not meant as a substitute for professional irrigation system design. Western Montana conditions are highlighted but much of this information is applicable elsewhere.

Irrigation Pumps

Two types of agricultural irrigation pumps are commonly found in Western Montana - centrifugal and turbine. Centrifugal is the most common mainly because surface irrigation water is widely available. The difference between them is the direction at which the water is discharged relative to the motor shaft. Centrifugal pumps discharge at a right angle to the shaft and turbine discharge is parallel. Each type requires a different impeller geometry to accomplish this. The advantage of the turbine is that the shaft can be extended very long distances allowing the pump to be located far away from the motor. This is desirable when pumping from a deep well and eliminates the need for priming. For most applications under

75 horsepower the centrifugal pumps are slightly more efficient. A third type of pumping plant not very common in Western Montana is a submersible pump and motor. Both the pump and motor are set below the water level in the well. Only the electrical panel and discharge piping are visible at the surface

The two main types of centrifugal pumps are split-case and end-suction. Split-cases tend to be less efficient because the motor shaft has to pass completely through the eye of the impeller. They are easier to open up and inspect though both types can be pulled apart with minimal disturbance of the discharge piping. The split-case requires 2 packing boxes and bearings and can't be mounted vertically.

When a pump is manufactured, its performance is tested at the factory under different head and flow conditions. The results are plotted on a graph with head on the vertical axis and flow on the horizontal axis. This is repeated using several different diameter impellers yielding a wide range of pump capabilities. Together these plots constitute what is called the pump characteristics curve. Most manufacturers will superimpose the pump efficiency and horsepower characteristics on the curve as well. These are strictly pump efficiency and brake horsepower and do not include motor inefficiencies. A single pump can operate under several different horsepower requirements. It is entirely possible that the same pump can be used with a 30 and a 75 horsepower motor depending on the model and application. Therefore, it is highly unlikely that a pump and impeller trim that is right for one system would be right for another. A professional irrigation designer should be consulted before purchasing a new or used pump to see if the pump is right for the application.

Pumps can be connected together either in series or parallel using a manifold. Pumps are usually placed in series when high pressures are required. Parallel pumps are desirable when widely different flow and head conditions are expected to occur for much of the operating season.

Two or more pumps are in parallel when they are each discharging into the same mainline and one is not pumping directly into the suction of the other. If widely different flow conditions are expected from 1/3 to 1/2 of the time then a parallel set-up may be more desirable and efficient than a single pump. Depending on the flow and head conditions required for a particular system, a single pump may be just as efficient. When pumps are in parallel, the flow rate of each pump is additive and the pressure is not. If two pumps connected in parallel are operating at 500 gpm and 150 feet of head each, then the system would be operating at 1000 gpm at 150 feet of head.

Pumps are placed in series when high pressures or high lifts are required. A series connection requires that the discharge of one pump be routed through the suction of another pump. The pressure of each pump then is additive and the flow rate is not. Two pumps connected in series that are capable of 500 gpm each at 150 feet of head will produce a total system head and flow of 500 gpm at 300 feet of head.

Mainline

The mainline is the network of piping that delivers water to the distribution lines or laterals. Buried mainline is either steel, transite or pvc. Above ground mainlines are made of aluminum. Mainline pipe should be sized large enough to avoid water velocities greater than 5 feet/second (fps). Velocities greater than 5 fps will produce excessive friction loss which can lead to under-irrigation or wasted electrical power. The capital outlay required for properly sized mainline is always preferable to a slightly larger pump required to overcome excessive friction loss. The larger pump alternative requires paying for the poor design every time the system is turned on. If velocities in existing systems are approaching 7 fps or higher, it makes economic sense to install a section of parallel mainline alongside the undersized pipe. This is usually a lower cost solution than replacing the existing mainline and risers. Irrigators should seek design assistance when considering the installation of parallel mainline.

The buried mainline material of choice is pvc. There are basically two different types - plastic irrigation pipe (pip) and iron pipe size (ips). Plastic irrigation pipe is more widely used at the lower pressures. Ips is the more common of the two and is better suited to the higher pressure applications. Both types come in an array of lengths, diameters and pressure ratings.

Working pressures should not exceed 70 percent of a pipes pressure rating. The 30 percent buffer is necessary to protect against water surges and hammer. Therefore, if maximum operating pressures expected will be 70 psi then 100 psi pipe would be sufficient. The inside walls of pvc are the smoothest of all the materials. This minimizes the friction loss for a given inside diameter.

The light weight of pvc makes for easier installation. Repairing and replacing pvc is easiest and the life expectancy exceeds all other materials. Steel is susceptible to rusting and electrolysis. Transite is quite heavy and repairs are difficult.

There are several installation considerations that should be observed with pvc. Temperature changes can produce contraction and expansion and may affect the pressure rating. If irrigation water above 72 degrees Fahrenheit is expected to be used then the pressure rating of the pipe may need to be increased. Consult a design professional for this type of assistance. It is advisable that the pipe be purchased and installed at an air temperature that is typical of when the system will be operating.

Thrust blocks are poured cement anchors that are required to prevent the mainline from coming apart due to the thrust created from a change in water direction. The size and type of thrust block depends on pipe size, pressure and soil type. Thrust blocks should always be against a solid trench wall and not compacted backfill. The cement should not come in contact with the coupling area since it can destroy gaskets.

Trench bottoms should be continuous and free of sharp rocks. A minimum depth of 30 inches is required for pipe larger than 4 inches in diameter. Low pressure pipe shouldn't be buried deeper than 4 feet. All pipe should be filled with water prior to backfilling the trench. Keep the pipe full when backfilling. The first 12 to 18 inches of backfill can be thoroughly wetted before tamping. Tamp after each 6 inch layer of backfill.

Laterals

Laterals are the portion of the irrigation system that distributes the water. They take the form of wheel lines (wl), hand lines (hl), center pivots, big guns and others. Center pivots and big guns will be discussed under separate headings.

The most common length of wl's or hl's is 1/4 mile. The most common sprinkler spacing is 40 feet making about 33 sprinklers on a 1/4 mile line. Virtually all wl's and hl's are aluminum and the common section lengths are 20, 30 and 40 feet. Wheel diameters vary from 4 to 7 feet and should be matched to crop height and distance between mainline risers. Pipe diameters vary, but 3, 4 and 5 inch are most common. Hand line pipe diameter is usually the 3 or 4 inch variety. Most 1/4 mile lines carry between 160 and 260 gpm depending on nozzle sizes and pressures. The pressure difference across the lateral should be no more than + or - 10% of the design nozzle pressure. The sprinkler 1/3 of the distance downstream on the lateral is the average pressure on level ground. The designer should aim for the nozzle design pressure to occur at this nozzle when it is at its highest point in the field (or some combination of highest point and furthest distance from the pump depending on field and system conditions).

Common problems with laterals are leaky joints and drain plugs. Leaks of up to 50 gpm have been measured on wl's and hl's. The most common solution is a new gasket, drain plug or ring clamp. Leaks can rob the lateral of pressure which causes under-irrigation. They also cause the pump to operate to the right of the pump curve in a less efficient area. Soil erosion and crop damage can also result from the leaks. Fix leaks as soon as possible.

Nozzles and Sprinklers

Basically there are 3 types of sprinklers in wide use in Western Montana. They are the high pressure big guns (50-120 psi), intermediate pressure impacts (35-60 psi), and low-pressure sprays or rotators (10-30 psi). Big gun sprinklers and rotator types will be discussed under the big gun and center pivot sections respectively.

Impact sprinklers are used exclusively on hl's and wl's and appear on many center pivot applications. A few impact sprinkler systems use a double nozzle system on the sprinkler head but most use a single nozzle per sprinkler. Many irrigators have chosen to mount their sprinklers on self-leveling devices designed to level the sprinkler should the wheel line move or stop on a slope. These devices work well and are recommended especially on sloping fields.

There are basically two nozzle types available for use in impact sprinklers. Standard bore nozzles are a brass nozzle that is most typically found in Western Montana. They range in size from 1/8 to 7/32 inches and come in increments of 1/64 inch. The most commonly found sizes are 11/64, 3/16 and 13/64. The 3/16 size and smaller require a minimum of 40 psi to operate properly. The 13/64 and 7/32 require 45 and 50 psi respectively. Too little pressure results in reduced wetted diameter and an uneven application of water. Too much pressure breaks up the spray into very fine droplets and mist that is easily carried off site by wind or evaporated. The flow rate exiting a standard orifice depends upon the amount of pressure at the nozzle. The flow varies by the square root of the pressure so it takes 4 times the pressure to double the flow rate (square root of 4 is 2). Appendix A contains a chart of flow rates for various nozzle sizes as the pressure changes.

The second type of nozzle available is a flow-control nozzle (fcn). The difference between it and a standard nozzle is a neoprene center that expands and contracts as pressure increases and decreases respectively. Essentially the orifice size varies as the pressure varies. They are available from 2.5 to 10 gpm sizes but not necessarily in 0.5 gpm increments. After the 6.0 gpm size they go up in 1.0 gpm increments. The 7.0 gpm size actually has an output closer to 7.5 gpm which can exceed the soil infiltration rate on clayey soils. This is a bit unfortunate because in the 40 by 60 foot spacings so common in Western Montana a flow rate of 6.5 to 7.0 gpm is often desired. A true 7.0 gpm or 6.5 gpm nozzle is needed. A large advantage of flow control nozzles is they even out the flow rate on sloping land where sharp elevation differences cause wide pressure variations. The manufacturers recommend between 35 and 75 psi operating pressures. Flow control nozzles require some special attention to prevent clogging since sharp objects that could pierce the neoprene cannot be used to clear them. Keep the end nozzle on the line a standard bore 13/64 inch nozzle. Install cone-shaped filters in the lateral pipe where it fits into the riser opener. These can be easily cleaned each time the pipe is moved. Every system should have a good sump cleaning system and screening on the suction piping. Reducing velocities in the suction piping to under 3 fps will help keep debris from entering the system.

Flow rates can be regulated with standard nozzles if pressure regulators are used. Pressure regulators cannot increase pressure but they can reduce a higher input pressure to a lower output pressure. There is a 3 to 5 psi pressure drop across a regulator which adds to the system head requirements. Regulators are susceptible to clogging especially if there is moss in the water.

Spacing and Set Length

The spacing between the sprinkler heads and also between each set as the lateral moves down the mainline determines the square footage to be watered during each set. The most common spacing is 40 feet between sprinkler heads and 60 feet between lateral settings. The most common length of time for irrigating a set is 11.5 hours. For most operations in Western Montana the set-length is fixed at 11.5 hours because of the lack of reliable labor available to change pipe more than twice a day. Some potato farmers will change sets on 8 hour intervals.

The nozzle selection and pressure is then based on supplying the crop-water needs for the square footage and set-lengths determined. The spacings should not exceed 60% of a nozzles wetted diameter in order to get good application uniformity in areas with moderate winds (areas that experience strong winds should not exceed 50% of a nozzles wetted diameter). For example, an 11/64 inch nozzle at 40 psi has a wetted diameter of 92 feet (taken from manufacturers test data). Therefore, the maximum spacing should be 55 feet (.6 x 92 = 55).

This would be insufficient for a 40 by 60 foot spacing by 5 feet if the area was moderately windy and by 14 feet if the area experiences strong winds.

The application uniformity refers to how well the system irrigates the entire area. An ideal uniformity would apply the exact same amount of water to the entire area. Most properly designed systems have a uniformity in the area of 90% on calm days. Windy weather can destroy the uniformity on even the best designed systems. The consequence of a poor uniformity is some portions of the field are either being under-irrigated or over-irrigated. A suggestion for improving uniformity is to not place the wl or hl in exactly the same spot for every irrigation. Alternate the location by rotating the wl one extra wheel revolution every other irrigation. This increases the probability that an area of the field will not be consistently under or over-irrigated.

Efficiency

There are many uses of the term "efficiency" in irrigation. Pump efficiency, motor efficiency and water application efficiency are just 3 of the many. In all cases, the concept of efficiency means the amount of output obtained for a given level of input. For example, if a baseball player gets a hit 5 times for every 10 times at bat he is a 50% efficient hitter. Similarly, if a pump requires 10 horsepower of electricity to get 8 horsepower worth of work on the water, it is considered 80% efficient.

A common statistic measured when evaluating systems is called pumping plant efficiency (ppe). The pumping plant is defined as the pump, motor and electrical parts of the system. An equivalent term is wire-to-water efficiency. Ppe looks at how well the pumping plant converts electrical power to water power. It completely ignores features of the system that are downstream of the pump. Therefore, changing mainlines and nozzles for example does not increase the ppe. However, if their replacement causes the system flow rate to move to a more efficient point on the pump curve they have indirectly affected ppe. With today's high efficiency pumps and motors it is possible to achieve a ppe between 70 and 80% depending on the pump model and application. Pumping plant efficiency ranges from a low of 26% to a high of 75% and averages 57% throughout Western Montana. This means the average irrigator can increase efficiency by a minimum of 13% and possibly by as much as 28%. A discussion of how improvements in ppe affects power bills and savings is contained in the section on Saving Energy.

Water application efficiency (wae) refers to the percentage of water that is put on the field that actually is useful to plant growth. Water lost to wind drift, deep percolation, runoff or evaporation before reaching the plant root zone is not beneficial to plant growth. A center pivot with intermediate pressure impact sprinklers mounted on top has a lower wae than a low-pressure center pivot with properly designed rotators mounted on drop tubes just above the crop canopy. The wae can vary on a daily basis from a high wae on a calm, cloudy, spring day to a low wae on a hot, dry and windy day in midsummer. The average wae for wl's and hl's is 70%. This is an important input when designing a system. If a 2 inch application is required by the crop and a 70% wae exists, 2.85 inches must be applied to realize a 2 inch benefit. Low-pressure center pivots can have a wae as high as 90%.

Saving Energy

The energy savings captured by the program was obtained by either increasing pumping plant efficiency or lowering system pressure requirements or flow rates. All of these factors are directly proportional to power requirements. For example, a 10% decrease in either flow or pressure will produce a 10% decrease in power consumption. Also a 10% increase in efficiency will produce a similar result.

Increasing pumping plant efficiency probably is the most common way of obtaining energy savings. This usually entails rebuilding or replacing the pump. Most rebuilds involve a new wear ring and repairing or replacing the impeller. The wear ring is a brass component that is pressed on the volute case. It maintains a very tight clearance (about 0.01 inches when new) between it and the impeller. As it wears, the clearance increases which allows water to recirculate back to the suction side of the pump. The recirculation of water inside the pump is the cause of the inefficiency. Most pump manufacturers recommend replacement of the wear rings when clearance exceeds 1/32 of an inch. Pump mechanics can measure the clearance with a micrometer.

Another reason for inefficiency is operating outside of the efficient range of the pump as defined by the pump curve. This problem can be caused by worn nozzles, system leaks, replacing nozzles with larger sizes, adding more lines than original design called for or poorly constructed suction piping. Simply installing larger nozzles can throw the pump into an inefficient point on the curve. When changes in the system hardware are made, consideration must be given as to how the pump will perform under the new conditions. Sometimes a new impeller diameter is all that is required and other times another pump may be required. Failure to consider the pump characteristic curve almost always leads to decreased pumping plant efficiency.

As little as 1/150 of an inch of nozzle wear can be enough so that the increased energy costs make it economical to replace them with new ones. Check nozzle wear by inserting a drill bit in the nozzle when it is operating. A steady stream of blowby of about .25 to .5 gpm or greater indicates the nozzles are ready to be replaced.

Recommendations for decreasing system flow rates are made when surface runoff is visible or when irrigation water is being applied well below the rooting depth of the crop. Surface soils low in organic matter and high in clay are most susceptible to surface runoff. Infiltration rates can be as low as 0.10 inches of water per hour and the problem is made considerably worse on sloping fields. For the typical wl/hl system watering alfalfa or grain using a 40 by 60 foot spacing and 12 hour sets, the 13/64 inch nozzle is too large on these heavy clay soils without some special management considerations. These can include building up soil organic matter or mechanically pitting or aerating the soil. A 3/16 inch nozzle with a design pressure of 40 psi is usually a more effective size.

Watering below the crop root zone occurs most often when the crop is very shallow rooted, as with small grains. Watering below a depth of about 2 feet is essentially wasting water and energy. When moisture stress appears in shallow rooted crops, the irrigation frequency or amount applied must be examined. Because less soil is available to hold water for the crop, the supply of available water is exhausted faster than it would be for a deeper rooted crop. Therefore it requires more frequent watering than deep rooted crops. An 11 day irrigation interval is often too long for small grains during peak growth periods.

System head requirements consist of elevation head, mainline friction loss, fittings friction loss, lateral friction loss and the pressure required at the nozzle. Little can be done to reduce elevation head. However, mainline, fittings and laterals can be resized if they are responsible for excessive friction loss and technology has helped to reduce pressure requirements of certain nozzle types. Resizing pipes and fittings doesn't produce energy savings outright. The pump must be resized for the reduced head requirements. Resizing the pump means either changing or trimming the impeller or purchasing a smaller pump. This results in net energy savings. Low pressure conversions for wheel line and hand line systems met with only marginal success. However, low-pressure pivot conversions were extremely popular and effective. Two guidelines for retrofitting piping are: 1- install fittings that increase in diameter gradually instead of suddenly and 2 - size piping to keep velocities below 5 fps in pipes and below 10 fps in fittings.

Retrofitting hand line and wheel line systems with flow control nozzles allows the irrigator to operate with a design pressure of 35 psi instead of the standard requirement of 40 psi. All that is sacrificed is 2 to 3 feet of wetted diameter. The stream is actually broken up better with the flow control nozzles because of the neoprene center. It is worth emphasizing that simply installing FCC's may or may not be an energy saving measure. If it results in a decreased flow rate then it may save energy all by itself. The big energy savings occur when the reduced pressure requirements of flow control nozzles is accompanied by an impeller trim to match the lower head requirements. Further reductions in pressure require the use of offsets and increased labor requirements which proved very unpopular with most irrigators.

Converting center pivots to low pressure involves a new nozzle package that often includes pressure regulators and rotator type sprinklers. This allows the irrigator to trim the pump impeller or replace the existing pump with a smaller one resulting in energy savings. The end pressure can be as low as 10 psi without an end gun and 20 psi if an end gun is to be used. A booster pump is necessary for proper end gun operation. Heavy clay soils, especially on sloping fields, may not be appropriate for low pressure since the application rate increases with the smaller wetted diameters. If the main pump used to supply the center pivot is also used to supply wl's or hl's then the benefit of a low pressure pivot is offset by the larger pressure requirements of hl's/wl's. If the pivot is water driven then a low-pressure conversion must be accompanied by converting the drive units. Electric drive is normally the power of choice.

Suction Piping

The physics of designing the suction piping of a centrifugal pumping system can make or break the performance of the system. Many manufacturers cite suction problems as the number one reason for poor pump performance.

When the water level of the sump is below the centerline of the pump, suction lift exists. Centrifugal pumps don't lift or suck water up. Instead, they depend on the weight of the open atmosphere above the water source to push the water to the impeller eye. This can only be accomplished by creating a vacuum in a sealed suction pipe by pumping the air out (otherwise known as priming a pump). There is no rule-of-thumb concerning the maximum height that centrifugal pumps can be located above an unpressurized water source. This can vary significantly depending on the pump model, head and flow conditions, elevation above sea level, water temperature and piping configuration. Some applications may require that suction lift not exceed 2 feet while others may allow up to 20 feet of suction lift. This is a crucial element of design and cannot be ignored. Irrigators should seek design assistance if they suspect that this is a problem.

The object of the suction set-up is to provide a conduit for calm, slow water to make its way to the impeller eye. When suction lift exists, no point in the suction piping should be higher than the intake of the pump. High points can entrap air which can obstruct the flow of water and disrupt the prime. The minimum amount of turns should be placed in the suction piping. Additional turns are better placed on the discharge side of the pump. No turns should be placed within 4 pipe diameters of the pump intake. If the suction piping is 10 inch size then the nearest turn should be at least 40 inches away from the intake. This allows the water to stop spinning prior to entering the impeller eye. Suction piping should be sized large enough to keep water velocities below 3 fps. An eccentric reducer should be used to reduce down to the pump intake size with the beveled side down. Suction-bells are available for installation on the end of the suction pipe to decrease entrance losses. Approximately 4 feet of submergence and 6 to 12 inches of clearance from the bottom of the sump is ideal for most suction arrangements. The sump water should also be as quiet as possible.

Cavitation is often a result of either a poorly designed suction arrangement or operating outside of the range of the pump. It is often identified as the sound of gravel or rocks passing through the pump. Any pump can be made to cavitate. Cavitation is the process where pockets of water vapor that formed in the impeller eye are collapsing in areas of high pressure inside the pump. This process can damage the pump and reduce pump performance. When the cause of cavitation is the suction piping, the solution is usually to install a larger size of suction pipe or a suction bell to reduce entrance losses. If there is a vortex in the sump causing the cavitation, then increase the submergence of the suction entrance. If the water level has dropped temporarily then placing a piece of plywood over the sump can help.

Electrical Components
Most of the systems in Western Montana are operating on 3-phase power. Phase to phase voltage is usually 240 volts or 480 volts. Power factor varies from 55% to 95% with most falling around 90%. Several systems on single phase service were using phase converters to run 3-phase power.

Most electric motors are the standard efficiency variety averaging about 90% efficiency. Today's high-efficiency motors can achieve 95% efficiency. A typical 40 horsepower pump and motor operating 1200 hours per year at $0.04 per kilowatt-hour could save about

$70.00/year in pumping costs with a high-efficiency motor. The difference in price is about $600.00. This makes about an 11 year pay-back period if the cost of power doesn't change. As rates go up the pay back period gets even more attractive. The average life for electric motors in the 5 to 50 horsepower range is 20 years. One major electrical shop reported only 5% of electric motors failed due to old age (insulation deterioration). The largest killer is overheating the motor. The primary cause of overheating is overloading due to operating the pump outside of its peak efficiency range. Other contributing factors to overheating are direct exposure to sunlight, poor ventilation and voltage imbalances.

Air Vents and Valves

The lack of properly positioned air vents is a very common omission on systems in Western Montana. One of the most common frustrations encountered during an evaluation is an unexplained pressure difference between 2 points in the mainline. Friction loss and elevation head explain only a fraction of the measured pressure difference. Since a large leak would be obvious the best explanation is a pipe obstruction. The most common type of obstruction is entrapped air.

Preventing air from entering the system is impossible so every system must be equipped to vent air. Trapped air acts like any other obstruction by restricting flow and pressure. The positioning of air vents is probably more critical than the sizing. Air normally travels to the highest points in the system but not always. Basically, there are 2 types of air vents - large orifice and small orifice.

Large orifice air vents work to vent large quantities of air during system start-up. They also open up during system shut-down to allow air to reenter the pipeline to avoid creating a vacuum. Once the system is pressurized these vents close and remain closed. They consist of a float that can be closed at a fairly low pressure by either water or air. Their tendency to blow closed from air pressure is a drawback. Recent technology improvements has produced a double chamber design that utilizes the forces of the escaping air to remain open until buoyed by the increasing water level. These vents should be sought out when retrofitting or designing a system. Some general guidelines for placement are as follows:

1. Immediately downstream of gate valves. This will provide vacuum relief if the valve closes suddenly and air expulsion during filling.
2. At all high points in the mainline. This vents air during initial filling.
3. Every 1/4 mile of pipeline.
4. feet from the end of all pipelines.
5. At all branch tees in the pipeline.

Small orifice air vents are designed to expel entrapped air when the system is pressurized. Sometimes these vents are referred to as continuous acting air vents. On average, water consists of 2% dissolved air by volume. As the air bubbles congregate they need a place to escape. Small orifice air vents should be placed at all high points in the mainline in conjunction with the large orifice variety. Consult your irrigation dealer for the proper sizing of both types. The dealer will need to know your mainline sizes to size the vents properly.

Pressure relief valves should be a part of every pressurized irrigation system also. Their purpose is to vent large quantities of water when the system exceeds a predetermined pressure. They do not regulate pressure within the system. This is the best insurance for protecting an expensive mainline installation from water hammer or steady pressure build-up. Common causes of pressure surges are sudden valve closure or pump shutdown and sudden movement of entrapped air. Filling the mainline too rapidly can also cause water hammer. Pressure relief valves should be located where the highest pressures will occur such as:

-the ends of pipelines.
-all low points.
-immediately downstream of check valves.

There are two basic types - diaphragm type and spring action. The spring action type has a quicker reaction time and is preferable.

Check valves are a common installation. They allow water to flow in one direction only. The most common types are a single disc swing type and a single disc angle seat. Modifications are available to provide non-slam closure that protects against surges by regulating the speed of closure. They are normally sized one size smaller than the mainline size, assuming the mainline size is designed properly. They have been installed to prevent back flow of contaminated water into the water source. They are considered inadequate for this purpose and a more positive action anti-back flow device is recommended.

Most systems have a gate or butterfly valve installed just downstream of the pump to regulate pump discharge. Butterfly valves cause more friction loss than similarly sized gate valves. However, when sized properly, the difference in friction loss is small and the relatively lower cost of butterfly valves makes them attractive. They do seem to fail more often than gate valves. Again, if the mainline is sized properly, they are usually the same diameter as the mainline or 1 size smaller. They should not be sized under any circumstances to experience velocities over 10 fps.

Irrigation Water Flow Requirements Based on Crop Water Use

How much water to apply, how fast and how often to apply it are the most critical factors determining the success or failure of an irrigation system. Sprinkler systems should be designed to handle the worst case scenario. For most irrigators in Western Montana this occurs during peak evaporative demand in July.

The peak demand is about 0.25 inches of water per day for alfalfa, potatoes and grain. Assuming a water application efficiency of about 80%, systems should be able to apply 6 gpm/acre to satisfy peak demand. Therefore, a 160 acre field would require a system capacity of about 960 gpm. Beyond this commonality, design specifications vary widely for each individual system depending on such factors as: soil, crop type, available water, available labor and type of sprinkler system to name a few. This is when a good designer is needed to ensure system adequacy.

Typical Example:

A "typical" system in Western Montana might be a 160 acre field broken into 4 - 40 acre square units. Each 40 acre unit is watered by a single 1/4 mile wheel line with 40 feet between sprinklers and 60 feet between mainline risers. This leaves 22 risers or sets per 40 acre unit. Most irrigators change pipe twice a day after 11.5 hour sets requiring 11 days to complete an irrigation. Consider a field of spring wheat. After 11 days of peak evapotranspiration of 0.25 inches/day in July, a total of 2.75 inches of water has been depleted from the soil root zone. Serious stress doesn't occur until about 50% of the soil available water holding capacity has been depleted in the root zone. Spring wheat extracts most moisture from the first 2 to 3 feet of soil when mature. If the soil is a silt loam free of coarse fragments it has an AWHC of about 2.25 inches per foot of soil for a total of 6.75 inches of available water (3 foot root zone). Less than 50% of the root zone AWHC is depleted in 11 days so the crop is not stressed before the next irrigation can begin.

However, if the soil is a sandy loam with 30% coarse fragments, the soil AWHC is reduced to about 1 inch of water per foot of soil for a total AWHC of 3 inches in a 3 foot root zone. Clearly, 11 days of peak demand (11 x .25 = 2.75 in.) reduces the available water in the root zone to well below 50% of AWHC placing the crop in a stressed condition. The solution to this problem is to change the system design to apply more frequent irrigations to the field. Other aspects of the system design such as nozzle selection and pressure can't help the problem given the spacing and labor constraints described above. Deeper irrigations won't help and will lead to increased waste and even lower yields. More frequent irrigations could be accomplished with additional flow capacity and laterals or by converting to a center pivot. All of these options require a complete redesign of the system and technical assistance should be sought.

Center Pivot Irrigation Systems

Most center pivots in Western Montana are 1/4 mile in length and are watering about 130 acres. Very few use corner extensions. Most use an end gun to extend the irrigated radius or have a solid set hand line in the corners. They are being used to water hay, grain, potatoes, mint, rape and other crops. Most pivots have electrically powered tower drives but the water drives are fairly common and there are a few hydraulic oil drive machines too. Most of the older installations (1975 through 1989) are equipped with impact sprinklers mounted on top of the main pivot pipe. Several newer installations are utilizing the latest low pressure technology including rotators, booms, drop tubes and spray nozzles.

A low pressure pivot is defined as a pivot with a nozzle package requiring 20 psi or less at the end of the pivot. This is an arbitrary break-point but it is indicative of what is achievable with the technology. Pivots that will use an end gun require 20 psi pressure at the end. The additional pressure requirements of the end gun are met with a booster pump mounted at the end of the pivot (usually 2-3 horsepower). In the absence of an end gun the end pressure can be as low as 10 psi. Because the system is moving, the high pressures required for large wetted diameters are no longer needed. The rotator design can break up the water stream without a lot of pressure. Drop tubes aren't necessarily limited to low pressure situations.

The advantage is lowering the distance above the crop from which the water is applied. This increases the efficiency of the water application by reducing susceptibility to wind drift and evaporation.

The low pressure center pivot applications seem to be doing the best job of agricultural irrigation in Western Montana. The reasons for this include the following:

-High water application efficiency.
-Low labor requirements.
-Least energy consumptive.
-Superior ability to meet crop water demands.
-Very uniform applications.

Electric drive pivots are usually the most energy efficient. A typical 1/4 mile machine might have 9 towers each equipped with about a 3/4 horsepower drive motor. The speed of the end tower is adjustable and the other motors cycle on and off as needed to maintain alignment with the end tower. The flow and head conditions of the main pumping plant can be reduced to supply the nozzle requirements. Water drive pivots eliminate the need for the electric drive motors. However, they do require very high water pressure be maintained by the main pumping plant in order to propel the pivot. This leads to higher electrical power consumption than electric drive pivots. Hydraulic oil drive pivots don't use the main pumping plant for hydraulic oil pressure. Instead, they require a separate pumping plant that must operate continuously when the pivot is watering. They range in size from about 15 to 25 horsepower. This also requires more electrical consumption than electric drive pivots.

There are some precautions when it comes to low pressure applications. Low pressure pivots are applying the same amount of water as any other pivot but they are applying it in a smaller wetted diameter. Therefore, the application rate is much higher than with higher pressure systems. The highest application rates on a center pivot occur at the end tower. A possible consequence of this is runoff. Fields that slope and have heavy clay soils are most susceptible to this problem. Technological advances and management practices can help to ease this problem. Booms can be installed that effectively increase the wetted diameter during the application. Nozzle break-up characteristics are better at producing droplet sizes that are less likely to compact the soil. The building up of organic matter and mechanically pitting or aerating the soil can help by improving the soil infiltration rate. Shorter pivots in these soils may be necessary to prevent runoff.

Pivot safety is a must for those working on or around them. It would be prudent to disconnect the power to the pivot before work begins or before climbing on. Often times the same 480 volt service used to power the pumping plant is available at the pivot. The moving parts on a water drive pivot are often very fast and powerful and should be given plenty of clearance when working around a pivot.

Big Guns

Big gun systems are sometimes called traveler sprinkler systems. There are many different types of drive mechanisms for moving the gun. Many are reeled in by the large flexible hose they are connected to and others move the gun and allow the hose to lay out as it travels. They are designed to water in rectangular strips and the intervals between the traveler path can be up to 300 feet. Flow rates vary from 80 to 1000 gpm and pressures vary from 60 to 130 psi. Initial costs may be lower than most mechanical move systems and the labor requirement is fairly low. They work well on very irregularly shaped fields or where trees, power lines and other obstacles exist that limit more rigid conventional sprinkler systems. However, they consume large amounts of electrical power at the pumping plant to produce very high pressures. The power consumption can be twice as much as a conventional hand line or wheel line system for the same acreage and up to 3 times as much as a low pressure center pivot. The long flexible hose is very expensive to replace. This hose must be sized properly to limit the friction loss in the line. The pressure rating of the mainline must be high enough to withstand the high pressures. Operating these systems at reduced pressures can cause severe compaction, crop damage and runoff from the large droplet size and velocities with which they strike the ground.

The end guns on the end of a center pivot are really an intermediate version of the big gun described above. The same precautions regarding operation at reduced pressure applies. Usually, end guns apply 75 to 150 gpm and pressure requirements are 60 to 80 psi. An end gun booster pump is often used to supply the necessary pressure while allowing the rest of the system to operate at much lower pressure.

Maintenance

The electric motor may be the most commonly repaired item in the pump house. Motor rewinds and bearings are not cheap. The motor should be greased at least 3 times a year - at the beginning, end and in the middle. Be sure the fittings and grease are clean and use grease coded EP-2 only, unless your manufacturer specifies otherwise. The right melting temperature is essential for bearing lubrication. All purpose grease is the wrong grease for the job. Remove the grease drain plug and leave it off for a couple of hours after greasing so the old grease can drain out. Keep the motor well ventilated by clearing the rodent screens of grass and debris. Puddles of water near the pump can be blown into the motor by the fan. Motors should be supported well to prevent shaft stress and deformation. Pump shelters are a must for all systems. Every 18 degree Fahrenheit rise above the motor rated temperature can cut the motor life in half. Direct sunlight can easily add 15 to 20 degrees of temperature on a hot summer day. Pump and panel shelters can be as simple as an angled roof supported by 4 studs and 1 wall for the panel or as intricate as a pump house.

The packing can be replaced as needed. A drip rate of about 1 drop per second is plenty. A packing puller tool makes packing replacement easier (use two pullers 180 degrees apart). The lantern ring has two holes 180 degrees apart that can be used to remove it. Check for grooves in the shaft sleeve if the worn packing was left in for any length of time and replace if necessary.

Periodically clean the suction screening to maintain the free flow of water. If pump performance decreases suddenly, check the impeller on the suction and discharge sides for plugging or obstructions. If the pump is an oil lubricated turbine then keep the oil level up.

During shut-down operations drain the pump and all of the piping. Open up all of the valves, especially gate valves. Lubricate the shaft with a light oil. Store rubber diaphragm primers indoors for the winter. Seal all openings with duct tape or other material to protect against debris and animals.

During start-up operations and with the power still off, check all electrical connections and insulation and tighten as necessary. Use a voltmeter to MAKE SURE THE POWER IS OFF. Start the pump with the packing gland loose and tighten slowly to 1 drip per second. Check all laterals for rodent nests. DO NOT raise pipes overhead without checking for power line locations first. Grease the center pivot swivel and properly inflate the tires. Remove the end plugs and flush the system thoroughly.

4.0 SUMMARY

This project has demonstrated that significant improvements in energy and water use can be made through a combination of demonstration, education and incentive programs. The energy and water efficiency improvements resulting from this project will provide both short and long-term savings for irrigators and the general population.

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6.0 APPENDICES

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APPENDICIES

APPENDIX A WATER APPLICATION CHARTS

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APPENDIX A. WATER APPLICATION RATE CHARTS

1) Use nozzle size and pressure to determine nozzle discharge. 2) Use nozzle discharge and sprinkler spacing to determine average application rate. 3) Use application rate and hours of operation to determine the amount of water applied per set. (NOTE: The total water applied per set in these tables is based on an application efficiency of 70% which accounts for evaporation and other losses. To determine the gross water application divide your final figure by 0.7)

NOZZLE DISCHARGE - GALLONS PER MINUTE

	Nozzle Diameter in Inches							
p.s.i..	**3/32**	**1/8**	**9/64**	**5/32**	**11/64**	**3/16**	**13/64**	**7/32**
20	1.17	2.09	2.65	3.26	3.92	4.69	5.51	6.37
25	1.31	2.34	2.96	3.64	4.38	5.25	6.16	7.13
30	1.44	2.56	3.26	4.01	4.83	5.75	6.80	7.86
35	1.55	2.77	3.50	4.31	5.18	6.21	7.30	8.43
40	1.66	2.96	3.74	4.61	5.54	6.64	7.80	9.02
45	1.76	3.13	3.99	4.91	5.91	7.03	8.30	9.60
50	1.85	3.30	4.18	5.15	6.19	7.41	8.71	10.10
55	1.94	3.46	4.37	5.39	6.48	7.77	9.12	10.50
60	2.03	3.62	4.50	5.65	6.80	8.12	9.56	11.05
65	2.11	3.77	4.76	5.87	7.06	8.45	9.92	11.45
70	2.19	3.91	4.96	6.10	7.34	8.78	10.32	11.95
75	2.27	4.05	5.12	6.30	7.58	9.08	10.66	12.32
80	2.35	4.18	5.29	6.52	7.84	9.39	11.02	12.74
85	2.42	4.31	5.45	6.71	8.07	9.67	11.35	13.11
90	2.49	4.43	5.61	6.91	8.31	9.95	11.69	13.51
95	2.56	4.56	5.76	7.09	8.53	10.2	11.99	13.86
100	2.63	4.67	5.91	7.29	8.76	10.5	12.32	14.23

AVERAGE APPLICATION RATE - INCHES PER HOUR

Spacing	Gallons Per Minute From Each Sprinkler									
Feet	2	3	4	5	6	7	8	9	10	12
20x20	.48	.72	.96	1.20	1.44	1.70	1.93	2.16	2.40	
20x30	.32	.48	.64	.80	.96	1.12	1.28	1.43	1.60	1.93
20x40	.24	.36	.48	.60	.72	.84	.96	1.08	1.20	1.45
30x30	.21	.32	.43	.54	.64	.75	.88	.96	1.07	1.28
30x40	.16	.24	.32	.40	.48	.56	.64	.72	.80	.95
30x50	.13	.19	.25	.32	.38	.45	.51	.58	.64	.76
40x40	.12	.18	.24	.30	.36	.42	.48	.54	.60	.72
40x50	.10	.14	.19	.24	.29	.34	.38	.43	.48	.58
40x60		.12	.16	.20	.24	.28	.32	.36	.40	.48

WATER APPLIED PER SET - ACRE INCHES AT 70% EFFICIENCY

Hours	Application Rate of System - Inches Per Hour											
Operated Per Set	.12	.14	.16	.18	.20	.22	.24	.26	.30	.35	.45	.55
1	.08	.10	.11	.13	.14	.15	.17	.18	.21	.25	.32	.39
5	.42	.49	.56	.63	.70	.77	.84	.91	1.05	1.23	1.58	1.93
8	.67	.79	.90	1.01	1.12	1.23	1.34	1.46	1.68	1.96	2.52	3.08
10	.84	.98	1.12	1.26	1.40	1.54	1.68	1.82	2.10	2.45	3.15	3.85
11	.92	1.08	1.23	1.39	1.54	1.69	1.85	2.00	2.31	2.70	3.47	4.24
12	1.01	1.18	1.34	1.51	1.68	1.85	2.02	2.18	2.52	2.94	3.78	4.62
24	2.02	2.35	2.69	3.02	3.36	3.70	4.03	4.37	5.04	5.88	7.56	9.24

APPENDIX B. RAINFALL, IRRIGATION AND CROP WATER USE FOR MONITORED CROPS

APPENDIX B1 RAINFALL, IRRIGATION, TOTAL APPLIED WATER. CROP WATER USE (ETO), AND DEFICIT, IN INCHES, FOR EACH CROP IN 1989

YEAR	GROWER	LOCATION	CROP	RAINFALL	IRRIGATION	TOTAL H20 APPLIED[1]	ETO[2]	DEFICIT[3]
1989	KC	RONAN-WEST	ALFALFA	8.8	13.7	22.5	28.7	-6.2
1989	BW	VALLEY VIEW	ALFALFA	6.7	8.0	14.7	28.7	-14.0
1989	JH	RONAN-WEST	ALFALFA	7.2	9.0	16.2	28.7	-12.5
1989	JJ	ROUND BUTTE	ALFALFA	11.8	7.2	19.0	28.6	-9.7
1989	JJ	ROUND BUTTE	ALFALFA	12.5	14.0	26.5	28.6	-2.1
1989	JMJ	ST IGNATIUS-EAST	ALFALFA	7.5	7.7	15.2	25.0	-9.8
1989	JMJ	ST IGNATIUS-EAST	ALFALFA	7.5	5.2	12.7	25.0	-12.3
1989	LM	VALLEY VIEW	ALFALFA	10.0	5.0	15.0	28.7	-13.7
1989	RR	CHARLO	ALFALFA	9.5	11.4	20.9	28.6	-7.7
1989	JR	ST.IGNATIUS-EAST	ALFALFA/GRASS	12.1	4.0	16.1	28.6	-12.5
1989	JR	ST.IGNATIUS-EAST	ALFALFA/GRASS	11.7	6.8	18.5	28.6	-10.2
1989	BW	VALLEY VIEW	BARLEY	5.7	6.0	11.7	28.7	-17.0
1989	WP	CHARLO	BARLEY	6.6	5.8	12.4	25.0	-12.6
1989	JH	RONAN-WEST	GRASS HAY	7.5	9.8	17.3	28.7	-11.4
1989	WP	CHARLO	GRASS HAY	5.2	12.0	17.2	25.0	-7.8
1989	KC	RONAN-WEST	GRASS PASTURE	7.5	18.1	25.6	28.7	-3.1
1989	RR	CHARLO	OATS	5.1	6.0	11.1	25.0	-13.9
1989	JM	VALLEY VIEW	OATS/ PEAS	1.2	4.5	5.7	25.0	-19.3
1989	EF	MOEISE	POTATOES	5.5	13.5	19.0	25.0	-6.0
1989	LM	VALLEY VIEW	POTATOES	6.2	10.6	16.8	26.6	-9.8
1989	BHO	MOEISE	SPRING WHEAT	6.3	9.1	15.4	25.0	-9.6
1989	BHO	MOEISE	SPRING WHEAT	6.3	12.6	18.9	25.0	-6.1
1989	BL	MOEISE	SPRING WHEAT	6.2	0.0	6.2	25.0	-18.8
1989	DS	MOEISE	SPRING WHEAT	6.2	16.1	22.3	25.0	-2.7
1989	DS	MOEISE	SPRING WHEAT	6.2	13.5	19.7	25.0	-5.3
1989	EW	MOEISE	SPRING WHEAT	6.4	11.0	17.4	25.0	-7.6
1989	EW	MOEISE	SPRING WHEAT	6.8	13.1	19.9	25.0	-5.1
1989	BL	MOEISE	WINTER WHEAT	6.5	0.0	6.5	25.0	-18.5
1989	JM	VALLEY VIEW	WINTER WHEAT	1.2	6.0	7.2	25.0	-17.8
1989	EF	MOEISE	WINTER WHEAT	5.1	11.1	16.2	25.0	-8.8

1 TOTAL H20 APPLIED = RAINFALL + IRRIGATION
2 ETO = POTENTIAL CROP WATER USE (EVAPOTRANSPIRATION)
3 DEFICIT = TOTAL H20 APPLIED - DEFICIT

APPENDIX B2 RAINFALL, IRRIGATION, TOTAL APPLIED WATER. CROP WATER USE (ETO), AND DEFICIT, IN INCHES, FOR EACH CROP IN 1990

YEAR	GROWER	LOCATION	CROP	RAINFALL	IRRIGATION	TOTAL H20 APPLIED[1]	ETO [2]	DEFICIT[3]
1990	CV	POLSON-WEST	ALFALFA	6.1	11.2	17.3	27.1	-9.8
1990	DP	VALLEY VIEW	ALFALFA	4.9	6.4	11.3	27.1	-15.8
1990	JK	VALLEY VIEW	ALFALFA	6.7	7.1	13.8	27.9	-14.2
1990	JN	VALLEY VIEW	ALFALFA	4.7	5.0	9.7	24.0	-14.3
1990	KC	RONAN-WEST	ALFALFA	6.4	9.5	15.9	27.1	-11.2
1990	AB	MOEISE	ALFALFA	5.5	13.4	18.9	26.5	-7.6
1990	AB	MOEISE	ALFALFA	5.4	16.0	21.4	26.5	-5.1
1990	BB	RONAN	ALFALFA	6.4	10.3	16.7	27.1	-10.4
1990	BL	MOEISE	ALFALFA	5.8	17.7	23.5	26.5	-3.0
1990	BW	VALLEY VIEW	ALFALFA	4.8	8.5	13.3	26.5	-13.2
1990	DE	ROUND BUTTE	ALFALFA	5.3	16.8	22.1	27.1	-5.0
1990	GS	ROUND BUTTE	ALFALFA	4.9	9.5	14.4	27.1	-12.7
1990	JH	RONAN-WEST	ALFALFA	6.1	2.8	8.9	27.1	-18.3
1990	JH	RONAN-WEST	ALFALFA	6.4	11.2	17.6	27.1	-9.5
1990	JJ	ROUND BUTTE	ALFALFA	5.7	6.6	12.3	27.1	-14.8
1990	JJ	ROUND BUTTE	ALFALFA	5.5	6.6	12.1	27.1	-15.0
1990	JM	VALLEY VIEW	ALFALFA	3.8	14.0	17.8	27.9	-10.1
1990	LM	VALLEY VIEW	ALFALFA	7.0	10.5	17.5	27.9	-10.5
1990	PS	MOEISE	ALFALFA	6.8	14.5	21.3	27.1	-5.8
1990	PS	MOEISE	ALFALFA	6.8	11.0	17.8	27.1	-9.3
1990	JR	ST.IGNATIUS-EAST	ALFALFA/GRASS	10.7	8.0	18.7	27.4	-8.7
1990	AM	POLSON EAST	BARLEY	5.6	3.2	8.8	7.0	1.8
1990	BB	RONAN WEST	BARLEY	4.1	3.0	7.1	8.5	-1.4
1990	DP	VALLEY VIEW	BARLEY	2.2	5.0	7.2	8.5	-1.3
1990	JN	VALLEY VIEW	BARLEY	3.3	0.0	3.3	8.5	-5.3
1990	JR	ST.IGNATIUS-EAST	BARLEY	9.4	6.0	15.4	8.5	6.9
1990	KC	RONAN-WEST	BARLEY	3.9	3.1	7.0	8.5	-1.5
1990	LM	VALLEY VIEW	BARLEY	4.4	1.1	5.5	8.5	-3.0
1990	BW	VALLEY VIEW	OATS	4.2	3.0	7.2	8.5	-1.3
1990	JM	VALLEY VIEW	OATS/ PEAS	4.6	9.3	13.9	27.1	-13.3
1990	BHA	MOEISE	PASTURE	5.3	10.2	15.5	23.8	-8.3
1990	AM	POLSON EAST	POTATOES	5.6	7.8	13.4	13.7	-0.4
1990	EF	MOEISE	POTATOES	4.5	23.5	28.0	28.2	-0.2
1990	MD	MOEISE	SPRING WHEAT	3.6	5.5	9.1	10.6	-1.5
1990	PA	MOEISE	SPRING WHEAT	3.2	10.9	14.1	8.5	5.6
1990	CV	POLSON-WEST	SQUASH	5.0	6.1	11.1		
1990	BHA	MOEISE	WINTER WHEAT	2.8	8.0	10.8	10.6	0.2
1990	BHO	MOEISE	WINTER WHEAT	3.0	11.9	14.9	10.6	4.3
1990	BHO	MOEISE	WINTER WHEAT	3.0	9.1	12.1	10.6	1.5
1990	BL	MOEISE	WINTER WHEAT	3.0	6.1	9.1	10.6	-1.5
1990	DE	ROUND BUTTE	WINTER WHEAT	3.3	6.0	9.3	10.8	-1.5
1990	DK	VALLEY VIEW	WINTER WHEAT	3.4	9.3	12.7	11.1	1.6
1990	DK	VALLEY VIEW	WINTER WHEAT	3.4	7.5	10.9	11.1	-0.2
1990	EF	MOEISE	WINTER WHEAT	3.7	7.5	11.2	11.1	0.1
1990	EW	MOEISE	WINTER WHEAT	2.9	6.7	9.6	11.7	-2.1
1990	EW	MOEISE	WINTER WHEAT	3.0	6.2	9.2	11.7	-2.5
1990	GS	ROUND BUTTE	WINTER WHEAT	2.9	4.7	7.6	8.5	-0.9
1990	JK	VALLEY VIEW	WINTER WHEAT	5.7	2.3	8.0	11.7	-3.8
1990	MD	MOEISE	WINTER WHEAT	3.6	3.0	6.6	10.6	-4.0
1990	PA	MOEISE	WINTER WHEAT	3.2	11.5	14.7	10.6	4.1

1 TOTAL H20 APPLIED = RAINFALL + IRRIGATION
2 ETO = POTENTIAL CROP WATER USE (EVAPOTRANSPIRATION)
3 DEFICIT = TOTAL H20 APPLIED - DEFICIT

APPENDIX B3 RAINFALL, IRRIGATION, TOTAL APPLIED WATER. CROP WATER USE (ETO), AND DEFICIT, IN INCHES, FOR EACH CROP IN 1991

YEAR	GROWER	LOCATION	CROP	RAINFALL	IRRIGATION	TOTAL H20 APPLIED[1]	ETO[2]	DEFICIT[3]
1991	AB	MOEISE	ALFALFA	5.7	17.5	23.2	28.9	-5.7
1991	AM	POLSON-EAST	ALFALFA	7.4	4.5	11.9	27.0	-15.1
1991	DE	ROUND BUTTE	ALFALFA	6.1	14.8	20.9	27.9	-7.0
1991	GS	ROUND BUTTE	ALFALFA	6.5	12.2	18.7	27.9	-9.2
1991	JM	VALLEY VIEW	ALFALFA	7.8	5.6	13.4	27.9	-14.5
1991	JN	VALLEY VIEW	ALFALFA	7.3	4.3	11.6	27.9	-16.3
1991	JR	ST IGNATIUS-EAST	ALFALFA	7.9	12.4	20.3	27.0	-6.7
1991	KC	RONAN-WEST	ALFALFA	7.5	12.9	20.4	27.9	-7.5
1991	PD	VALLEY VIEW	ALFALFA	8.0	11.0	19.0	27.2	-8.3
1991	GS	ROUND BUTTE	BARLEY	6.5	3.0	9.5	14.4	-4.9
1991	JM	VALLEY VIEW	BARLEY	8.6	3.5	12.1	14.1	-2.0
1991	JN	VALLEY VIEW	BARLEY	6.8	0.0	6.8	13.6	-6.8
1991	JR	ST IGNATIUS-EAST	BARLEY	7.0	3.0	10.0	13.2	-3.2
1991	KC	RONAN-WEST	BARLEY	7.0	3.2	10.2	14.1	-3.9
1991	AB	MOEISE	CLOVER	4.6	8.7	13.3	20.0	-6.7
1991	EW	MOEISE	CORN	4.9	7.3	12.1	15.5	-3.4
1991	PS	MOEISE	HAY	6.3	20.2	26.5	27.0	-0.6
1991	PS	MOEISE	HAY	6.3	22.9	29.2	27.0	2.2
1991	RM	DIXON	HAY	5.5	17.3	22.8	27.9	-5.1
1991	TH	HOT SPRINGS	HAY	8.2	15.5	23.7	27.9	-4.2
1991	RM	DIXON	OATS	4.1	1.8	5.9	16.9	-11.1
1991	TH	HOT SPRINGS	OATS	6.9	8.3	15.2	20.1	-4.9
1991	EF	MOEISE	POTATOES	3.6	8.8	12.4	15.8	-3.4
1991	WM	ROUND BUTTE	POTATOES	1.6	7.6	9.2	15.7	-6.5
1991	AM	POLSON-EAST	SPRING WHEAT	7.0	0.5	7.5	13.8	-6.3
1991	WM	ROUND BUTTE	SPRING WHEAT	4.8	8.2	13.0	14.1	-1.1
1991	EF	MOEISE	WINTER WHEAT	5.8	3.7	9.5	14.2	-4.7
1991	DE	ROUND BUTTE	WINTER WHEAT	6.5	6.5	13.0	14.4	-1.4
1991	EW	MOEISE	WINTER WHEAT	5.9	7.3	13.2	14.2	-1.1

1 TOTAL H20 APPLIED = RAINFALL + IRRIGATION
2 ETO = POTENTIAL CROP WATER USE (EVAPOTRANSPIRATION)
3 DEFICIT = TOTAL H20 APPLIED - DEFICIT

APPENDIX B4 RAINFALL, IRRIGATION, TOTAL APPLIED WATER. CROP WATER USE (ETO), AND DEFICIT, IN INCHES, FOR EACH CROP IN 1992

YEAR	GROWER	LOCATION	CROP	RAINFALL	IRRIGATION	TOTAL H20 APPLIED[1]	ETO[2]	DEFICIT[3]
1992	AB	MOEISE	ALFALFA	5.7	13.5	19.2	27.2	-8.1
1992	AM	POLSON-EAST	ALFALFA	10.2	8.1	18.3	25.7	-7.4
1992	DE	ROUND BUTTE	ALFALFA	8.0	13.3	21.3	27.2	-5.9
1992	DE	ROUND BUTTE	ALFALFA	7.0	11.0	18.0	27.2	-9.2
1992	GS	ROUND BUTTE	ALFALFA	5.3	11.0	16.3	27.2	-10.9
1992	JM	VALLEY VIEW	ALFALFA	8.1	11.2	19.3	27.2	-7.9
1992	JN	VALLEY VIEW	ALFALFA	7.6	10.5	18.1	27.2	-9.1
1992	JR	ST.IGNATIUS EAST	ALFALFA	9.3	8.3	17.6	26.4	-8.8
1992	KC	RONAN-WEST	ALFALFA	7.3	16.2	23.5	27.9	-4.4
1992	PD	VALLEY VIEW	ALFALFA	8.0	11.0	19.0	27.2	-8.3
1992	JM	VALLEY VIEW	BARLEY	5.2	6.0	11.2	16.0	-4.8
1992	JN	VALLEY VIEW	BARLEY	4.4	0.0	4.4	14.5	-10.1
1992	KC	RONAN-WEST	BARLEY	6.2	2.9	9.1	16.0	-6.9
1992	EF	MOEISE	CORN	3.1	5.4	8.5	14.2	-5.8
1992	EW	MOEISE	CORN	3.0	6.7	9.7	15.4	-5.7
1992	PS	ARLEE	GRASS HAY	7.0	15.0	22.0	25.7	-3.7
1992	PS	ARLEE	GRASS HAY	7.0	15.2	22.2	25.7	-3.5
1992	RM	DIXON	GRASS HAY	5.7	15.5	21.2	27.2	-6.1
1992	TH	HOT SPRINGS	GRASS HAY	4.8	10.5	15.3	27.2	-11.9
1992	TH	HOT SPRINGS	GRASS HAY	4.8	16.7	21.5	27.2	-5.7
1992	RM	DIXON	OATS	3.2	4.5	7.7	13.1	-5.4
1992	AM	POLSON-EAST	POTATOES	5.4	5.8	11.2	17.1	-5.9
1992	EF	MOEISE	POTATOES	2.8	11.9	14.7	17.5	-2.8
1992	WM	ROUND BUTTE	POTATOES	3.8	8.1	11.9	17.5	-5.7
1992	AB	MOEISE	SPRING WHEAT	3.5	4.3	7.8	14.5	-6.7
1992	DE	ROUND BUTTE	WINTER WHEAT	5.5	6.3	11.8	16.1	-4.3
1992	EW	MOEISE	WINTER WHEAT	4.2	10.0	14.2	16.1	-1.9
1992	GS	ROUND BUTTE	WINTER WHEAT	5.3	9.0	14.3	16.1	-1.8
1992	WM	ROUND BUTTE	WINTER WHEAT	5.0	13.8	18.8	16.1	2.8

1 TOTAL H20 APPLIED = RAINFALL + IRRIGATION

2 ETO = POTENTIAL CROP WATER USE (EVAPOTRANSPIRATION)

3 DEFICIT = TOTAL H20 APPLIED - DEFICIT

APPENDIX B5

AVERAGE RAINFALL, IRRIGATION, CROP WATER USE (ETO), AND DEFICIT, IN INCHES, FOR EACH CROP AND YEAR.

		1989 AVERAGES				
CROP	n	RAINFALL	IRRIGATION	APPLIED[1]	ETO[2]	DEFICIT[3]
ALFALFA	11	9.6	8.4	17.9	28.0	-10.1
BARLEY	2	6.1	5.9	12.0	26.9	-14.8
GRASS	3	6.7	13.3	20.0	27.5	-7.5
OATS	1	5.1	6.0	11.1	25.0	-13.9
POTATOES	2	5.9	12.1	17.9	25.8	-7.9
SPRING WHEAT	7	6.3	10.8	17.1	25.0	-7.9
WINTER WHEAT	3	4.3	5.7	10.0	25.0	-15.1

		1990 AVERAGES				
CROP	n	RAINFALL	IRRIGATION	APPLIED	ETO	DEFICIT
ALFALFA	21	6.0	10.3	16.3	27.0	-10.7
BARLEY	7	4.7	3.1	7.8	8.3	-0.5
OATS	1	4.2	3.0	7.2	8.5	-1.3
POTATOES	2	5.0	15.7	20.7	21.0	-0.3
SPRING WHEAT	2	3.4	8.2	11.6	9.6	2.1
WINTER WHEAT	14	3.3	7.1	10.5	10.8	-0.3

		1991 AVERAGES				
CROP	n	RAINFALL	IRRIGATION	APPLIED	ETO	DEFICIT
ALFALFA	9	7.1	10.6	17.7	27.8	-10.1
BARLEY	5	7.2	2.5	9.7	13.9	-4.1
CLOVER	1	4.6	8.7	13.3	20.0	-6.7
CORN	1	4.9	7.3	12.1	15.5	-3.4
GRASS HAY	4	6.6	19.0	25.5	27.5	-1.9
OATS	2	5.5	5.0	10.5	18.5	-8.0
POTATOES	2	2.6	8.2	10.8	15.7	-4.9
SPRING WHEAT	2	5.9	4.4	10.3	13.9	-3.7
WINTER WHEAT	3	6.1	5.8	11.9	14.3	-2.4

		1992 AVERAGES				
CROP	n	RAINFALL	IRRIGATION	APPLIED	ETO	DEFICIT
ALFALFA	9	7.5	11.8	19.2	27.1	-7.9
BARLEY	3	5.3	3.0	8.2	15.5	-7.3
CORN	2	3.1	6.0	9.1	14.8	-5.7
GRASS HAY	5	5.9	14.6	20.4	26.6	-6.2
OATS	1	3.2	4.5	7.7	13.1	-5.4
POTATOES	3	4.0	8.6	12.6	17.4	-4.8
SPRING WHEAT	1	3.5	4.3	7.8	14.5	-6.7
WINTER WHEAT	4	5.0	9.8	14.8	16.1	-1.3

[1] TOTAL H20 APPLIED = RAINFALL + IRRIGATION

[2] ETO = POTENTIAL CROP WATER USE (EVAPOTRANSPIRATION)

[3] DEFICIT = TOTAL H20 APPLIED - ETO

APPENDIX B6 AVERAGE RAINFALL, IRRIGATION, CROP WATER USE (ETO), AND DEFICIT, IN INCHES, FOR EACH CROP USING DATA FROM ALL YEARS (1989 TO 1992)

			COMBINED YEAR AVERAGES				
CROP	n	RAINFALL	IRRIGATION	RANGE APPLIED	APPLIED[1]	ETO[2]	DEFICIT[3]
ALFALFA	50	7.5	10.2	8.9 - 26.5	17.8	27.5	-9.7
BARLEY	2	5.8	3.6	3.3 - 15.4	9.4	16.1	-6.7
CLOVER	1	4.6	8.7	13.3	13.3	20.0	-6.7
CORN	3	4.0	6.6	8.5 - 12.1	10.6	15.1	-4.5
GRASS HAY	12	6.4	15.6	15.3 - 25.6	22.0	27.2	-5.2
OATS	5	4.5	4.6	5.9 - 15.2	9.1	16.3	-7.2
POTATOES	9	4.4	11.1	9.2 - 28	15.5	20.0	-4.5
SPRING WHEAT	12	4.8	6.9	6.2 - 22.3	11.7	15.7	-4.0
WINTER WHEAT	24	4.7	7.1	6.5 - 18.8	11.8	16.5	-4.8

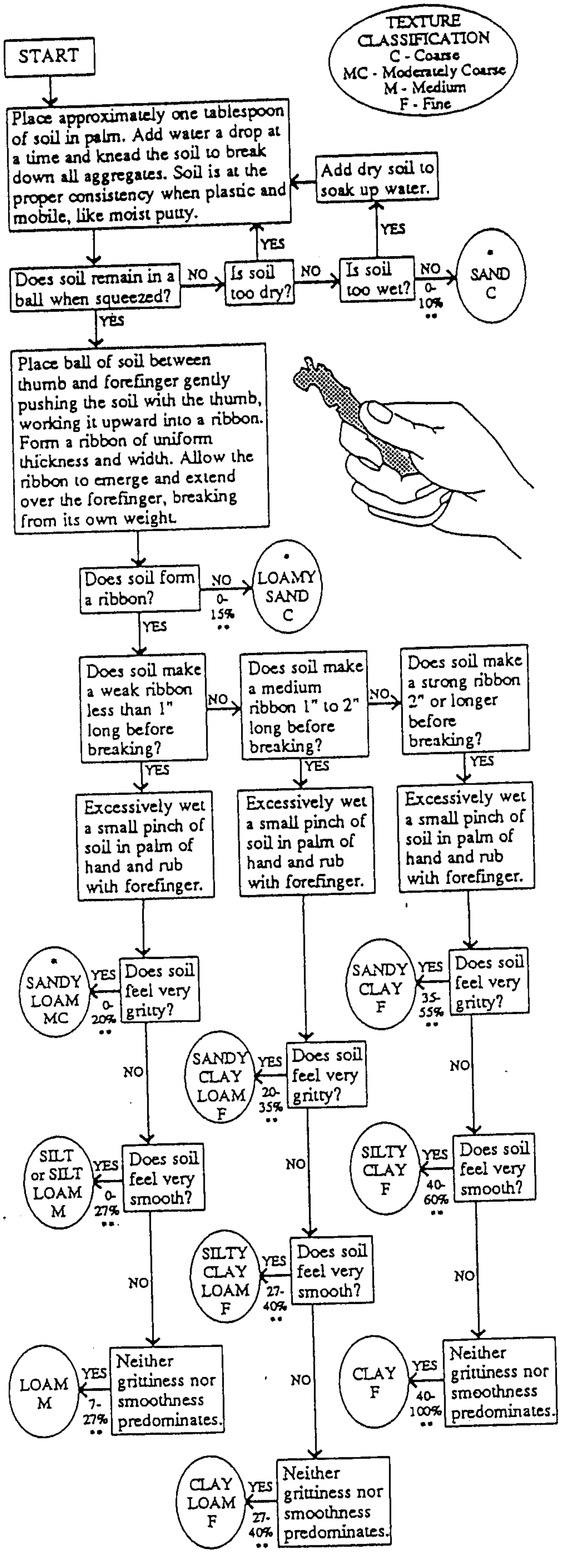
1 TOTAL H20 APPLIED = RAINFALL + IRRIGATION

2 ETO = POTENTIAL CROP WATER USE (EVAPOTRANSPIRATION)

3 DEFICIT = TOTAL H20 APPLIED - ETO

APPENDIX C. GUIDES FOR DETERMINING AWHC

Determining Soil Texture by the "Feel" Method



TEXTURE CLASSIFICATION
C - Coarse
MC - Moderately Coarse
M - Medium
F - Fine

START

Place approximately one tablespoon of soil in palm. Add water a drop at a time and knead the soil to break down all aggregates. Soil is at the proper consistency when plastic and mobile, like moist putty.

Does soil remain in a ball when squeezed? NO → Is soil too dry? YES → Add dry soil to soak up water. NO → Is soil too wet? YES → Add dry soil to soak up water. NO (0-10% **) → *SAND C

YES → Place ball of soil between thumb and forefinger gently pushing the soil with the thumb, working it upward into a ribbon. Form a ribbon of uniform thickness and width. Allow the ribbon to emerge and extend over the forefinger, breaking from its own weight.

Does soil form a ribbon? NO (0-15% **) → *LOAMY SAND C

YES → Does soil make a weak ribbon less than 1" long before breaking? NO → Does soil make a medium ribbon 1" to 2" long before breaking? NO → Does soil make a strong ribbon 2" or longer before breaking?

YES → Excessively wet a small pinch of soil in palm of hand and rub with forefinger.

Weak ribbon:
Does soil feel very gritty? YES (0-20% **) → *SANDY LOAM MC
NO → Does soil feel very smooth? YES (0-27% **) → SILT or SILT LOAM M
NO → Neither grittiness nor smoothness predominates. YES (7-27% **) → LOAM M

Medium ribbon:
Does soil feel very gritty? YES (20-35% **) → SANDY CLAY LOAM F
NO → Does soil feel very smooth? YES (27-40% **) → SILTY CLAY LOAM F
NO → Neither grittiness nor smoothness predominates. YES (27-40% **) → CLAY LOAM F

Strong ribbon:
Does soil feel very gritty? YES (35-55% **) → SANDY CLAY F
NO → Does soil feel very smooth? YES (40-60% **) → SILTY CLAY F
NO → Neither grittiness nor smoothness predominates. YES (40-100% **) → CLAY F

- * Sand particle size should be estimated (very fine, fine, medium, coarse) for these textures. Individual grains of very fine sand are not visible without magnification and there is a gritty feeling to a very small sample ground between teeth. Some fine sand particles may be just visible. Medium sand particles are easily visible. Examples of sand size descriptions where one size is predominant, are: very fine sand, fine sandy loam, loamy coarse sand.

** Clay percentage range.

Adapted from Montana Irrigation Manual, USDA Soil Conservation Service, Bozeman, MT.

Estimate AWC by Soil Texture.

From the following table, estimate inches of AWC per foot of soil according to its texture, and jot it down (see the chart on page 11). Generally, clay soils can hold more water than sandy soils.

Soil AWC (Rough Estimate)

Soil Texture	Inches Water per Foot of Soil (range)	(typical)
Coarse Sand	0.1 - 1.2	0.5
Sand	0.1 - 1.4	0.5
Fine Sand	0.5 - 1.4	1.25
Very fine sand	0.7 - 1.4	1.25
Loamy coarse sand	0.5 - 1.7	1.0
Loamy sand	0.5 - 1.7	1.0
Loamy fine sand	0.7 - 2.2	1.25
Loamy very fine sand	0.7 - 2.2	1.25
Coarse sandy loam	0.7 - 1.9	1.25
Sandy loam	1.0 - 2.2	1.5
Fine sandy loam	1.2 - 2.2	1.5
Very fine sandy loam	1.4 - 2.6	2.0
Loam	1.4 - 2.6	2.0
Silt loam	1.4 - 2.9	2.0
Silt	1.4 - 2.6	2.0
Sandy clay loam	1.4 - 2.6	2.2
Clay loam	1.4 - 2.9	2.2
Silty clay loam	1.4 - 2.9	2.2
Sandy clay	1.2 - 2.9	2.0
Silty clay	1.2 - 2.6	2.0
Clay	1.4 - 2.6	2.0

Adapted from Montana Irrigation Manual, USDA Soil Conservation Service, Bozeman, MT.

APPENDIX D. IRRIGATION SCHEDULING DATA

Approximately 2000 pages of field notes and irrigation scheduling data from this project is available by contacting the Flathead Joint Board of Control.

APPENDIX E. AGWATER COMPUTER PROGRAM BASIC INSTRUCTIONS

AGWATER is a computer program designed to help you better understand your irrigation system and its management. The irrigator first answers a series of questions about his system, crop, and soils. The irrigator then tells the computer when he irrigates and the computer estimates and displays the resulting soil moisture pattern. A more detailed explanation of AGWATER is attached.

IMPORTANT KEYS

Review the attached sheet for the operation of important keys.

RUNNING AGWATER

1 SELECT YOUR CLIMATIC AREA - AGWATER inputs your local rainfall and evapotranspiration information from its files.

2 SELECT YOUR SOIL TYPE - AGWATER inputs your soil information including available water holding capacity and infiltration rates. You may select a soil texture (loam, clay, etc.) or a specific soil series name from the local SCS soil survey (Moeise, Polson, etc.).

3 SELECT YOUR CROP - AGWATER inputs crop information including seasonal moisture use, height and rooting depth.

4 SELECT YOUR IRRIGATION METHOD - AGWATER leads you through a discussion of your system including system type, pressures, nozzles, spacings and other factors.

5 SELECT "NO" UNDER PG$E POWER SCHEDULE - This section is for irrigation customers of Pacific Gas and Electric.

6 SELECT AN IRRIGATION SCHEDULE - This is when things get fun. You now set up you irrigations on a calendar and the computer shows you in color what happens to your soil moisture conditions.

Since irrigation water is not applied evenly over the entire field, the computer displays "average" , "wettest" and "driest" conditions.

The crop root zone is divided into 4 layers with a bucket of water representing each layer. If more water is applied than the root zone soil can hold, the excess is displayed as "deep percolation".

You will generally start by indicating the average number and dates of your irrigations. The computer will then show you what happens to your soil moisture under your current practices.

Now you are ready to play all kinds of "WHAT IF" games such as:

** What if I never irrigated? When would I run out of water?

** What happens if I change nozzles, pressures or other system components?

** How soon after I irrigate can I irrigate again without excessive deep percolation?

** Should I irrigate that last time?

To save the results of each irrigation schedule or change in conditions, you can either print out a paper copy or save each as a file on computer disk.

SUMMARIES AND REPORTS

AGWATER produces a number of summaries and reports automatically to help you understand your irrigation schedule or system modification. Take a look at these reports and print the ones you find helpful.

FURTHER INFORMATION

For more information use the AGWATER manual especially the sections labeled "AGWATER BASICS" and "HANDMOVE SPRINKLERS".

AGWATER©

The AGWATER© program is an interactive learning/teaching tool regarding agricultural irrigation. AGWATER© is unique in that it effectively combines two important irrigation concepts:

1. Irrigation scheduling
2. Distribution uniformity

When these concepts are presented graphically and in tabular form, a person can quickly grasp the broader concept of on-farm irrigation efficiency.

Information regarding the soils, crop, irrigation method, and irrigation schedule for an actual field is put into the program by responding to questions which have been customized for a wide variety of possible conditions. AGWATER© then graphically shows the user how water is supplied and consumed in three "typical" areas of the field: the spot which receives (1) the least amount of water, (2) the average amount, and (3) the most.

By using AGWATER© for approximately 2-3 hours, a farmer can:

1. Understand the concepts of non-uniformity of irrigation water application.
2. Learn how to improve the uniformity of irrigation water application on a specific field of interest.
3. Do many "what-ifs" regarding irrigation scheduling, by being able to easily change irrigation durations and dates and see the effect on plant stress and deep percolation. This knowledge generally takes years to obtain in the field.
4. Understand plant water uptake, effective root zone, deep percolation, and irrigation efficiency concepts.
5. Select an appropriate PG&E power rate schedule to minimize power bills.

An irrigation expert, after receiving information at an ITRC short course, must customize the library data for local conditions before farmers can use the program with good results. The two libraries contain technical details which the farmers are not expected to understand. An example detail is the identification of the percent of soil moisture depletion at which a particular crop (for a particular soil texture) will begin to suffer a reduction in transpiration. Another example is the need for daily reference crop ET (ETo) for a "normal" year in the area, with an ability to create databases for special climatic years.

AGWATER KEYBOARD USAGE

AGWATER and PG&E Library Programs:

<Page Up>
Move to previous window. Current window contents are saved.

<Page Down>
Move to next window when current window is complete.

<Esc>
Abandon any window or activity. If abandoning current window, move to previous window and lose current window contents.

<Enter>
Same as <Down Arrow> key--moves highlight bar to next field.

<Tab> and <Shift><Tab>
Same as <Down Arrow> and <Up Arrow> keys--moves highlight bar to next and previous field, repectively.

<Spacebar>, <+>, <->
Toggle.

<Backspace>
Within selected field, move blinking cursor back one space and delete previous character.

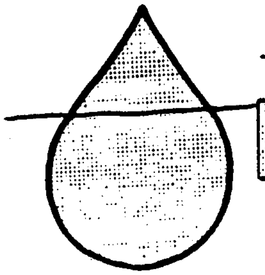
<Delete>
Within selected field, delete current character.

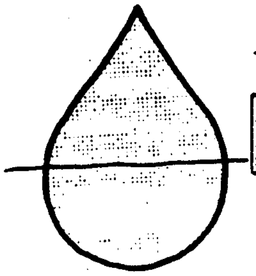
APPENDIX F. EXAMPLE IRRIGATION SCHEDULING FORM

1991 IRRIGATION SCHEDULE

ALL VALUES ARE IN INCHES OF WATER

IRRIGATOR: Tom Grower DATE: 6/7 SCOUT: BD





CURRENT CONDITIONS	**FIELD 1 -** Winter Wheat	**FIELD 2 -** Alfalfa
CROP STAGE:	Flowering	10% Bloom
AWHC:	4	6
CURRENT SOIL MOISTURE LEVEL:	3	3
AMOUNT NEEDED TO REACH FIELD CAPACITY:	1	3

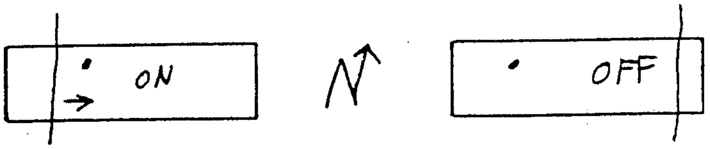
FORECAST OF CROP WATER USE

ESTIMATED CROP WATER USE OVER THE NEXT 7 DAYS:	1.25	1.25
NUMBER OF DAYS UNTIL SOIL MOISTURE IS EXHAUSTED:	25-30	25-30

WEATHER AND IRRIGATION SUMMARY

WEEKLY RAINFALL:	0	0
WEEKLY IRRIGATION:	2.8	0
TOTAL RAINFALL:	2.2	2.2
TOTAL IRRIGATION:	6.3	5.6
INITIAL SOIL MOISTURE:	1.5	2.25
TOTAL WATER SUPPLIED:	10.0	10.05

SYSTEM CONFIGURATION:



NEUTRON PROBE READINGS:

33007	19207	24923	31192	31522	30952
24598	24999	26702	34001	33601	37120
30517			36023	35486	

NOTES:

IRRIGATION HOTLINE 1-800-423-0354

LAND & WATER CONSULTING INC
PO BOX 8254 • MISSOULA, MT 59807 • 406-721-0354 • 721-0355

AWHC - Available Water Holding Capacity - the amount of water the soil will hold in the root zone for plant growth - sandy soils usually hold about 1 inch of water per foot of soil, clay soils usually hold about 2 inches per foot. The root zone depth we manage for is 3 feet for perennial crops (hay and pasture) and 2 feet for annual crops (grain, potatoes, etc.) crops only use a very limited amount of water from deeper depths. Note that the root zone increases for annual crops for about the first two months of growth and decreases in the last month.

CURRENT SOIL MOISTURE LEVEL - The amount of water currently available in the root zone for plant growth. Note that root zones increase for annual crops (grains, potatoes, etc.) or newly planted perennial crops (hay and pasture). Crop yeild begins to be affected when the moisture level falls below about 50% of the AWHC.

AMOUNT NEEDED TO REACH FIELD CAPACITY - The amount of water to apply to fill up the root zone. Any amount over this will result in losing water and chemicals below the root zone. Wait to irrigate until the amount you will apply is less than this amount.

ESTIMATED CROP WATER USE OVER THE NEXT 7 DAYS - This is our prediction of crop water use for the next week based on weather predictions, crop stage and other factors.

TOTAL RAINFALL AND IRRIGATION - Total rain and irrigation since crop growth began this year, usually April 1 for perennial crops in most areas (slightly earlier in Moeise) and since emergence for annual or newly planted crops.

TOTAL WATER SUPPLIED - This is the total amount of water supplied to the crop from rainfall, irrigation and initial soil moisture at the start of the growing season.

SYSTEM CONFIGURATION - This is the position of your system in the field at the time of our visit and whether it was on or not. Please contact us if anything really unusual happens (breakdown after partial irrigation, extremely long or short sets, skipped areas of the field, etc.).

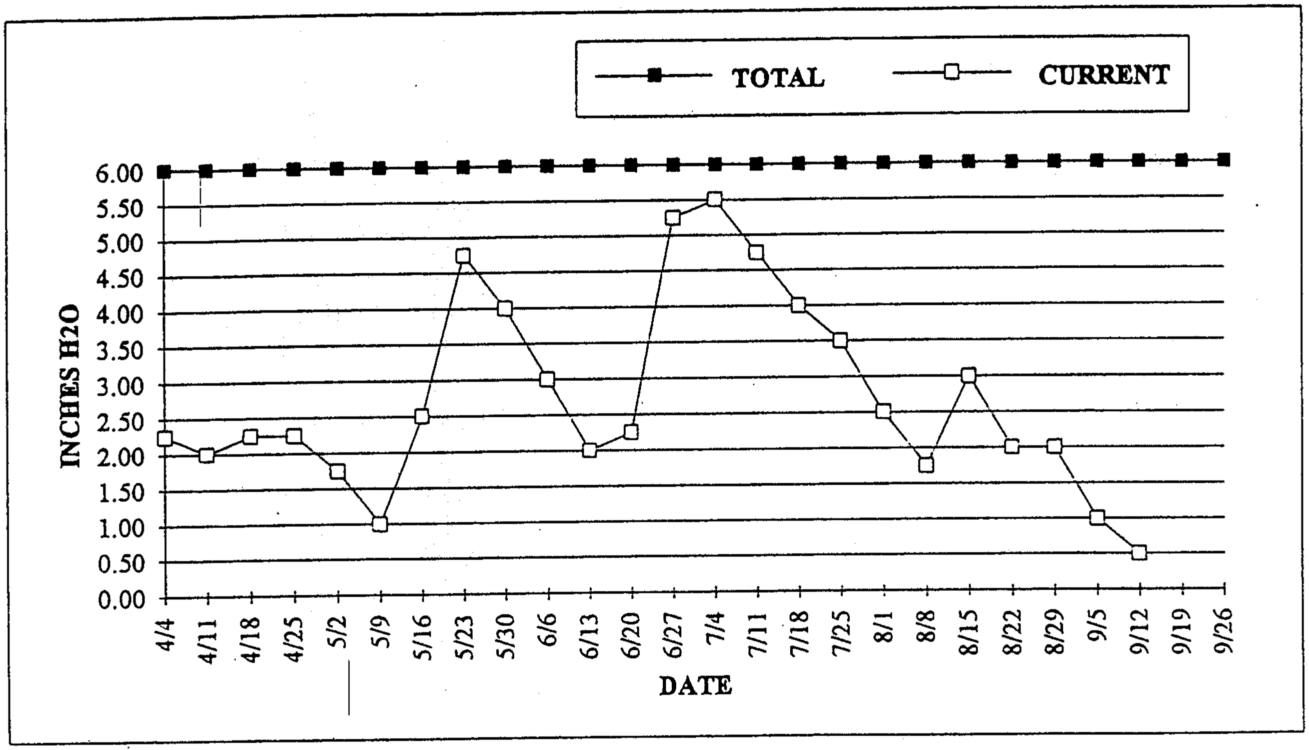
NEUTRON PROBE READINGS - Six spaces are provided for probe readings starting from the surface and reading left to right. Depths are in inches at 8, 12, 18, 24, 30, 36, 42, 48, and 54 inches.

NORTHWEST ALFALFA

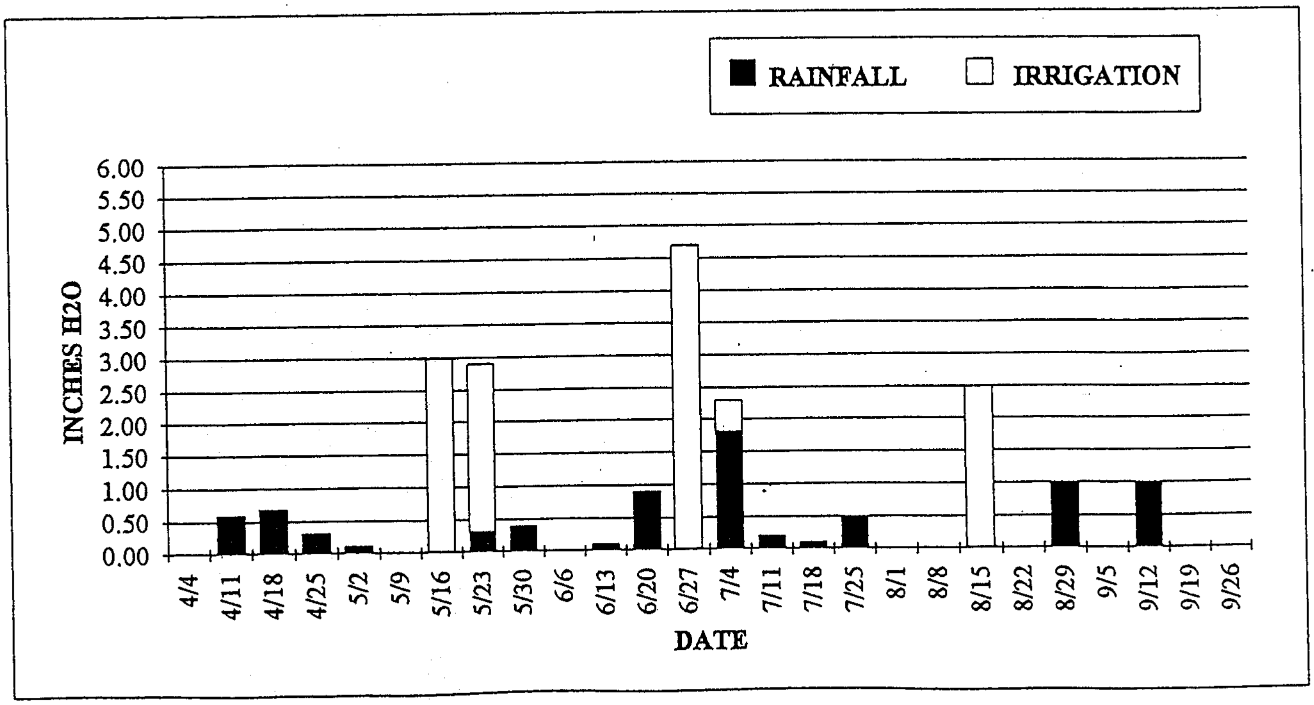
TOTAL AVAILABLE WATER HOLDING CAPACITY AND CURRENT SOIL MOISTURE LEVEL IN INCHES

X CURRENT SOIL MOISTURE

--- 7 DAY FORCAST



RAINFALL (INCHES)

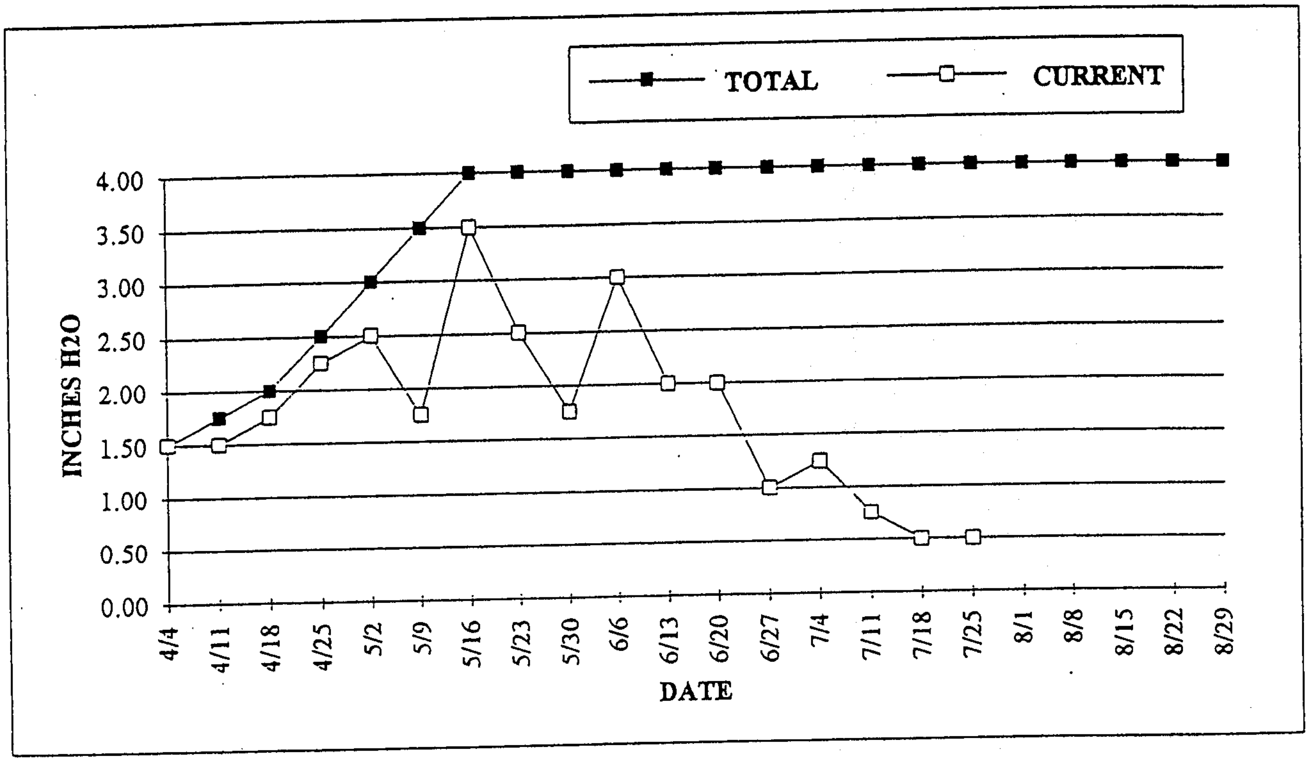


~~1 NORTHEAST WINTER WHEAT~~

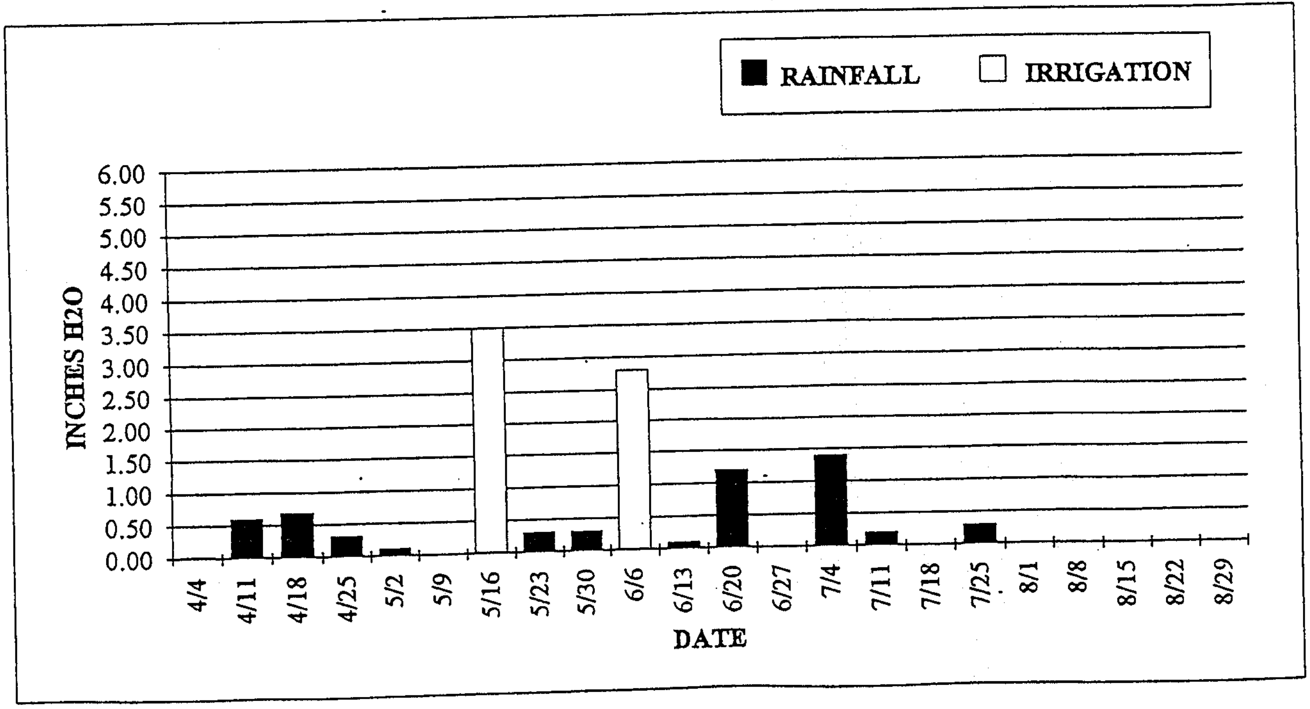
TOTAL AVAILABLE WATER HOLDING CAPACITY AND CURRENT SOIL MOISTURE LEVEL IN INCHES

X **CURRENT SOIL MOISTURE**

- - - **7 DAY FORCAST**



RAINFALL (INCHES)



APPENDIX G. GLOSSARY OF TERMS

deep percolation

APPENDIX H. LIST OF IRRIGATION SCHEDULING PARTICIPANTS

Pat Adley
Barry Baker
Alice Berner
Ken & Lawrence Cornelius
Phil Difani
Marvin Douma
Dan Emerson
Ernie Foust
Bill Halfinger
Ted Hein
Jack Horner
Bill Howell
Jerry Johnson
Jim Johnson
Dick Kerr
Jim & Jeff Knutson
Bill & Kay Largent
Art Mangels
Jon Marchi
Wayne Maughn
Ross Middlemist
Larry Mueller
Jim Nethercott
Warren Perry
Don Petersen
Jerry Roseleip
Ron Roush
Ralph Salomon
David Steindorf
Dean Stipe
George Stonehocker
Bud Strum
Dick & Pat Swartz
Phil Sykes
Chuck Vergeront
Ed Wehrheim
Buddy Westphal

APPENDIX I. CHECKBOOK TYPE IRRIGATION SCHEDULING FORM.

WRITE DOWN AN ESTIMATED CROP WATER USE EACH WEEK (SEE SECTION 2.9) AND ADD UP FOR EACH WEEK SINCE YOU LAST IRRIGATION. SUBTRACT ANY RAINFALL. IRRIGATE WHEN CROP WATER USE HAS EXCEEDED THE AMOUNT YOUR IRRIGATION SYSTEM APPLIES.

WEEK	CROP WATER USE (ETO IN INCHES)	RAINFALL (INCHES)	SOIL MOISTURE DEFICIT/SURPLUS	ALFALFA ETO RANGE (IN)
MARCH				
APRIL				
MAY				
JUNE				
JULY				
AUGUST				
SEPTEMBER				

APPENDIX J. EXAMPLE IRRIGATION SYSTEM ENERGY AUDIT

LAND & WATER CONSULTING INC

PRINCIPALS:
BARRY L. DUTTON
ROSS D. MILLER

PO BOX 8254 • MISSOULA, MONTANA 59807 • 406-721-0354 • FAX: 721-0355

24-June-92

RE: IRRIGATION SYSTEM EFFICIENCY EVALUATION

Attached are the results of your irrigation system efficiency test for your 150Hp system. Results show:

PUMPING RATE	TOTAL DYNAMIC HEAD	PUMPING PLANT EFFICIENCY
1900gpm	164ft	51%

An achievable pumping plant efficiency for your system is 72%. Each pump should be sized for peak efficiency when producing 170ft Total Dynamic Head at 950gpm. This will require 2 60Hp pumps and motors. You can install a single 125Hp pump sized for 170ft head and 1900gpm.

You should convert your pivot system to low-pressure. This will require redesigning your nozzle package and pressure control. Drop tubes will help the application efficiency especially on hot, windy days. The 170ft. total dynamic head above will produce 20 psi for end-gun operation. A booster pump for the endgun will be necessary.

The estimated annual energy savings, if all recommendations are followed, is 18349Kwh/year. Based on current rates, pumping costs can be reduced by $1034.00/year ($2.83/acre).

You are estimated to be eligible for up to $4037.00 of cost share. Glacier Electric Cooperative will cost share your improvements at a 50% rate if there is a measureable reduction in energy use. Otherwise (if energy consumption does not decrease), they will provide a minimum guarantee of $2250.00, also at a 50% rate. After the retrofits are completed, a post-test will be conducted to measure energy reduction. Any modifications to these recommendations can affect the energy savings and cost share. If you choose to accept only a portion of the recommendations please contact me before doing so.

If you wish to apply for the cost share, first contact Roy Nollkamper at Glacier Electric Cooperative (873-5566 or 1-800-347-6795). Thank you for participating and feel free to contact us anytime with any questions that develop.

Sincerely,

John Heffernan

HYDROGEOLOGY • WATER RIGHTS • IRRIGATION • SOIL SCIENCE • PLANNING • FORESTRY

kOG¬d@sOBAG123 1990.1

PUMP TEST AND SYSTEM INSPECTION
Bonneville Power Administration

Name...........:
Address........:
City,State,ZIP.:
Utility........:GLACIER ELECTRIC COOP
Account #......: 26132400
Inspector(s)...:JOHN HEFFERNAN

Inspection #...:GEC-2-92
Inspection Date: 23-JUN-92
BPA Area/Dist..:
Irrig Acres..: 365
Crop Type(s)...:GRAIN

****

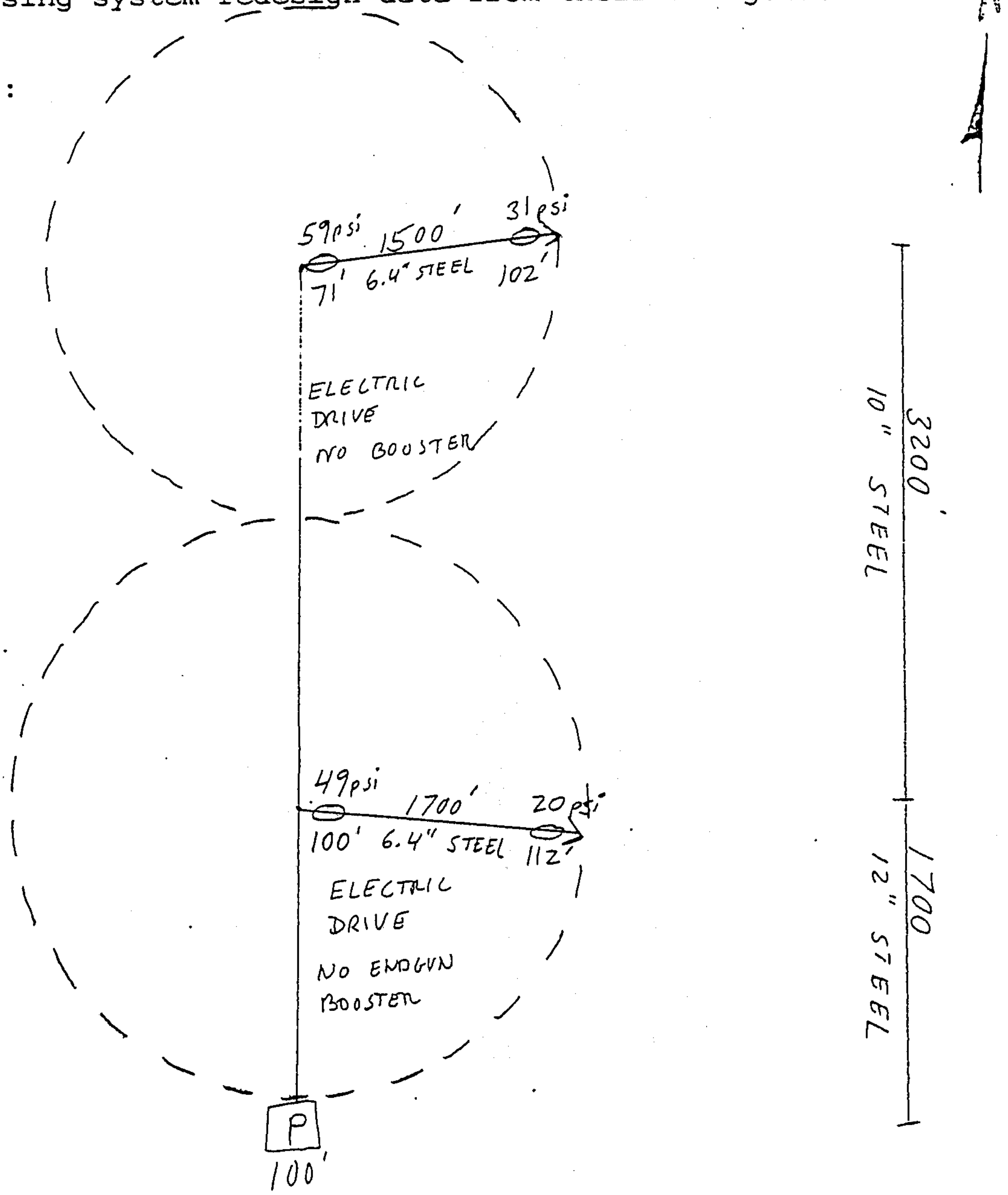
NOTE!! This form is intended to determine which conservation retrofit measures are eligible under Bonneville Power Administration's cost share program. It does not provide accurate system redesign information. Growers retrofitting systems are responsible for obtaining and using system redesign data from their irrigation dealers.

SYSTEM LAYOUT AS TESTED:

SOILS

VGR-L
over
FSL

LL ELEVATIONS ARE
T GROUND HEIGHT.
ADD 12' FOR PIVOT


N
59psi
1500'
31psi
71'
6.4" STEEL
102'
ELECTRIC
DRIVE
NO BOOSTER
3200'
10" STEEL
49psi
1700'
20psi
100'
6.4" STEEL
112'
ELECTRIC
DRIVE
NO ENDGUN
BOOSTER
1700'
12" STEEL
P
100'

0G¬d@s0B

Bonneville Power Administration
INITIAL PUMP TEST FORM

Page 2A

Inspection #...:GEC-2-92

. # of Pumps in System 2

Pump # 1

MAIN BOOSTER SERIES PARALLELX

. MOTOR DATA

1. Make.......:US ELECTRIC
. Frame #....: 365TP
. Rated HP...: 75
4. Rated Volts: 460
. Rated Amps.: 88
. RPM........: 1770
7. Meter #....: 8886

C. PUMP DATA

1. Make.......:JOHNSTON
a Centrifugal:
b Turbine-Sub:X
2. Model #....: 12 CC
3. Serial #...:TJ229
4. Rated Head.: ft.
5. Rated Flow.: gpm
6. Implr Dia..: in.
7. Intake Dia.: in.
8. Intake Len.: ft.
9. # of Stages:
10. Shaft Dia..: in.
11. Airline Len: ft.
12. Airline psi: psi
13. Calc Lift..: 0.0 ft.

. POWER INPUT DATA

. Disc Revolutions...: 10.0
. Meter Constant Kh..: 57.6
3. CTR.................: 1.0
4. PTR/Multiplier.....: 1.0
. Time...............: 18.0 sec
kW Metered= 115.2 kWe

	1-2	1-3	3-2	Average
. Line Voltage.......:				0.0
. Amperage...........:				0.0
8. Power Factor..(%)..:				0.0

kW Measured= 0.0 kWe

E. FLOW AND PRESSURE DATA

. Measurement Device.:COX
. Pipe Inside Diam...: 9.80 in.
3. Pipe Material......:STEEL
. Flow Reading.......: 1900 gpm
. Discharge Pressure.: 67.0 psi

. PUMPING WATER LEVEL AND FRICTION LOSSES

. Pumping Lift.......: 5.0 ft.
2. Suction Head.......: 0.0 ft.
. Gauge in feet......: 0.0 ft. in Mercury= psi =
. Water Level Fluct..: 0.0 ft.
5. Misc Frict Losses..: 4.0 ft.

. EXISTING PUMPING PLANT CHARACTERISTICS

1. Total Dynamic Head.: 164 ft.
. Flow...............: 1900 gpm
3. Water Horsepower...: 78.6 WHP
4. Input Horsepower...: 154.4 EHP
. EST BRAKE HP.......: 139.0 BHP
. Pumping Plant Eff..: 50.9 %

Bonneville Power Administration
INITIAL PUMP TEST FORM

Inspection #...:GEC-2-92

A. # of Pumps in System 2

Pump # 2

MAIN BOOSTER SERIES PARALLEL

B. MOTOR DATA

1. Make.......:US ELECTRIC
2. Frame #....: 365TP
3. Rated HP...: 75
4. Rated Volts: 460
5. Rated Amps.: 88
6. RPM........: 1770
7. Meter #....: 0

C. PUMP DATA

1. Make.......:JOHNSTON
 a Centrifugal:
 b Turbine-Sub:X
2. Model #....: 12 DC
3. Serial #...:TJ228
4. Rated Head.: ft.
5. Rated Flow.: gpm
6. Implr Dia..: in.
7. Intake Dia.: in.
8. Intake Len.: ft.
9. # of Stages:
10. Shaft Dia..: in.
11. Airline Len: ft.
12. Airline psi: psi
13. Calc Lift..: 0.0 ft.

D. POWER INPUT DATA

1. Disc Revolutions...:
2. Meter Constant Kh..:
3. CTR................:
4. PTR/Multiplier.....:
5. Time...............: sec

kW Metered= 0.0 kWe

	1-2	1-3	3-2	Average
6. Line Voltage.......:				0.0
7. Amperage...........:				0.0
8. Power Factor..(%)..:				0.0

kW Measured= 0.0 kWe

E. FLOW AND PRESSURE DATA

1. Measurement Device.:COX
2. Pipe Inside Diam...: in.
3. Pipe Material......:
4. Flow Reading.......: gpm
5. Discharge Pressure.: psi

F. PUMPING WATER LEVEL AND FRICTION LOSSES

1. Pumping Lift.......: ft.
2. Suction Head.......: ft.
3. Gauge in feet......: 0.0 ft. in Mercury= psi =
4. Water Level Fluct..: ft.
5. Misc Frict Losses..: ft.

G. EXISTING PUMPING PLANT CHARACTERISTICS

1. Total Dynamic Head.: 0 ft.
2. Flow...............: 0 gpm
3. Water Horsepower...: 0.0 WHP
4. Input Horsepower...: 0.0 EHP
5. EST BRAKE HP.......: 0.0 BHP
6. Pumping Plant Eff..: ERR %

:0G¬d@sOB

Bonneville Power Administration
LOW PRESSURE RETROFIT OPTIONS
FOR SET SYSTEMS OR PIVOTS

SET SYSTEM # HLines Inspection #...:GEC-2-92
CENTER PIVOT X # WLines

FIELD ELEVATIONS AND RUNOFF ASSESMENT

Highest Irrigated Field Elevation..: 114.0 ft.
Lowest Irrigated Field Elevation...: 60.0 ft.

3. Is Flow or Pressure Control Recommended? yes

Elevation of critical sprinkler as tested..........: 112.0 ft.
5. Potential critical sprinkler elevation.............: 112.0 ft.

Does a runoff problem appear to exist now? yes
7. After retrofit, will there be a runoff problem? no

REQUIRED PRESSURE AT CRITICAL POINT

1. Low Pressure Sprinkler Recommendation......: 20.0 psi
Flow or Pressure control loss (2-5psi).....: 2.0 psi
REQUIRED OPERATING PRESSURE........: 22.0 psi

LATERAL DATA -- If Applicable

	# 1	# 2	# 3	# 4
1. Nozzle Diameter(s)...(in)..:				
2. Average Pressure....(psi)..:				
Flow per Sprinkler..(gpm)..:	0.00	0.00	0.00	0.00
# of Sprinklers............:				
5. Lateral Flow........(gpm)..:	0	0	0	0
		Total Flow =		0

CRITICAL SPRINKLER PRESSURES

First Sprinkler Pressure...........: psi
Last Sprinkler Pressure............: psi
3. LOWEST/AVERAGE/OTHER PRESSURE......: 20.0 psi
4. Mainline Pressure Adjustment.......: 0.0 psi
Elevation Adjustment...............: 0.0 psi
ADJUSTED CRITICAL PRESSURE.........: 20.0 psi

POTENTIAL TOTAL HEAD SAVINGS

	PSI	FEET
1. ADJUSTED CRITICAL PRESSURE................:	20.0	46.2
2. REQUIRED OPERATING PRESSURE...............:	22.0	50.8
POTENTIAL TOTAL HEAD SAVINGS..............:	-2.0	-4.6

OTE! A negative number indicates an increase in pressure is suggested

NOTES ON CALCULATIONS OR RUNOFF:

MAINLINE RETROFIT OPTIONS

Inspection #..:GEC-2-92

NOTE!! These procedures are not sufficient to fully analyze systems with parallel pipe or pump networks.

M. MAINLINE CALCULATION PROCEDURES:

1. Calculate the velocity in each mainline section with laterals positioned for maximum head conditions.
2. Calculate friction loss in each mainline section.
3. Resize (or size for parallel pipeline) all mainline sections with a velocity greater than 7 fps to reduce velocity to less than 5 fps.
4. Calculate the effect these changes will have on total head.
5. Use the PROPOSED flow for the retrofit condition to determine eligibility.

Mainline Section Number	Length (ft)	Inside Dia (in)	C* Value	Flow (gpm)	Velocity (fps)	Hf/100 (ft)	Total Frictn (ft)	Head Redctn (ft)
1. Current	1700	11.80	100	1900	5.57	1.50	25.49	
Retrofit								0.0
2. Current	3200	9.80	100	900	3.83	0.93	29.68	
Retrofit								0.0
3. Current								
Retrofit								0.0
4. Current								
Retrofit								0.0
5. Current								
Retrofit								0.0
6. Current								
Retrofit								0.0
7. Current								
Retrofit								0.0
8. Current								
Retrofit								0.0
9. Current								
Retrofit								0.0
10. Current								
Retrofit								0.0

11. POTENTIAL TOTAL HEAD REDUCTION (sum section 1 thru 10) | 0.0 |

*Steel.: C=100
Alum..: C=120 Hf/100=1054(gpm^1.852)/(C^1.852*dia^4.8655)
*PVC...: C=150
*Other.: See hydraulic handbook

Inspection #...:GEC-2-92

HEAD SAVINGS

¬. ACTION

1. Install low pressure sprinklers or nozzles = -4.6 ft.
2. Retrofit high-energy-loss pipe and fittings
    a. Mainline Friction Loss Savings = 0.0 ft.
    b. Fittings Loss Saving (show work) = 0.0 ft.
    c. Partially Closed Valve Savings = 0.0 ft.
    d. TOTAL (a+b+c) = 0.0 ft.

3. SYSTEM TOTAL HEAD SAVINGS (1+2d) = -4.6 ft.

0. PUMPING PLANTS INFORMATION

. Existing

ump #	TDH	GPM	WHP	EHP	BHP	EFF
1	163.8	1900.0	78.6	154.4	139.0	50.9
2	0.0	0.0	0.0	0.0	0.0	0.0
3	0.0	0.0	0.0	0.0	0.0	0.0
4	0.0	0.0	0.0	0.0	0.0	0.0
5						
6						
TOTAL	164.0	1900.0	78.6	154.4	139.0	

---

2. Proposed

ump #	TDH	GPM	WHP	EHP	BHP	EFF
			E S T I M A T E D			
1	169.0	950.0	40.5	56.3	50.7	72.0
2	169.0	950.0	40.5	56.3	50.7	72.0
3			0.0	0.0	0.0	
4			0.0	0.0	0.0	
5						
6						
OTAL	168.6	1900.0	81.1	112.6	101.4	

. SYSTEM INFORMATION

1. Total Plant Efficiency (existing)=(WHPe/EHPe)*100 = 50.9 %
. Total Plant Efficiency (proposed)=(WHPp/EHPp)*100 = 72.0 %

3. Operating Hours per Year (based on kWh usage)
(Avg kWh/yr)*(Meter Portion)/kWe = 588 Hrs/Yr
. Average Acre Inch per Year (based on kWh usage)
(GPM)*(Op Hrs/Yr)/(452.6 * Acres) = 6.77 Acre inch

Inspection #....:GEC-2-92

Q. HISTORICAL kWh USAGE AND RATE DATA

1. Annual Metered kWh usage

	N/A	Year	kWh
a.		1991	60337
b.		1990	83033
c.		1989	59970
d.	*	1988	24320
e.	*	1987	22530
f.	Average		67780 kWh/Yr

2. Rate Data

a.	HP Charge/month....:	dollars
b.	kWh/hp @ no Charge.:	
c.	Fixed Cost/kWh.....:	4.82 cents
d.	HP Charge/yr.......:	5.00 dollars
e.	Total Nameplate HP.:	150 hp/meter
f.	Average cost/kWh...:	5.93 cents

R. PUMPING PLANT COMPARISONS

		a. INITIAL	b. PROPOSED
1.	Total Head (O1 and O2)	164 FTe	169 FTp
2.	Flow (O1 and O2)	1900 GPMe	1900 GPMp
3.	Pumping Plant Efficiency	50.9 %e	72.0 %p
4.	Input Kilowatts	115.2 kWe	84.0 kWp
5.	Input Horsepower (O1 and O2)	154.4 HPe	112.6 HPp
6.	ESTIMATED BRAKE HORSEPOWER	139.0 BHPe	101.4 BHPp

S. ENERGY SAVINGS, ENERGY CAP AND MINIMUM GUARANTEE

1. Estimated kWh Saved Annually and Estimated Energy Cap:

		ESTIMATED Measure kWh Savings	Eligible Cost Share? (Y/N)	Energy Cap
a.	Low Pressure Savings (N1/R1a)*Avg kWh/Yr =	0	Yes	$0
b.	Mainline Savings (N2a/R1a)*Avg kWh/Yr=	0	No	$0
c.	Fittings Savings (N2b/R1a)*Avg kWh/Yr=	0	No	$0
d.	Flow Savings (Flow diff)*kWh/GPMe=	0	No	$0
e.	Efficiency Savings (Eff diff)*kWh/EFFp =	18349	Yes	$4,037
f.	TOTAL POTENTIAL kWh SAVED AND ENERGY CAP	18349		$4,037

---

2. MINIMUM GUARANTEE = $15 * (Installed Nameplate HP) =
= $15 * (150) = 2250 dollars

NOTE: Due to weather conditions, crop requirements, water levels, usage patterns, etc., the above estimates may vary from year to year.

THIS SYSTEM IS ELIGIBLE FOR THE MEASURES MARKED ABOVE

CENTRIFIC REVISION 3.0

SERIES:W, Y, R, H

PERFORMANCES SHOWN ARE APPROXIMATE WATER PERFORMANCES

CHECK CATALOG FOR FINAL SELECTION

DESIGN POINT 950 GPM 170.00 Ft @ 1775 RPM

ITEM	MODEL	TRIM	%eff	NOMINAL HP	TRIM ANGLE
1	4HH	13.53	81	50	0.0
2	5RB	12.99	78	52	0.0
3	5H	13.11	78	52	0.0
4	4HS	14.24	75	54	0.0
5	6H	13.15	69	59	0.0
6	6RB	13.03	56	73	0.0
7	8H	13.01	49	83	0.0
8	10RB	13.50	29	141	6.5

EFFICIENT BY DESIGN

CORNELL PUMP COMPANY 2323 S.E. Harvester Dr. Portland, Oregon 97222
Phone 503/653-0330 FAX 503/653-0338 TWX 910/453-8377 CORNELL PTL

Appendix B.

Spreadsheet compiled by Bill Greiman, Agricultural Engineer for the Compact Commission, in 2012 for estimating crop water needs and historic use. Spreadsheet is based on the entire period of record for the St. Ignatius and Round Butte Agrimet Stations. This appendix includes only the summary for Round Butte. The entire Excel spreadsheet and related data are available on request.

Greiman, Bill. 2012. Pers. Comm. including conversations, email and spreadsheet data compiled by Mr. Greiman fo
and historic use.

NIR	composit 1-Jan	Round Butte 1-Feb	1-Mar	1-Apr	1-May	1-Jun	1-Jul	1-Aug	1-Sep	1-Oct	1-Nov	1-Dec	Alfalfa Ann NIR	Composite Crop Ann NIR	Alfalfa Ann NIR	Precip Apr - Oct	Effective Precip	ALFM
1989			0.0	0.9	2.7	4.6	5.3	0.7	0.7				15.0	15.0	19.9	11.7	5.6	2
1990				1.4	2.0	4.6	4.7	1.9	1.9				16.6	16.6	21.8	9.4	4.5	2
1991				0.9	1.9	1.7	5.5	2.6	1.3				13.8	13.8	18.5	11.6	5.5	2
1992				0.9	4.3	3.8	4.0	2.1	1.0				16.2	16.2	21.4	11.2	5.3	2
1993					2.7	3.9	1.9	2.1	0.7				11.3	11.3	15.5	13.5	6.0	2
1994			0.0	0.3	2.8	3.9	5.7	3.1	1.5				17.4	17.3	22.2	9.8	3.7	2
1995				0.8	2.5	2.3	4.4	2.4	0.9				13.3	13.3	17.6	11.1	5.0	2
1996					1.5	4.3	6.3	3.3	1.0				16.4	16.4	20.6	8.6	3.7	2
1997					1.5	3.3	4.8	3.0					12.7	12.7	16.6	13.1	5.6	2
1998				0.7	1.7	2.9	4.5	3.2	1.5				14.6	14.6	20.8	10.0	4.9	2
1999			0.6	2.1	3.8	3.9	6.2	2.9	1.8				21.3	20.7	27.5	4.4	2.3	2
2000				0.9	2.8	5.1	5.9	3.7	0.2				18.6	18.6	23.7	7.4	3.5	2
2001				0.4	3.6	2.7	5.4	4.1	2.0				18.2	18.2	24.1	7.2	3.5	2
2002				0.6	1.8	3.4	6.4	3.3	1.5	0.0			17.0	17.0	22.0	7.2	3.6	2
2003				0.9	2.9	4.9	7.3	3.8	1.4				21.3	21.3	26.1	5.6	2.7	2
2004				0.3	1.8	4.6	6.1	2.9	0.5				16.2	16.2	20.2	9.4	4.4	2
2005					3.0	2.2	6.6	3.8	0.5				16.1	16.1	20.2	11.6	4.8	2
2006					2.9	3.7	7.0	3.5	0.7				17.8	17.8	22.6	11.3	4.1	2
2007			0.2	1.4	3.1	4.7	6.5	3.3	1.3				20.7	20.4	26.9	6.1	3.4	3
2008				1.0	3.1	3.8	5.5	2.8	0.9				17.1	17.1	22.2	9.2	4.5	2
2009				0.9	3.9	5.2	5.7	2.6	2.2				20.5	20.5	25.7	5.9	2.6	2
2010				0.6	2.2	2.7	5.3	2.6	0.8				14.2	14.2	19.4	13.4	6.1	2
average			0.0	0.7	2.7	3.7	5.5	2.9	1.1	0.0			16.6	16.6	21.6	9.5	4.3	2

Station	Average Annual Precip. inches	Average Annual Effective Precip. inches	Average Annual Alfalfa NIR inches	Avera Annu Alfa inch
Round Butte (	11.7	8.4	14.1	2

KIMBERLY IDAHO

Peak yield = C1 +C2*ET

Tons/a

Kimberly Idaho

C1 = 0.75

C2 = 0.18

Appendix C.

Appendix A4: Farm Turnout Allowances from the Proposed 2013 Compact.

Appendix A4: Farm Turnout Allowances for the Jocko, Mission and Little Bitterroot Areas

Jocko Area

Hydrologic Condition	*FTA (AF/Ac)*	
Wet Year	1.30	15.6 inches
Normal Year	1.26	15.1
Dry Year	1.28	15.4
Water Right	1.40	16.8

Mission Area

Hydrologic Condition	*Mission FTA (AF/Ac)*	
Wet Year	1.03	12.4 inches
Normal Year	1.07	12.8
Dry Year	1.14	13.7
Water Right	1.40	

Little Bitterroot Area

Hydrologic Condition	*FTA (AF/Ac)*	
Wet Year	1.10	13.2 inches
Normal Year	1.10	13.2
Dry Year	1.14	13.7
Water Right	1.40	

Written Transcript of Meeting with E. Foust (FJBC Ex-Chairman) and Commissioner Tim Orr (Mission District Commissioner)

Attendance:
~ Ed Warheim - Irrigator
~ Everett Foust (Ex-Chairman for the FJBC)
~ Tim Orr (FJBC Commissioner)
~ Joan Krantz (Ex-Irrigation FIP Clerk)
~ David Passieri – Video Recording
~ Trudy Samualson – Written Notes

Flathead Joint Board of Control
P.O. Box 639
St. Ignatius, MT 59865-0639

Time: 8:00 a.m.
Date: February 10, 2015

- **Tim Orr:** Joan, you worked for the project, is that correct? You were the administrative assistant?
- **Joan Krantz:** Yes, actually I was hired in 1975. They had frozen a lot of the government positions, jobs, and the irrigation clerk position had been vacant for one year. Alice Brooks had been there. The Board (FJBC) hired me as the Irrigation Clerk and a secretary for George and Bill Grismeister who was the Water Master in Ninepipe. It was the fall of 75. I worked there for 17 years till 1992 when I went to the Bison Range.
- **Tim Orr:** Now, Everett Foust, you were Chairman of the Flathead Joint Board of Control, is that correct?
- **Everett Foust:** Yes, I was Chairman at that time. The issue was that we were new and we met the requirements according to the law. When 48% of the project construction cost had been satisfied, the mandate of law was that the project shall be turned over to the project users. At that time George Moon was the engineer. We talked to our attorneys and they said we (irrigation districts) needed to turn ourselves into one board. We had quite a struggle; the smaller districts thought that the Flathead District would overrule them. I said No, I thought we were all on board for everybody. Although it was mandated, the BIA would never turn the project over to just three little boards, they had to form the Flathead Joint Board of Control. George Moon, a tribal member came up from the project, he saw that the board needed to be formulated to include an 11 member elected board. We felt that the tribe should have 2 tribal members. We formulated the board at that time and I was elected Chairman.
- **Tim Orr:** Ed, were you also a member of the board?
- **Ed Warheim:** I was not on the board. I was just a farmer, irrigator. We worked our butts off. I tried to stay involved. We used to have meetings once a year in the Moiese Valley and we would try to prepare to get water to the end of the valley and ask the project to treat the moss. We dealt with the same issues year after year with no moss treatment.
- **Tim Orr:** That is one of the reasons we need local control of the project, which is true. Joan, you mentioned earlier that the (irrigator) water rights were supposed to file April 30, 1982. (HB22) The BIA and the FJBC was going to file them? Do you remember?
- **Joan Krantz:** I think originally the BIA was supposed to file them because I, we worked on it for over two years. The Hydrologist was a BIA employee and the engineer was a BIA employee. I was in a BIA position, but I was paid by the districts. We worked over two years on it.
- **Tim Orr:** On the water rights, copying the abstracts and everything on the water rights?

- **Joan Krantz:** Well, yeah. We had the DNRC forms. We had a form for each. I believe they were like a water source, like Mission Creek, Tabor Dam. We would follow it down, the hydrologist and fill out...it was actually by the land not whomever owned it. It was by legal description and there was, if I remember right, at least a couple of boxes. A lot of volume, at least 80 or 90,000 acres and I were concerned when they were not getting filed. Everett and Ray came down. I made a copy in the office. Ray Jenson, who was on the board at that time, came down in the afternoon. Everett can probably tell it better now.
- **Everett Foust:** You're right in the sense because we knew there was a deadline we have to meet. Merle was the project operator at that time and I called Merle Axtell, asking if he had that filed and he said that the Billings had not given permission. I told him that it really had nothing to do with Billings. I said we are filing on behalf of the irrigation project.
- **Tim Orr:** That's important.
- **Everett Foust:** He was a BIA employee but under the understanding that we had, was that the FJBC was hiring him from the BIA to manage the project and that he was really our employee. They were really our employee; all of these people were really our employees. They were getting their money from us. At that time the county was collecting our assessments and I remember that I used to have to sign to turn it over to the BIA since they were providing services. We came down to the deadline, I called board members and Ray Jansen, our Executive Secretary at the time, there was other board members present, although I cannot remember who all was there. I said, Ray, why don't you go and entertain Merle for a little while. I went down into the basement with Joan and told her I was there to get the records and that we were going to take them to Helena to get them filed. She almost ran to the boxes and thrust them into my hands. I took them to my vehicle and then I went back inside to tell Merle what I had done. He was just beside himself because he said they would throw him in jail. I told him that he had nothing to do with it and if there was anyone to blame it would be me. I am not worried about that right now. He called his superior in Billings. They were irate and asked to talk to me. I was glad to talk to him and asked him to give me the phone. As I remember the conversation was very threatening. He said we are going to have you thrown in jail for destroying federal property. I said let me tell you a couple of things. Number 1, you are our employee, not the other way around. Secondly, it is our money, water user money that has collected these water use filings on the entire project. To develop the project, the project land owners placed their land as security to get the repayment done and with that of course they devised at that time they had plans, the irrigators knew we had an engineer and they were a smart group of engineers. They were going to tunnel through the Mission range to tap Glacier Lake and they were phenomenal. So, anyhow, the important part was, the fellow told me they would have me thrown in jail. I told the fellow throw me in jail; I would let the newspapers know how you guys tried to stop the water users from filing their water rights and if you had not filed on their behalf they would have lost them. There was almost dead silence on the other end of the line. I told him I mean it, I would love to have you throw me in jail, I am just about as willful as I can get. He did not call my bluff and he hung up on me. We just forgot it and took the records, at that time Jean Turnage was our attorney at that time and he continued to encourage us to get that filed. I took the records up to him that day and he said he would get them up to Helena that night.
- **Tim Orr:** So Jean Turnage took them over? He was the lawyer for the FJBC?
- **Everett Foust:** He (Jean Turnage) took them over; he was the lawyer for us (FJBC). That is how the filing took place. Otherwise, has we not filed it, I am sure they would not have been filed and we would have lost them. It the same as in this case, if we don't fight, they are going to give away our water rights and nobody is going to have a complaint. My concern is this, I don't like I

say, I hope that I am never accused of being prejudiced, none the less; I have no problem with other people wanting to get everything they can get, but I think that when meeting down at the office and they had the tribal lawyers and the BIA lawyers from D.C. and our lawyers and all the people there and I just said one question to the attorneys, did Uncle Sam commit fraud when he promised the same water to two parties. To me, we should not be fighting amongst ourselves, we should join together instead...do not let the people that caused the problem initially .... If I had to move I would move, but I am not going to give up my water rights. During the war, I went in to fight for my race, for anybody not just myself. I would fight anybody today that would want to take my rights away from me as a citizen. We need to look at it not tribe against non-tribe. It has nothing to do with it; most people want to do the right thing. The question that bothers me is that I am afraid that our legislatures will not do the research that need to take place to know that background. Our attorneys before Jean came on the scene; we (FJBC) had an attorney when I first came on board. I don't know when that was. I am sure with 17 years on the (FJBC) board.........

- **Joan Krantz:** I think you were on the board before 75, weren't you?
- **Everett Foust:** Yes.... There was a big debate if the tribe had the rights to power generation, the beginning of the project, the engineers said that in order to pump water to the reservoir in Pablo they would drill a pin stock, Rocky Mountain Power, later Montana Power, said let us take that site and we will develop a full scale dam and for your interest, we will give you a cheap low cost block of power. It would provide power for the people and the project.
- **Joan Krantz:** They (Irrigators) all had a debt-lien on their land for the repayment of the building of the Project.
- **Everett Foust:** The lawyer at the time said this subject was bigger than him and that the FJBC needed to get the best Water Rights Attorneys in the country. He recommended a firm in D.C. (Sutherland, Asbill & Grath) I said if we lose the battle because the water rights went the other way or the entitlement to that cheap black of power was lost. They not only wanted all future use, but all past use...we would be liable for all uses and somebody would have to pay for it. We decided to hire the firm from D.C. and they would be an excellent source of information for others. We, Ray Jensen and I went to the Dept. of Interior (Meltzer's Office etc.) during the Turn Over, at that time Bill Coldiron, Legal Counsel for Montana Power, was hired to Chief legal counsel for the Dept. of Interior. They had room full of 20 some people, BIA rep, Dept. of Int. rep. – all attorneys representing the various parties. I got up to address the issue of the FJBC operating the Irrigation Project; we met the legal criteria and the legal contract we had with the government to take over the project. We felt we could run the project more efficiently than what had been done in the past and that we were hamstrung because we could not get any appropriations at all. That's another story. There was a young attorney, he got up and rushed to Mr. Coldiron's desk stating that he could have all the paperwork finalized within two weeks. The room was silent. Those in the room were not intending to settle this issue, as proven by the history. We wanted to know our Lien status and we asked them to research it. They came back with a paper that was provided to my FJBC Chairman replacement. In that paper it said that the water users are the beneficial owners of the power and irrigation. Now I'm not a lawyer, I don't know what that entitles me to but it must be pretty important. So, with that said, if that is the case, we must fight to protect those rights for our water users because they are our customers. We when see a threat coming from the outside, that is our method. We represent the whole entire project. Mr. Coldiron invited us into his office after the meeting. He told us he knew Montana but that we would be old men before any of this was ever settled, they did not intend to ever settle it. That upset me. We met with the BIA lawyers about 4 p.m. to give us a date to settle the issue. There were two of them there and they said we know that you are right and you

should be able to get this done, privately, but you are being sabotaged. I told them, but you know it and if I had the power I would lock you all in this room and we would have this settled before the day was out. That is where we left it. There were many blockages after that and they painted the board as unable to operate the project. George Moon, power and irrigation, wanted to buy transformers could not get appropriations for the purchase. The FJBC funded some purchases for the Dublin Gulch Sub Station on George Moon's behalf until he was able to repay it. The FJBC bought transformers and power poles due to the inability to get appropriations. If we had not got the thing paid off, they could have added debt to the loan to perform maintenance to the project. From the power division, the surplus money equal 4 or 6 million dollars was held in a fund and we asked for that money.

Partial Transcript – Amendments forthcoming.

Ben Jo

Flathead Joint Board of Control
P.O. Box 639
St. Ignatius, MT 59865-0639

COMPREHENSIVE REVIEW REPORT

FLATHEAD INDIAN IRRIGATION PROJECT

VOLUME 2 of 3

BACKGROUND
IRRIGATION MANAGEMENT REPORT
FINANCIAL MANAGEMENT REPORT
ENVIRONMENTAL COMPLIANCE REPORT
LEGAL REPORT
POWER CONSULTANT REPORT

PREPARED AT THE DIRECTION OF
THE SECRETARY OF THE INTERIOR

BUREAU OF RECLAMATION
PACIFIC NORTHWEST
REGIONAL OFFICE

U.S. DEPARTMENT OF THE INTERIOR
MARCH 3, 1849

BUREAU OF INDIAN AFFAIRS
PORTLAND AREA OFFICE

OCTOBER 1985

Priorities of Application of Net Power Revenues

The Act of May 25, 1948 (62 State. 269), is fairly specific as to the order of priority in which the net revenues be expended. In Section 2(h) of the Act it provides as follows:

> "(h) All net revenues hereafter accumulated from the power system shall be applied annually to the following purposes, in the following order of priority:
> (1) To liquidate all matured installments of the schedule of repayments for construction costs of the power system;
> (2) To liquidate all matured installments of the schedule of repayments of construction costs of the irrigation system of each division, on an equal per acre basis for all irrigable lands within the division;
> (3) To liquidate unmatured installments of the schedule of repayments for construction costs of the power system which will mature at a date not later than the maturity of any unliquidated installment of irrigation system construction costs;
> (4) To liquidate unmatured installments of the schedule of repayments for construction costs of the irrigation system of each division which will mature at a date prior to the maturity of any unliquidated installment of power system construction costs, on an equal per acre basis for all irrigable lands within the division;
> (5) To liquidate construction costs chargeable against Indian-owned lands the collection of which is deferred under the Act of July 1, 1932 (47 State. 564; 25 U.S.C, Sec. 386a); and
> (6) To liquidate the annual operation and maintenance costs of the irrigation system."

In other words the Act specifies six priorities which shall be followed in applying the net revenues.

The right hand portion of Table 12-1 is organized in columns which are in the order of the priorities listed in Section 2(h) of the 1948 Act. However, there should also be a brief qualification or description.

The first priority, liquidation of matured installments on the power system reimbursable costs, is Column 8.

4-1071
October 1955

3295-62 B. I. A.
1304 Flathead

155762

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS, an Order of the authorized officer of the Bureau of Indian Affairs is now deposited in the Bureau of Land Management, directing that a fee simple patent issue to the claimant Ada Gebeau McKenzie, pursuant to the Act of May 14, 1948 (62 Stat. 236), for the following described land:

Principal Meridian, Montana.

T. 19 N., R. 19 W.,

Sec. 30, E½NW¼.

The area described contains 80 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Land above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever. The land covered by this patent is not liable for any debt contracted prior to this date, as provided by Section 5 of the Act of February 8, 1887 (24 Stat., 388, 389), and the amendatory Acts of May 8, 1906 (34 Stat., 182) and June 21, 1906 (34 Stat., 325, 327).

The land hereby conveyed is subject to a lien, prior and superior to all other liens for the amount of costs and charges due to the United States for and on account of construction, operation and maintenance of the irrigation system or acquisition of water rights by which said land has been or is to be reclaimed and the lien so created is hereby expressly reserved in accordance with the provisions of the Act of May 18, 1916 (39 Stat. 123-140) and May 10, 1926 (44 Stat. 465-466), and the Act of March 7, 1928 (45 Stat. 200-210), as supplemented by the Act of July 1, 1932 (47 Stat. 564-565).

[SEAL]

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the SEVENTEENTH day of APRIL in the year of our Lord one thousand nine hundred and SIXTY-TWO and of the Independence of the United States the one hundred and EIGHTY-SIXTH.

For the Director, Bureau of Land Management.

By Elizabeth B. Hucks
Acting Chief, Patents Section.

Patent Number 1221380

OF MONTANA, COUNTY OF LAKE
RECORDED AT 11:15 O'CLOCK A. M. July 9, 1962
HAZEL KINNICK
BOOK ______ PAGE ______ RECORD
FEE $ 2.00 BY A. Johnson DEP.

U. S. GOVERNMENT PRINTING OFFICE

Congress in such case made and provided, HAS GIVEN AN [illegible] NTED, and by these presents DOES GIVE AND GRANT, unto the said

Mary L. Wyant

and to her heirs, the Tract above described, t [illegible] with the right to the use of water from the Flathead Reclamation [illegible] as an appurtenance to the irrigable lands in said tract; TO HAVE AND TO HOLD the same, together with all the rights, privileges, im [illegible] s, and appurtenances, of whatsoever nature, thereunto belonging, unto the said

Mary L. Wyant

and to her heirs and assigns forever [illegible] to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs us [illegible] nection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; but exce [illegible] ertheless, and reserving unto the United States, rights of way over, across, and through said lands for canals and ditches constructed, or t [illegible] structed, by its authority, all in the manner prescribed and directed by the Act of Congress approved August 30, 1890 (26 Stat., 391 [illegible] ure payment to the United States, or its successors in the ownership or control of the works constituting and appertaining to the said [illegible] n project, of all sums due or to become due the United States or its successors in control of said reclamation project in connection with s [illegible] and water rights, a lien prior and superior to all other liens, claims, or demands whatsoever upon the lands herein and hereby described [illegible] yed, upon all water rights thereto appurtenant, and upon the right to receive and use water from the reservoirs and canals of said reclama [illegible] t, is expressly reserved.

IN TESTIMONY WHEREOF, I, Franklin D. Roosevelt, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the THIRTEENTH day of OCTOBER in the year of our Lord one thousand nine hundred and THIRTY-THREE and of the Independence of the United States the one hundred and FIFTY-EIGHTH.

By the President: Franklin D Roosevelt

By Louise Polk Wilson, Secretary

Ruth Lockett

Recorder of the General Land Office

6—3743

FLATHEAD PUMPS RECORDS

Year	Water pumped (acre-feet)	Power used (million.kwh.)	(af/m.kwh)
1939	9000	3.88	avg.2321
1940	23000	9.91	avg.2321
1941	37802	16.29	avg.2321
1942	2485	1.07	avg.2321
1943	3631	1.56	avg.2321
1944	46683	20.12	avg.2321
1945	20184	8.70	avg.2321
1946	15784	6.80	avg.2321
1947	0	0.00	avg.2321
1948	0	0.00	avg.2321
1949	34115	14.70	avg.2321
1950	10704	4.61	avg.2321
1951	3660	1.58	avg.2321
1952	18056	7.78	avg.2321
1953	32031	13.80	avg.2321
1954	30368	13.09	avg.2321
1955	5546	2.39	avg.2321
1956	1184	0.51	avg.2321
1957	19648	8.47	avg.2321
1958	14271	6.15	avg.2321
1959	0	0.00	avg.2321
1960#	10523	4.456155	2361.453
1961#	14784	6.220119	2376.803
1962#	15486	6.642826	2331.237
1963#	28334	12.128504	2336.150
1964#	0	0.121376	0.000
1965#	0	0.105902	0.000
1966#	14132	6.118725	2309.632
1967#	21110	9.016158	2341.352
1968#	31884	13.591234	2345.924
1969#	17166	7.473335	2296.966
1970	0	0.316191	0.000
1971	10710	4.799191	2231.626
1972	17686	7.769866	2276.230
1973 Drought	64404	27.75	avg.2321
1974	6730	2.90	avg.2321
1975	13589	5.86	avg.2321
1976	0	0.00	avg.2321
1977 drought	59314	25.56	avg.2321
1978	0	0.00	avg.2321
1979	19673	8.48	avg.2321
1980	5764	2.48	avg.2321
1981	0	0.00	avg.2321
1982	0	0.00	avg.2321
1983	0	0.00	avg.2321
1984	8936	4.002976	2232.34
1985	31203	14.163918	2202.99
1986	23642	10.306938	2293.79
1987	22140	9.557634	2316.47
1988 drought	46012	19.83	avg.2321
1989	19818	8.54	avg.2321
1990	5322	2.29	avg.2321
1991*	40305.6	17.24	avg.2321
1992	46275	20.072002	2305.45
1993	5851	2.52	
1994	35000	15.08	

These entries are calculated from Averages.

10yr Avg = 2320.7

*Projected from reported Power Cost.

1985 Instream flows
Flathead Irrigation
has 50,000 Ac Ft
water rights on Flathead
River

Flathead Pumps
have 12,000 Ac Ft
months capasity

20 yr. Avg 37-58 – 16,407 ac.ft.
20 yr. Avg 59-78 – 16,292
16 yr. Avg. 79-94 – 19,371
10 yr. Avg. 85-94 – 27,556 – 68% increase Since I.F.

2,303.82 = 15 yr. avg.

The allotted and unreserved lands are subject to location and entry under the mining laws of the United States. The coal and oil lands are reserved as property of the United States.

Soldiers and sailors (or their widows or minor orphan children) may file declaratory statements for these lands and claim credit for military or naval service as under the general homestead laws. District land office: Coeur d'Alene, Idaho.

(4) FLATHEAD INDIAN RESERVATION, MONT.

The act of April 23, 1904 (33 Stat., 302), provided for the opening of this reservation. Pursuant to the act a registration was held in August, 1909, and from May 2, 1910, to November 1, 1910, the surplus unallotted and unreserved lands (about 451,437 acres) were subject to settlement and entry under the homestead laws only by persons to whom numbers were assigned under the registration. The residue of the lands became subject to settlement and entry under the homestead laws, at their appraised values, from $1.25 to $7 per acre), by any qualified persons, on November 1, 1910. One-third of the purchase price of the land must be paid when entry is made. The balance may be paid in five equal annual installments, beginning one year after the date of entry, unless the entry is commuted. If it is commuted, all the unpaid purchase money must be paid at that time. Some of these lands will be irrigated under the provisions of the act of May 29, 1908 (35 Stat., 444), and entrymen on these lands will be required to pay for water rights in addition to the price of the land. It is not now possible to even estimate what the charges for water, when available, will be, or when the irrigation works will be completed. If an entryman makes three-year proof and does not make final payment of purchase money at that time, final certificates will not issue until final payment is made. If an entryman of a farm unit makes commutation proof, he must pay all the unpaid purchase money at that time, the same as entrymen of the lands which are not to be irrigated under the provisions of said act of May 29, 1908, but final certificate will not issue to him until at least one-half of the irrigable area of the unit has been reclaimed and all the building charges have been paid.

The unallotted and unreserved lands are subject to location and entry under the mining laws of the United States.

Soldiers and sailors (or their widows or minor orphan children) may file declaratory statements for these lands, and claim credit for military or naval service, as under the general homestead laws. District land offices: Kalispell and Missoula, Mont.

(5) ROSEBUD INDIAN RESERVATION (MELLETTE AND WASHABAUGH COUNTIES) AND PINE RIDGE INDIAN RESERVATION (BENNETT COUNTY), S. DAK.

The acts of May 30, 1910 (36 Stat., 448), and May 27, 1910 (36 Stat., 440), provided for the opening of a part of said reservations. The lands have been classified as agricultural lands of the first class, agricultural lands of the second class, grazing lands, and timbered lands. The timbered lands have been reserved for the use of the Indians. Pursuant to said acts a registration was held in October,

1911, and prior to October 1, 1912, the agricultural and grazing lan (about 425,000 acres) were subject to settlement and entry under tl homestead laws only by persons to whom numbers were assigne under the registration. The residue of these lands became subje to settlement and entry, at their appraised values (from $0.25 to per acre), by any qualified persons, at 9 o'clock a. m., on October 1912. One-fifth of the purchase price of the land must be paid whe entry is made. The balance may be paid in five equal annual instal ments, beginning two years after the date of entry, unless the ent is commuted. If it is commuted, all the unpaid purchase mone must be paid at that time. If an entryman makes three-year pro and does not make final payment of purchase money at that time, fin certificate will not issue until final payment is made.

Soldiers and sailors (or their widows or minor orphan childre may file declaratory statements for these lands and claim credit f military or naval service as under the general homestead laws. Di trict land office: Chamberlain, S. Dak.

(6) FORT BERTHOLD INDIAN RESERVATION, N. DAK.

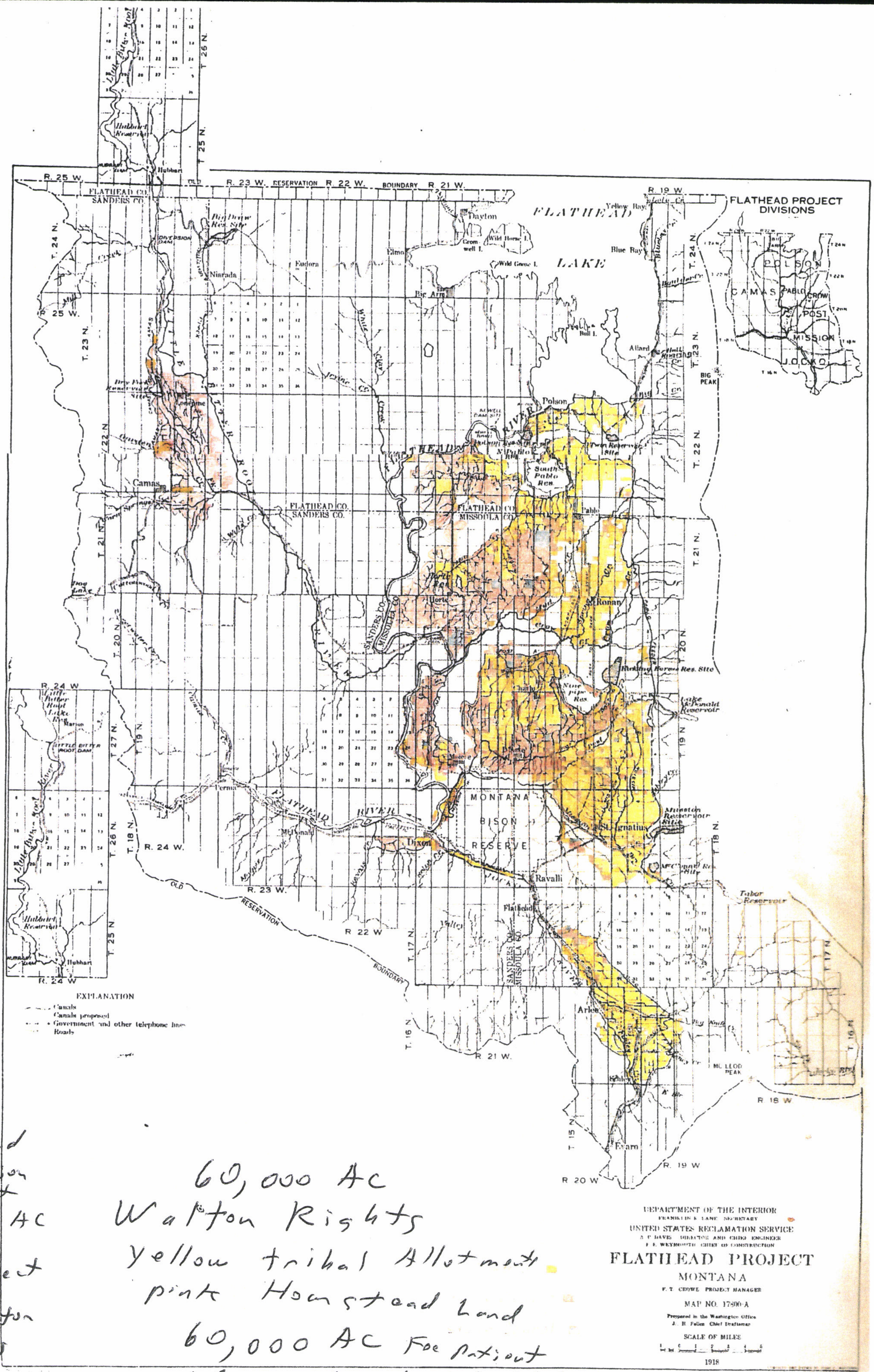
The act of June 1, 1910 (36 Stat., 445), provided for the ope ing of the nonmineral, unallotted, and unreserved land within th part of this reservation which lies north and east of the Missou River. The lands have been classified as agricultural lands of tl first class, agricultural lands of the second class, grazing land timbered lands, and mineral lands. The timbered lands have bee reserved for the use of the Indians. The mineral or coal lands ha been reserved, pending legislation by Congress.

Pursuant to said act, a registration was held in August and Se tember, 1911, and prior to October 1, 1912, the agricultural and gra ing lands were subject to settlement and entry under the homestea laws only by persons to whom numbers were assigned under tl registration. The residue of the lands became subject to settleme and entry at their appraised values (from $1.50 to $6 per acre) any qualified persons at 9 o'clock a. m. on October 1, 1912. On fifth of the purchase price of the land must be paid when entry made. The balance may be paid in five equal annual installment beginning two years after the date of entry, unless the entry is co muted. If it is commuted all the unpaid purchase money must paid at that time. If an entryman makes three-year proof an does not make final payment of purchase money at that time, fin certificate will not issue until final payment is made.

Soldiers and sailors (or their widows or minor orphan children may file declaratory statements for these lands and claim cred for military or naval service, as under the general homestead law District land office: Minot, N. Dak.

(7) COLORADO RIVER INDIAN RESERVATION, ARIZ. AND CAL.

The act of April 21, 1904 (33 Stat., 224), authorizes allotmen of 5 acres of irrigable land to the Indians within this reservatio and the disposal of the surplus irrigable land under the reclam tion act of June 17, 1902 (32 Stat., 388). There is no authorit


FLATHEAD PROJECT DIVISIONS
POLSON
CAMAS
PABLO
CROW
POST
MISSION
JOCKO
FLATHEAD LAKE
Dayton
Elmo
Big Arm
Polson
Yellow Bay
Blue Bay
Wild Horse I.
Cromwell I.
Wild Geese I.
Bull I.
Allard
Hubbart
Hubbart Reservoir
Big Draw Res. Site
DIVERSION DAM
Niarada
Eudora
Dry Fork Reservoir Site
Lonepine
Camas
Hot Springs
Dog Lake
FLATHEAD CO.
SANDERS CO.
MISSOULA CO.
South Pablo Res.
Twin Reservoir Site
Pablo
Ronan
Hillside Res.
Horte
Kicking Horse Res. Site
Ninepipe Res.
Charlo
Lake McDonald Reservoir
Moiese
MONTANA BISON RESERVE
Mission Reservoir Site
St. Ignatius
McDonald Res. Site
Tabor Reservoir
Perma
FLATHEAD RIVER
Dixon
Ravalli
JOCKO RIVER
Flathead
Arlee
Schley
Evaro
McLEOD PEAK
BIG PEAK
Little Bitter Root Lake
Marion
LITTLE BITTER ROOT DAM
OLD RESERVATION BOUNDARY
R. 25 W.
R. 24 W.
R. 23 W.
R. 22 W.
R. 21 W.
R. 20 W
R. 19 W.
R. 18 W
T. 26 N.
T. 25 N.
T. 24 N.
T. 23 N.
T. 22 N.
T. 21 N.
T. 20 N.
T. 19 N.
T. 18 N.
T. 17 N.
T. 16 N.
T. 15 N.

EXPLANATION

Canals
Canals proposed
Government and other telephone lines
Roads

DEPARTMENT OF THE INTERIOR
FRANKLIN K. LANE SECRETARY
UNITED STATES RECLAMATION SERVICE
A. P. DAVIS DIRECTOR AND CHIEF ENGINEER
F. E. WEYMOUTH CHIEF OF CONSTRUCTION

FLATHEAD PROJECT
MONTANA

F. T. CROWE PROJECT MANAGER

MAP NO. 17800-A

Prepared in the Washington Office
J. H. Fellen Chief Draftsman

SCALE OF MILES

1918

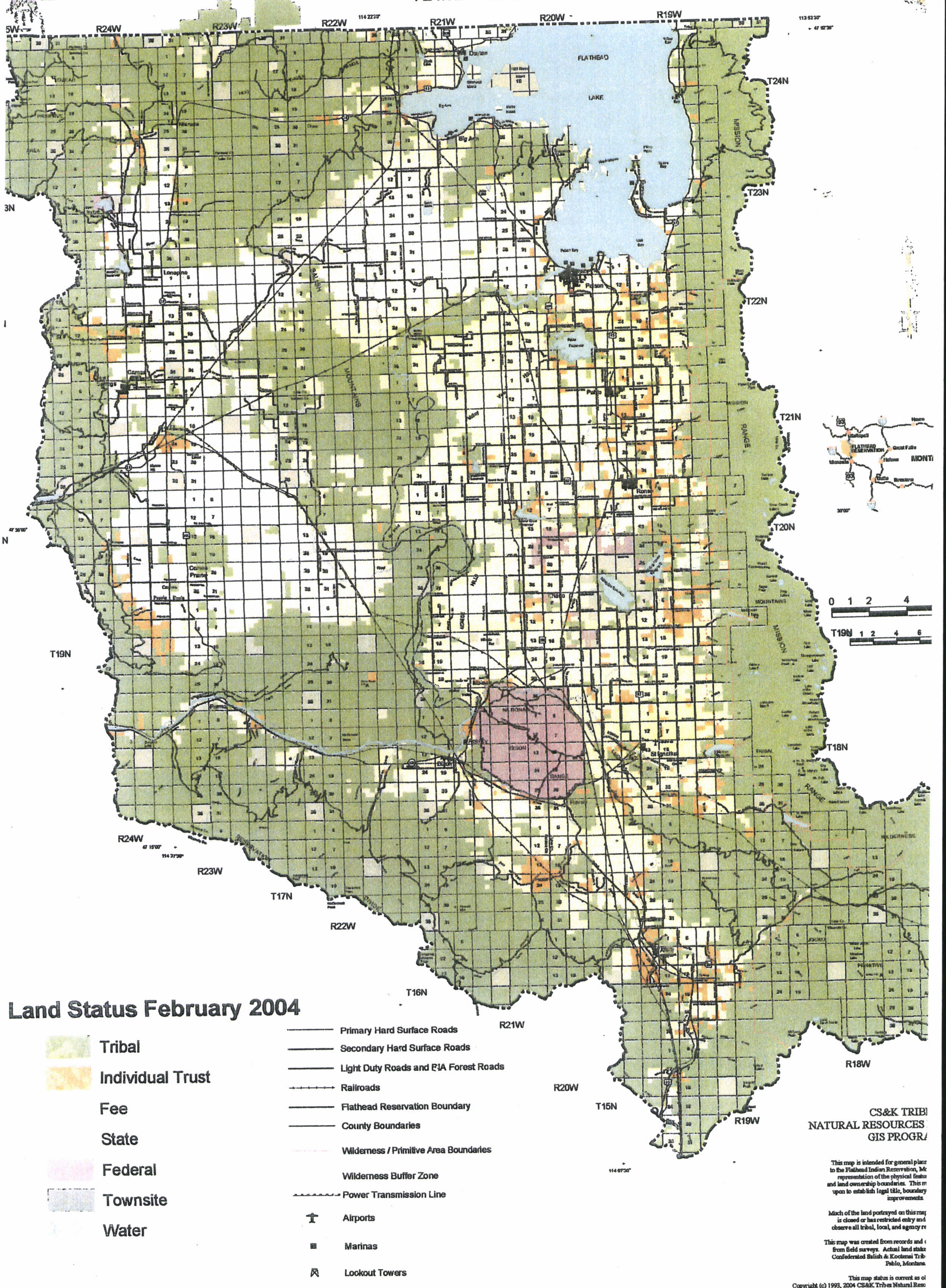
Flathead
Irrigation
Project
121,000 AC

1/2 project
has Walton
Rights

60,000 Ac
Walton Rights
yellow tribal Allotments
pink Homestead Land
60,000 AC Fee Patient

10,000 AC tribal Allotments 2014

THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE
FLATHEAD NATION


R24W
R23W
R22W
R21W
R20W
R19W
R18W
T24N
T23N
T22N
T21N
T20N
T19N
T18N
T17N
T16N
T15N
FLATHEAD LAKE
Dayton
Big Arm
Polson
Pablo
Ronan
St. Ignatius
Arlee
Dixon
Perma
Lonepine
Camas Prairie
Charlo
NATIONAL BISON RANGE
SALISH MOUNTAINS
MISSION RANGE
MISSION MOUNTAINS
FLATHEAD RESERVATION
Kalispell
Missoula
Helena
Great Falls
Havre
Butte
Bozeman
MONT
0 1 2 4
1 2 4 6

Land Status February 2004

- 🟩 Tribal
- 🟧 Individual Trust
- Fee
- State
- 🟪 Federal
- ▨ Townsite
- Water

- Primary Hard Surface Roads
- Secondary Hard Surface Roads
- Light Duty Roads and BIA Forest Roads
- Railroads
- Flathead Reservation Boundary
- County Boundaries
- Wilderness / Primitive Area Boundaries
- Wilderness Buffer Zone
- Power Transmission Line
- Airports
- Marinas
- Lookout Towers

CS&K TRIB
NATURAL RESOURCES
GIS PROGR

This map is intended for general plan
to the Flathead Indian Reservation, M
representation of the physical featu
and land ownership boundaries. This m
upon to establish legal title, boundary
improvements.

Much of the land portrayed on this ma
is closed or has restricted entry and
observe all tribal, local, and agency r

This map was created from records and
from field surveys. Actual land statu
Confederated Salish & Kootenai Trib
Pablo, Montana.

This map status is current as o

Copyright (c) 1993, 2004 CS&K Tribes Natural Reso

Software: EERI ARCMAP (AR
Hardware: DELL Prec
Plotter: Hewlett-Packard De

GUEST COLUMN

Water compact doesn't specify amount for irrigators

BARRY DUTTON

From 1989 to 1992 I measured the actual amount of irrigation water applied to crop plants on the Flathead Indian Irrigation Project (water requirement at the plant). This was part of a program funded by the Bonneville Power Administration and the state of Montana.

Recently, Flathead project irrigators asked me to summarize those historic irrigation measurements and compare them with the amounts proposed in the new compact. My measurements were made in the field with rain gauges to determine the actual amount of irrigation applied and not by remote sensing, satellite data interpretation or other indirect modeling method.

My historic measurements show that local irrigators applied up to 18 inches of irrigation water (at the plant) to alfalfa crops, up to 20 inches to mixed hay crops and up to 24 inches to potatoes. This is the actual amount of water applied to crop plants in the field and does not include rainfall. My original draft of this report unintentionally included rainfall, bringing the total for potatoes to 28 inches, but that mistake has been corrected in the final report. This change did not affect any conclusions.

After summarizing the historic data documenting irrigation applications up to 24 inches, I tried to compare these numbers with the amount offered in the current compact proposal. However, the compact does not actually say how much water individual irrigators will receive. It appears to leave this decision to future irrigation project managers, with no commitment at this time to any historic amount for individual irrigators. Although there is mention about providing historic amounts to irrigators, no actual figures are provided for what irrigators will get.

There are hints of how much water irrigators will receive but this requires significant calculation, far beyond the abilities of most legislators and many irrigators. The proposed compact assigns blocks of water to large geographic areas of the project (river diversion allowances). It does not commit to delivering specific amounts of water to individual irrigators. According to the Department of Natural Resources and Conservation, the RDAs were based on delivering 12-16 inches of water to individual irrigators. This is significantly less water than some irrigators have historically applied.

The RDAs do not seem to consider the efficiency of the delivery system, which is approximately 50 percent efficient. The other 50 percent is lost to seepage and evaporation. It also does not consider the efficiency of the irrigation system. Flood systems are about 50 percent efficient and sprinklers 65-80 percent efficient. When these efficiencies are included, it is obvious that the proposed RDAs cannot satisfy the irrigation amounts I measured in the past.

Paul Guenzler, Flathead Irrigation commissioner, recently criticized my report and indicated that Little Bitterroot Valley Irrigators would receive nearly 2 acre-feet of water (guest column, April 6). This is misleading since this is the amount that would be diverted from the stream and not the amount that would be available to farmers at their fields.

The Flathead Irrigation Project has approximately a 50 percent loss rate in its delivery system, so 2 acre-feet at the diversion becomes 1 acre-foot (12 inches) at the farm turnout. When you consider the efficiency of irrigation systems (50-80 percent), this becomes 6-10 inches delivered to crop plants. This compares with the up to 24 inches I measured in the past.

The proposed compact language is confusing about the amount of water that will be provided to individual irrigators. It does not seem to provide the amounts of water local irrigators used in the past. The amounts appear to be based on models and predictions instead of actual measurements. It leaves the final decision of how much each individual irrigator will receive up to future project managers. There is no clear process for irrigators to provide documentation and obtain their historic water amounts similar to that available to off-reservation water users.

Barry Dutton is a professional soil scientist with Land & Water Consulting in Missoula.

Table 12-1

FLATHEAD INDIAN IRRIGATION PROJECT
Analysis of Implemenation of Repayment Contracts from Power Revenues

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
		Power System Operation and Maintenance						Priorities of Application of Net Power Revenues									
Calendar Year	Gross Power Revenue	Replacement of Existing Plant (Account R-700)	O&M (Account 700)	Total O&M (2+3)	Power System Extension and Improvement (Account 470)	Total Net Power Revenues (1-4-5)	Maturing Installment Due Date	Matured Installment Power System Paid	Matured Installment Irrigation System Paid	Non-Indian Prepaid Construction Cost Credit	Irrigation O&M Credit for Indian-owned Land	Unmatured Installment Power System	Unmatured Installment Irrigation System	Deferred Cost of Irrigation Construction on Indian-owned Land	Annual O&M Costs of Irrigation System	Total Payments from Net Power Revenue (Total 8 thru 15)	Remaining Net Power Revenues after Installment Payments (6-16)
5-26-48 to 12-31-49						$284,175	1-1-50	$57,687	$183,294	$46,169	$32,587					$319,737	$(35,562)
1950						348,899	1-1-51	62,136	176,313	25,766	31,096					295,311	53,588
1951						274,735	1-1-52	68,340	179,233	9,933	31,725					289,231	(14,496)
1952						182,983	1-1-53	72,069	180,497	2,420	30,244					285,230	(102,247)
1953						180,776	1-1-54	78,107	183,163	966	29,337					291,573	(110,797)
1954	N/A	N/A	N/A	N/A	N/A	199,197	1-1-55	83,719	186,085	279	34,993					305,076	(105,879)
								(396,475)								(396,475)	396,475
1955	$684,324					241,247	1-1-56	15,347	191,775	86	31,976					239,184	2,063
1956	718,556	$128,100	$318,831	$446,931	$61,371	210,254	1-1-57	30,501	194,664	735	61,994					287,894	(77,640)
									100,705							100,705	(100,705)
1957	748,698	122,203	365,705	487,908	97,587	163,203	1-1-58	(100,705)	196,807	340	36,779					133,221	29,982
									(410,994)							(410,994)	410,994
1958	764,949	64,890	407,871	472,761	71,000	221,188	1-1-59	31,804	160,985	317	35,598					230,801	(9,613)
1959	810,133	87,020	402,222	489,242	75,768	245,123	1-1-60	31,492	164,035	889	31,977					228,393	16,730
1960	894,094	72,100	456,673	528,773	81,505	283,816	1-1-61	31,276	165,186	252	31,463					228,177	55,639
1961	964,348	95,997	505,080	601,077	57,816	305,455	1-1-62	60,843	166,005	0	30,895					257,743	47,712
									25,674*							25,674*	(25,674)
1962	1,030,443	87,050	569,331	656,381	79,155	294,907	1-1-63	46,990	167,717	146	29,037					243,890	51,017
1963	1,112,250	86,698	792,012	878,710	76,307	157,233	1-1-64	53,072	167,296	124	29,481					249,973	(92,740)
1964	1,172,572	158,036	697,395	855,431	82,990	234,151	1-1-65	49,767	167,563	99	29,238					246,667	(12,516)
1965	1,225,837	195,300	732,994	928,294	83,909	213,634	1-1-66	52,522	167,323	135	29,442					249,422	(35,788)
1966	1,297,069	116,505	723,010	839,515	65,248	392,306	1-1-67	86,134	167,394	89	29,417					283,034	109,272
									1,883*							1,883*	(1,883)
1967	1,302,763	69,479	815,514	884,993	74,569	343,201	1-1-68	94,378	168,092	41	28,767					291,278	51,923
1968	1,284,485	138,665	811,780	950,445	91,749	242,291	1-1-69	84,689	172,541	0	24,359					281,589	(39,298)
1969	1,429,244	62,247	847,559	909,806	63,228	456,210	1-1-70	126,743	173,765	0	23,135					323,643	132,567
1970	1,445,771	117,424	772,762	890,186	94,535	461,050	1-1-71	109,051	174,300	0	22,599					305,950	155,100
1971	1,604,919	128,415	818,280	946,695	55,373	602,851	1-1-72	159,525	174,617	0	22,283					356,425	246,426
									2,455*							2,455*	(2,455)
1972	1,763,537	338,932	727,616	1,066,548	42,817	654,172	1-1-73	179,489	174,729	0	22,171					376,389	277,783
1973	1,865,287	442,439	795,885	1,238,324	77,711	549,252	1-1-74	149,221	174,844	0	22,056					346,121	203,131
1974	1,940,769	697,708	976,766	1,674,474	76,486	189,809	1-1-75	154,968	174,451	0	22,449					351,868	(162,059)
1975	2,154,922	596,756	1,026,527	1,623,283	75,668	455,971	1-1-76	119,072	174,275	0	22,625					304,972	150,999
1976	2,732,544	465,837	1,030,805	1,496,642	68,077	1,167,825	1-1-77	133,701	174,153	0	22,747					330,601	837,224
1977	3,059,657	567,955	1,366,315	1,934,270	70,459	1,054,928	1-1-78	145,640	174,376	0	22,524					342,540	712,388
1978	3,318,703	844,187	1,479,112	2,323,299	59,128	936,276	1-1-79	168,390	174,199	0	22,701					365,290	570,986
1979	3,733,556	885,184	1,638,917	2,524,101	97,659	1,111,796	1-1-80	143,081	174,424	0	22,476					339,981	771,815
1980	3,658,165	1,251,718	2,055,186	3,306,904	63,513	287,748	1-1-81	199,029	174,360	0	22,540					395,929	(108,181)
1981	3,720,671	1,654,014	2,527,093	4,181,107	131,729	(592,165)	1-1-82	137,578	174,499	0	22,401					334,478	(926,643)
1982	4,376,295	805,061	3,435,468	4,240,529	426,402	(290,636)	1-1-83	269,502	174,343	0	22,557					466,402	(757,038)
1983	6,232,740	504,189	5,169,907	5,674,096	486,990	71,654	1-1-84	221,019	174,620	0	22,280					417,919	(346,265)
1984	8,732,852	467,296	5,791,060	6,258,356	470,098	2,004,398	1-1-85	216,493	174,469	0	22,431					413,393	1,591,005

* From State Highway Dept.

EXHIBIT 32
DATE 4/11/15
SB# 262

Chairman Bennett, Members of the Committee:

My name is Ross Middlemist (Ross Middlemist). I am here to talk about the reduction of stock water in the CSKT Compact. Over the past 15 years, we have completed a number of stock water projects on our ranch. These included redeveloping springs, cleaning stock ponds, drilling a well, and pumping water to remote locations. By Montana standards this is not a large ranch, but the costs have exceeded $85,000. There are now 14,000 gallons of storage located in areas where efficient grazing had not been possible. This sounds like a lot of water, but during summer months, a cow and her calf need at least 30 gallons of water daily. Even with these systems and two intermittent streams, we rely heavily on stock water in two irrigation canals that cross the ranch. Losing this canal water, that does not come from storage, will be devastating for our ranch.

According to people that I personally interviewed in 1987, these canals have provided year round water since their completion in the early 1920's. This made previously unusable pasture available to their livestock. Now the CSKT Compact will eliminate this stock water from October to May and put that water towards in-stream flows. If anyone needs stock water before or after these dates, this will be deducted from their irrigation quota, further reducing water available to grow crops. Livestock remain the largest source of income from agriculture on the Reservation. This money is how many of us pay our taxes and water charges for the year.

The Compact will cut our irrigation water by 50-70%. If stock water is subtracted as well, we are crippled even further. We have been told money will be available to make sure our stock has water. While that appears to solve the problem, I know from experience that it took years of planning and hard work to complete what we now have on only a portion of our ranch. I believe the magnitude of providing this stock water has been vastly underestimated and have grave doubts this will be accomplished in a fair and timely fashion. If people are forced to use their domestic wells to serve livestock, this will likely again result in a violation of the Compact. Domestic wells under the Compact are limited to 2.4 acre feet per year as opposed to the current and state wide 10 acre feet per year. This 2.4 acre feet would water only 70-80 pair/day and provide nothing for a home, lawn or garden. The present standard of 10 acre feet waters 300 pair per day.

The issue of losing stock water is one more nail driven into the coffin of agriculture by the CSKT Compact.

Vote NO on this devastating and unconstitutional CSKT Compact, HB 262.

Note:

2.4 acre feet=782,043/year divided by 365=2142 gallons/day divided by 30 gallons/day= 72 pair.

EXHIBIT 33
DATE 4/11/15
SB 262

4-1071
October 1955

3295-62 B. I. A.
1304 Flathead

155762

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS, an Order of the authorized officer of the Bureau of Indian Affairs is now deposited in the Bureau of Land Management, directing that a fee simple patent issue to the claimant Ada Gebeau McKenzie, pursuant to the Act of May 14, 1948 (62 Stat. 236), for the following described land:

Principal Meridian, Montana.

T. 19 N., R. 19 W.,

Sec. 30, E½NW¼.

The area described contains 80 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Land above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever. The land covered by this patent is not liable for any debt contracted prior to this date, as provided by Section 5 of the Act of February 8, 1887 (24 Stat., 388, 389), and the amendatory Acts of May 8, 1906 (34 Stat., 182) and June 21, 1906 (34 Stat., 325, 327).

The land hereby conveyed is subject to a lien, prior and superior to all other liens for the amount of costs and charges due to the United States for and on account of construction, operation and maintenance of the irrigation system or acquisition of water rights by which said land has been or is to be reclaimed and the lien so created is hereby expressly reserved in accordance with the provisions of the Act of May 18, 1916 (39 Stat. 123-140) and May 10, 1926 (44 Stat. 465-466), and the Act of March 7, 1928 (45 Stat. 200-210), as supplemented by the Act of July 1, 1932 (47 Stat. 564-565).

[SEAL]

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the SEVENTEENTH day of APRIL in the year of our Lord one thousand nine hundred and SIXTY-TWO and of the Independence of the United States the one hundred and EIGHTY-SIXTH.

For the Director, Bureau of Land Management.

By Elizabeth B. Hacke
Acting Chief, Patents Section.

Patent Number 1226380

STATE OF MONTANA, COUNTY OF LAKE
RECORDED AT 11:15 O'CLOCK a.m. July 9, 1962
HAZEL KINNICK
BOOK ______ PAGE ______ RECORD
FEE $ 2.00 BY A. Johnson DEP.

U. S. GOVERNMENT PRINTING OFFICE

EXHIBIT 34
DATE 4/11/15
SB 262

April 11, 2015

HONORABLE HOUSE JUDICIARY COMMITTEE

TESTIMONY, PUBLIC HEARING ON S.262

ELAINE WILLMAN, ON BEHALF OF
CAMAS IRRIGATORS

I am Elaine Willman, federal policy consultant here to represent the Camas Irrigation District members who strongly S.B. 262. Judiciary Committee members received a letter from the Camas Irrigators on April 6th describing the vulnerability of their geography, arid lands and complete reliance upon irrigation life support on their lands and for the economic support of two small towns, Lonepine and Hot Springs. Under the best of circumstances these irrigators have no certain as to adequate water availability. Under the purpose and preferences with the Proposed CSKT Compact for increased in-stream flows requiring reduced irrigation deliveries, the Camas Irrigation District is in immediate peril if S.B. 262 passes. In the S.B. 262 the State of Montana is removing the following protections for Camas irrigators and all Montanans impacted by the bill:

1. **State Protection.** Camas irrigators and all affected Montanans lose the complete protection and State authorities over water when the State is a mere signatory to the agreement (See Article I – Recitals of S.B. 262), bound by the agreement to be just a compliant bystander as the Bureau of Indian Affairs executes and rolls out the chaos defined in this proposed Compact. Who do the Camas irrigators turn to when harm occurs, if not their State? Neither the tribe nor the federal government has a legal duty to protect Montana citizens. That IS the job of the State.

2. **Sovereign Immunity.** On pg. 46 of S.B. 262 there is reference to a waiver of state and tribal sovereign immunity specific to the Compact; however the waiver stipulates that neither the State nor Tribe will be liable for compensation, monetary damages, attorneys fees or costs. The legal gymnastics here continue. On pg. 48 there is stipulation that no other content of S.B. 262 constitutes a waiver of tribal or state sovereign immunity. On pg. 76 there is clear stipulation that no commissioner, manager, project operator or any personnel associated with implementation of the CSKT Compact may be sued. So end result is two governments agreeing to be sued, but refusing any liability for compensation of any kind, and stipulating that no officials may be sued either. This fake waiver of state and tribal sovereign immunity is intentionally misleading because it professes a full waiver of sovereign immunity in one section, and few readers would notice the stipulations that nullify and render the waiver moot.

3. **Consent**. The State insured that a non-tribal member would never be governed by a tribal government without individual consent in a landmark case, *Montana v. United States,* USSC, 1981;. The individual consent is removed in the Compact, with the State consenting on behalf of 350,000 Montanans to subject them to tribal governance of the State's life-giving waters in 11 counties.

4. **Winter's Doctrine.** Camas Irrigators support the obvious need and fairness that federal reserved water rights provide for Indiana reservations in accordance with the Winter's Doctrine. That is the principle of compacts of six other tribes in Montana. This CSKT Compact reverses the Winter's Doctrine. Refusing to assess federal reserved water rights for the Flathead Reservation, this Compact captures all waters within 11 counties from rivers, streams, tributaries, claims co-ownership of State waters managed by the MFWP, and claims co-ownership MFWP wetlands.The compact gives it all to the CSKT. But how does a State co-own State waters when the other co-owner is the federal government in Trust for the tribes? This is another scam used as a fall-back plan to the goal of falsely claimed aboriginal and time immemorial rights, should these rights be proved illegal, as they actually are. Co-owning would be sufficient to give the BIA and the Tribe control of additional water rights.

5. **Infrastructure.** Irrigators will be subjected to unwarranted and likely unwise repairs of their infrastructure other the notoriously slow and unprofessional guidance of the BIA. Or worse, the Compact provides for the outright removal their irrigation system at the cost to be paid by the taxes of Camas irrigators themselves and other Montanans, to the tune of $55 million dollars. Under the leadership of the current Governor, the State's role in this Compact as bystander, compliant donor, and dead-beat to its Montana citizens. When the small towns of Lonepine and Hot Springs become the first ghost towns as their surrounding farms and ranches fail, perhaps the State's Executive Branch, will wring its hands and say, "Golly gee, we didn't see that coming." Surely, legislators DO see this coming.

6. NEPA/MEPA. The Camas Irrigators would have been spared the foreboding peril they now live with if the Executive Branch legal counsel had complied with the law by completing an environmental impact statement (EIS). Every governmental project begins with a piece of paper. It is the words, the ink within the paper that create the project that produces the environmental impact. S.B.262 is not exempt from NEPA or MEPA. These are federal and state mandates for federal, state and local government entities, and private sector. A Categorical Exclusion from NEPA means a category of actions which "do not individually or cumulatively have a significant effect on the human environment." (Title 40, Part 1500, at 1508.4). As described in S.B. 262 the enormity of the significant and cumulative effects on the human environment that is 20% of Montana's land and home to 33% of its citizens cannot be understated. To assert that legislation does not require an EIS and that EIS work can come later, if and as desired by the tribe or federal government, is one more abdication of State protections for its people and circumvention of the law.

7. The Big Picture. Tribal governments are hell-bent to un-ring the historic bell of the Allotment Act and Homesteader's Act that legitimately settled the West. The Blackfeet Tribe is busy in this regard as we speak. The current federal Executive Branch has militarized all of its federal agencies such as the BIA, BLM, EPA, USFW, USDA, etc., - - to create debilitated, diminished, and dependent States instead of strong, self-sufficient and free-standing States of the United States, like Montana once was.

The actual *Big Picture* is this reality: a three-way win for the BIA and CSKT: 1) Under the UMO and UMB, also called the Law of Administration, these entities have ultimate authority and control over everything in this Compact; 2) if an irrigator has a problem and files a Complaint, the protracted and biased process can cause the irrigator to lose an entire season or more of his water; 3) Irrigators and stock water users are at ongoing risk of someone confronting them and accusing them of using water illegally.The stop-water process and enormous daily fines can take months and cost severe loss of animal life and income. The theme of this Proposed Compact is the annual and perpetual increase of in-stream flows that will require or terminate available irrigation and stock water. The likely first to fall will be the stock growers, then the crop growers, then the communities, then the lenders, county operating budgets, the removal of property taxes, and the exodus of both tribal and non-tribal persons and their contributions to the economy and quality of life of Montana.

Camas Irrigation District is a premier, precious example of how this country was settled and sustains itself, on the backs of hard-working former, ranchers and cattlemen, utterly dependent upon adequate water. Surely Montana legislators will not allow a negligent State Executive Branch and bullying federal and tribal governments to destroy Montana families, businesses, entire communities and quality of life. Montana Legislators are the last best hope of all Montanans. Should S.B. 262 pass, this process will roll out immediately when six other Montana tribes demand that the State treat them equal to the CSKT, and amend their water compacts across the State. The federal government will then own and control all of Montana's waters that the Supreme Court unanimously declared that "States have the absolute right and authority over all of their navigable waters and the soils beneath them on lands ceded to the State." (Tarrant v. Herrmann, USS, June 2013). The claim of aboriginal or time immemorial rights in light of the States' full ownership of its waters is yet another major flaw in S.B. 262.

On behalf of the Camas Irrigation District, we urge you to hear our plea for your defeat of S.B. 262. Thank you very much.

Elaine Willman, on behalf of
Camas Irrigation District,
Board of Directors
Lonepine, MT.

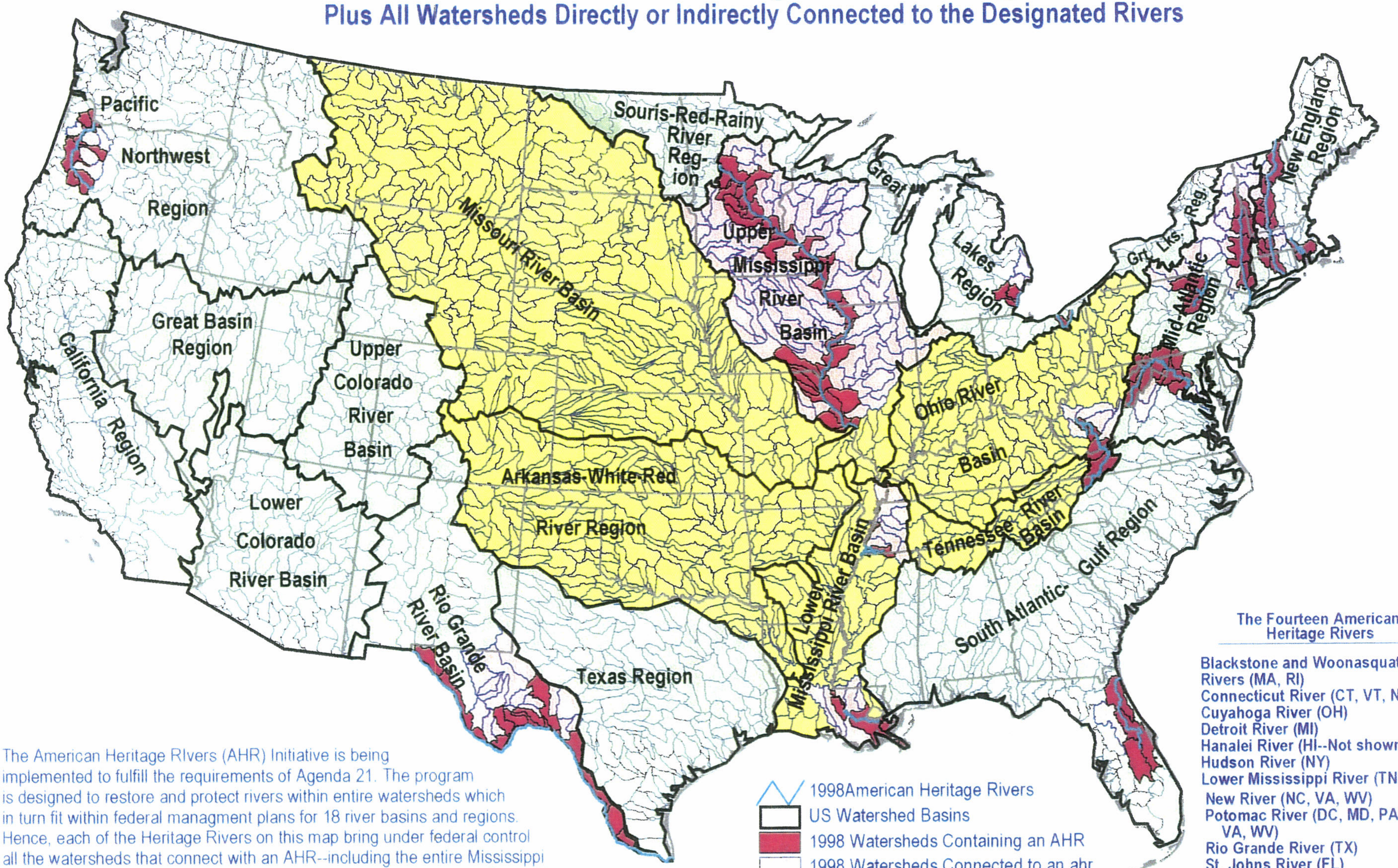
Contact for Elaine Willman
Phone: 509-949-8055
Email: toppin@aol.com

Helen Berger 538-4334

EXHIBIT 35
DATE 4/11/15
SB 262

The 1998 American Heritage Rivers Designations

Plus All Watersheds Directly or Indirectly Connected to the Designated Rivers


Pacific
Northwest
Region
Great Basin
Region
California
Region
Upper
Colorado
River
Basin
Lower
Colorado
River Basin
Rio Grande
River Basin
Texas Region
Missouri River Basin
Arkansas-White-Red
River Region
Souris-Red-Rainy
River
Reg-
ion
Upper
Mississippi
River
Basin
Great
Lakes
Region
Grt. Lks. Reg.
Ohio River
Basin
Tennessee River
Basin
Lower
Mississippi River Basin
South Atlantic-
Gulf Region
Mid-Atlantic
Region
New England
Region

- 1998American Heritage Rivers
- ☐ US Watershed Basins
- 🟥 1998 Watersheds Containing an AHR
- ☐ 1998 Watersheds Connected to an ahr
- 🟨 Watersheds Within the Mississippi Basin Connected to an ahr
- ☐ USGS/EPA-Watersheds (2100 total)

The Fourteen American Heritage Rivers

- Blackstone and Woonasquatucket Rivers (MA, RI)
- Connecticut River (CT, VT, NH)
- Cuyahoga River (OH)
- Detroit River (MI)
- Hanalei River (HI--Not shown)
- Hudson River (NY)
- Lower Mississippi River (TN, LA)
- New River (NC, VA, WV)
- Potomac River (DC, MD, PA, VA, WV)
- Rio Grande River (TX)
- St. Johns River (FL)
- Susquehanna and Lackawanna Rivers (PA)
- Upper Mississippi River (IA, IL, MN, WI, MO)
- Willametter River (OR)

The American Heritage RIvers (AHR) Initiative is being implemented to fulfill the requirements of Agenda 21. The program is designed to restore and protect rivers within entire watersheds which in turn fit within federal managment plans for 18 river basins and regions. Hence, each of the Heritage Rivers on this map bring under federal control all the watersheds that connect with an AHR--including the entire Mississippi River Basin, since all of the basin drains through a designated river. By working through non-elected River Communities and Navigators, the AHR by-passes state and local governments, relegating elected officials to partners with no more input than special interest groups. This destroys the constitutional guarantee of a republican form of government and shifts power from the local and state governments to the federal government. The Hanalei River in Hawaiil is not shown on this map.

From: Council on Environmental Quality, American Heritage Rivers Initiative. Also, go to http://www.epa.gov/OWOW/heritage/rivers.html

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AMERICAN HERITAGE RIVERS INITIATIVE

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The AHRI initiative is a direct product of *Agenda 21* and the President's Council on Sustainable Development (PCSD). Signed by the US during the Earth Summit at Rio de Janeiro in 1992, *Agenda 21* is nothing less than a 40-chapter manifesto to reorganize the world to protect earth using pure socialist principles. The goals and objectives of *Agenda 21* were developed into a US strategy by the PCSD and published in a report entitled *Sustainable America* in 1996.

A Fundamental Shift in the Meaning of Government

Both *Agenda 21* and *Sustainable America* represent a major fundamental change in the role of government in social and land-use policy. Under the concept of sustainability, no longer is the primary purpose of government to serve the people. Rather, the focus of *Agenda 21* and *Sustainable America* is to protect nature *from* people.

Both the PCSD and the Rivers initiative call for individuals, communities, and institutions to work individually and collaboratively as non-elected "partners" and "stakeholders" within a heritage framework based on "natural systems such as a watersheds."

All land-use programs instituted by President Clinton during his administration follow the strategy laid out by the PCSD and *Agenda 21*. An August, 1993, Internal Working Document of the EPA for Ecosystem Management asserts that "Natural resource and environmental agencies ...should...develop a joint strategy to help the United States fulfill its existing international obligations (e.g. Convention on Biological Diversity, Agenda 21).... The executive branch should direct federal agencies to evaluate national policies...in light of international policies and obligations, and to amend national policies to achieve international objectives." In this context, the EPA document also calls for making "ecosystem protection a primary goal of the Agency, on a par with human health."

As called for in the EPA document, the AHRI, and a partner program the Clean Water Initiative, CWI, amends current environmental law to fit the goals and strategies of *Agenda 21* and the biodiversity treaty. Supporting documentation of the biodiversity treaty call for setting aside up to one-half of America into totally protected wilderness reserves which would be interconnected by wilderness corridors up to 30 miles wide—primarily along river corridors! This raises the ugly specter of whether the AHRI and CWI's are but the first step in establishing federal land-use control in and along our nations rivers in order to eventually implement the Biodiversity treaty without ratification.

Magnitude

Executive Order 13061, which authorizes the AHRI, mandates that executive agencies "coordinate Federal plans, functions, programs, and resources to *preserve, protect* and *restore* rivers and their associated resources important to our history, culture, and natural heritage." Supporting documentation in the Federal Register makes it clear that the federal focus is on preserving and restoring the ten rivers, rather than the cultural heritage of the communities along the rivers.

Likewise, the CWI (Federal Register: 11/7/97 (Volume 62, Number 216) calls for setting aside "*2 million miles of buffer strips* protecting waters from agricultural runoff by the year 2002." A 100 foot buffer strip along 2 million miles equals 76,000 square miles (48 million acres), a size equivalent to the entire state of Nebraska or South Dakota! To illustrate the magnitude of this effort, there are 3.5 million miles of rivers and streams in the entire U.S., of which only 450,000 miles are shown on this map.

The CWI also makes it clear that entire watersheds are likely to be impacted by a designation of just a portion of it as an AHR. Since watersheds can cross many state lines, federal planning *will* take in enormous portions of the U.S. landscape. The US Geological Service (USGS) has divided the contiguous U.S. into 18 watershed basins or regions, including six within the Mississippi River basin alone. These eighteen basins are further subdivided into 2100 individual watersheds (see map). *One thousand* of these watersheds will be targeted by the CWI as "critical rural watersheds" for special assistance to "comply with applicable standards" that are consistent with goals for "watershed and basin level planning." The orange and red shaded watersheds on this map are the most likely targets for this effort.

Since the plan for each watershed must fit within the *federal* plan for the entire basin or region, if a portion of the lower Mississippi River is designated as an AHR, or selected as one of the 1,000 watersheds in the CWI, it could theoretically impact over 13 million people living in the states of Missouri, Kansas; Colorado, Iowa, Nebraska, North and South Dakota, Wyoming and Montana included in the Mississippi River Basin!

A Subversion of the U.S. Constitution

Promoted as a plan to "reinvent government", the AHRI and CWI's are touted as "ground up", "community based" efforts under the control of local people. In fact, each step is under the "top down" control of the feds. By definition, a River Community under the AHRI is "self-defined by the members of the community." It can include anyone or anything from private citizens to businesses and NGOs (Non-Governmental Organizations) to local and state government agencies. They are self-appointed, *not elected.*

The Rivers initiative totally subverts the Constitutionalguarantee of a republican form of government where the real "river communities" are the incorporated towns, villages, and counties within each state. The respective governments of each level of community are accountable to the people they govern through the election process. Not so these stakeholder councils or partnerships mandated by both the AHRI and CWI. A River Community within the AHRI could theoretically be made up of nothing more than radical environmental NGOs and 'save nature at any cost' state bureaucrats.

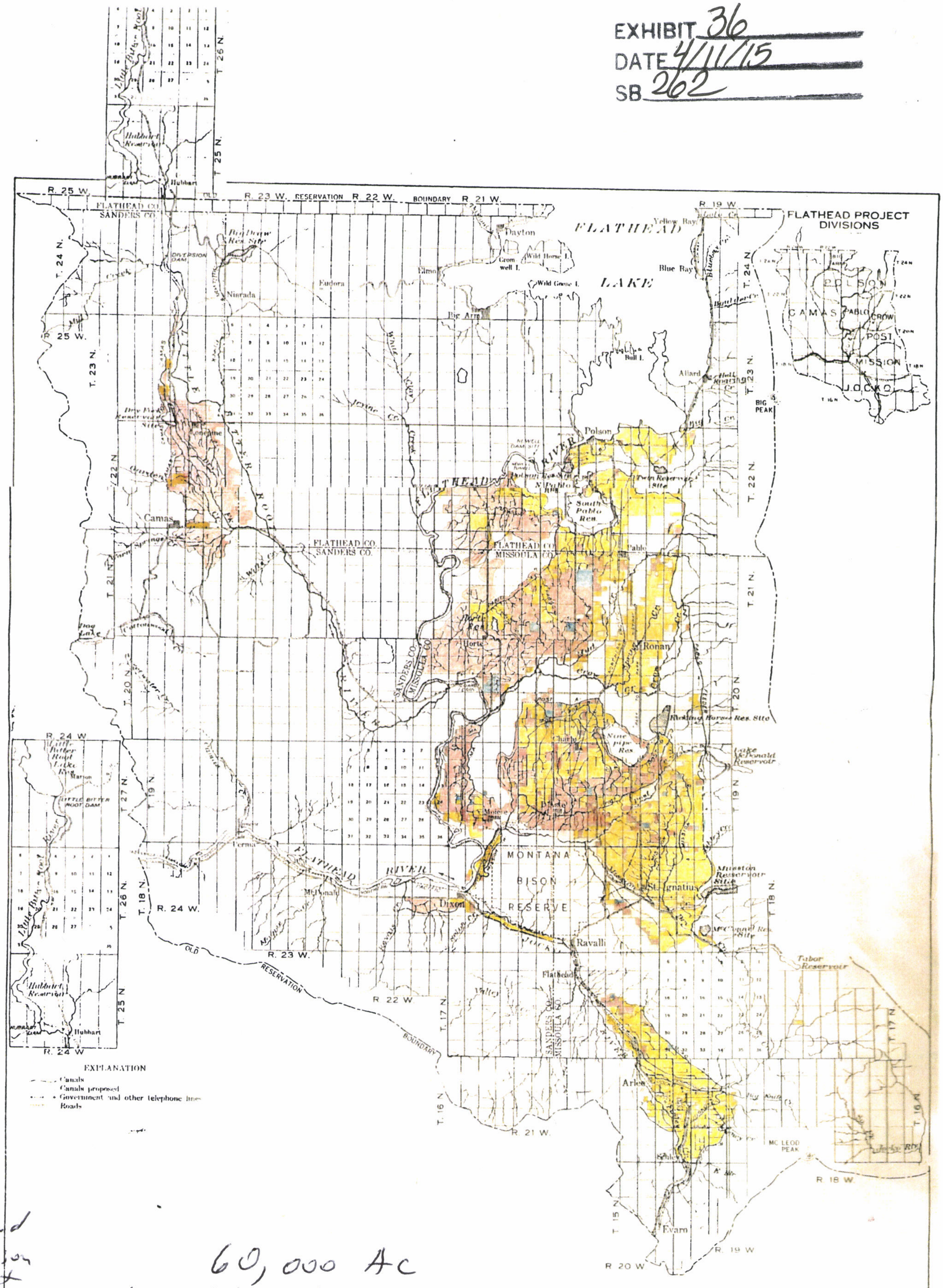
Elected local governments no longer decide what is best for their community. Instead, they are relegated to a minority role in a team of "partners" or "stakeholders" dominated by non-elected special interests who come to the table with personal agendas that are not usually in the best interests of the community. Since team decisions will be made by consensus using the Delphi process, problems will usually be defined in a manner that leads to predetermined protectionist solutions.

If a community flexes too much independence and develops a plan that runs contrary to the wishes of the federal bureaucracy, the AHRI has yet another tool to discipline the recalcitrant government —an appointed "River Navigator." The River Navigator is supposed to function as a single liaison for all federal resources to work with a designated "River Community," thereby simplifying the delivery of federal programs and monies. But there are no checks and balances to ensure that the Navigator works *for* rather than *against* the communities. The Navigator has awesome powers to thwart communities that don't toe the federal line, while rewarding those that do.

The belief that these initiatives are not yet another federal land-use control mechanism is an illusion. They are merely old socialist dogma with fresh paint. ■

— MICHAEL S. COFFMAN, PHD
(207) 945-9878

EXHIBIT 36
DATE 4/11/15
SB 262


FLATHEAD PROJECT DIVISIONS
POLSON
CAMAS
PABLO
CROW
POST
MISSION
JOCKO
FLATHEAD LAKE
FLATHEAD RIVER
LITTLE BITTER ROOT RIVER
JOCKO RIVER
MONTANA BISON RESERVE
RESERVATION BOUNDARY
OLD RESERVATION BOUNDARY
FLATHEAD CO.
SANDERS CO.
MISSOULA CO.
Dayton
Elmo
Polson
Pablo
Ronan
Charlo
Moiese
Dixon
Ravalli
St. Ignatius
Arlee
Evaro
Camas
Niarada
Hubbart
Hubbart Reservoir
Dry Fork Reservoir Site
Big Draw Res. Site
South Pablo Res.
Twin Reservoir Site
Kicking Horse Res. Site
Nine Pipe Res.
Lake McDonald Reservoir
Mission Reservoir Site
McDonald Res. Site
Tabor Reservoir
Big Peak
Mc Leod Peak
R. 25 W.
R. 24 W.
R. 23 W.
R. 22 W.
R. 21 W.
R. 20 W.
R. 19 W.
R. 18 W.
T. 26 N.
T. 25 N.
T. 24 N.
T. 23 N.
T. 22 N.
T. 21 N.
T. 20 N.
T. 19 N.
T. 18 N.
T. 17 N.
T. 16 N.
T. 15 N.
EXPLANATION
Canals
Canals proposed
Government and other telephone lines
Roads
allotted
homestead
state school

DEPARTMENT OF THE INTERIOR
FRANKLIN K. LANE SECRETARY
UNITED STATES RECLAMATION SERVICE
A. P. DAVIS DIRECTOR AND CHIEF ENGINEER
F. E. WEYMOUTH CHIEF OF CONSTRUCTION

FLATHEAD PROJECT
MONTANA
F. T. CROWE PROJECT MANAGER

MAP NO. 17800-A

Prepared in the Washington Office
J. H. Fellen Chief Draftsman

SCALE OF MILES
1 0 1 2 3 4 5

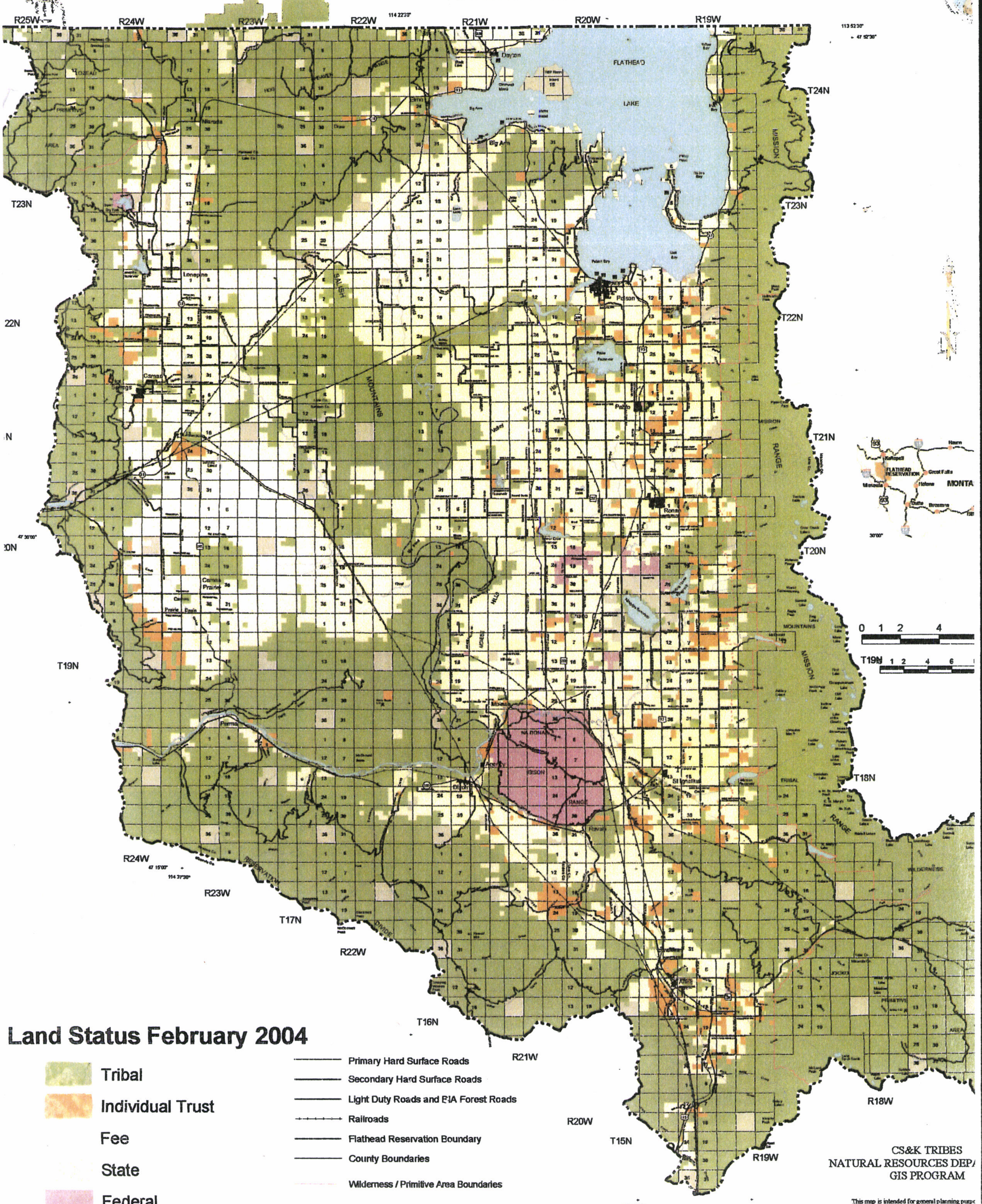
1918

Flathead
Irrigation
Project
121,000 AC

1/2 project
Has Walton
Rights

60,000 AC
Walton Rights
yellow tribal Allotments
pink Homestead Land
60,000 AC Fee Patient
10,000 AC tribal Allotments 2014

THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE
FLATHEAD NATION


R25W
R24W
R23W
R22W
114 22'30"
R21W
R20W
R19W
113 52'30"
47 52'30"
T24N
T23N
T22N
T21N
T20N
T19N
T18N
T17N
T16N
T15N
22N
N
20N
47 30'00"
FLATHEAD
LAKE
Dayton
Elmo
Big Arm
Polson
Pablo
Ronan
Niarada
Lonepine
Hot Springs
Camas Prairie
Perma
Dixon
Moiese
Ravalli
St. Ignatius
Arlee
SALISH
MOUNTAINS
MISSION
RANGE
MISSION
MOUNTAINS
TRIBAL
WILDERNESS
PRIMITIVE
AREA
NATIONAL
BISON
RANGE
RESERVATION
DIVIDE
R24W
47 15'00"
114 37'30"
R23W
R22W
R21W
R20W
R19W
R18W
114 07'30"
0 1 2 4
1 2 4 6
Kalispell
FLATHEAD RESERVATION
Great Falls
Havre
Missoula
Helena
Butte
Bozeman
MONTA
30'00"

Land Status February 2004

- 🟩 Tribal
- 🟧 Individual Trust
- Fee
- State
- 🟪 Federal
- ▨ Townsite
- 🟦 Water

- Primary Hard Surface Roads
- Secondary Hard Surface Roads
- Light Duty Roads and BIA Forest Roads
- Railroads
- Flathead Reservation Boundary
- County Boundaries
- Wilderness / Primitive Area Boundaries
- Wilderness Buffer Zone
- Power Transmission Line
- Airports
- Marinas
- Lookout Towers

CS&K TRIBES
NATURAL RESOURCES DEPA
GIS PROGRAM

This map is intended for general planning purpc
to the Flathead Indian Reservation, Montana. Tl
representation of the physical features, infrast
and land ownership boundaries. This map should
upon to establish legal title, boundary lines or l
improvements.

Much of the land portrayed on this map is tribally
is closed or has restricted entry and travel rule
observe all tribal, local, and agency regulations/

This map was created from records and existing ma
from field surveys. Actual land status is mainta
Confederated Salish & Kootenai Tribes, Titles a
Pablo, Montana.

This map status is current as of February
Copyright (c) 1993, 2004 CS&K Tribes Natural Resources Dep

Software: ESRI ARCMAP (ARCGIS) Vers
Hardware: DELL Precision 530
Plotter: Hewlett-Packard DesignJet 105

BAKER LAND & CATTLE COMPANY

EXHIBIT 37
DATE 4/11/15
SB 262

April 9 2015

RE: Senate Bill 262

Chairman Bennett and members of the committee,

I'm a fourth generation rancher, We make our sole living on our ranch. We have several hundred irrigated acres on the reservation in the flathead irrigation district. I am also previous FJBC water commissioner of six years. We as irrigators didn't have a seat at the table to negotiate the compact for our water rights in our irrigation district .The compact was non negotiable "Take it or leave it".
Currently I am district director for the Montana Cattlemen's Association – An Organization with hundreds of grass root ranching members from across the state. Firm policy concerning the compact was developed to ensure the viability of our ranches and water/property rights this organization does not support the compact as currently written. Senate Bill 262 will have a devastating effect on many ranches and farms.

1) The water right for irrigation and stock water rights in the compact will be turned over to the federal government and put in trust for the tribes. It will take away our water rights on fee patient lands for tribal and nontribal landowners.

2) Almost all of the water we use comes from off the reservation storage. The amount of water will be cut by 50 to 60 percent of our historically use in the current compact and will make a lot of ranchers go broke and out of business, on and off the reservation.

3) The UMB - or law of administration. Will not protect Montana citizens under our state constitution. Why are we different from the rest of the state on water law. All water in the state belongs to the state and it's citizens not the Feds or the tribe. What court will we go to if we are not protected by your state constitution?

5) There is a hollow threat of 10,000 claims being amassed and taken to state water court. These are likely to be Jr.Rights, as they were never adjudicated through the state water court or the DNRC. This claims pertain to water that has already been filed on by Montana citizens both tribal and non- tribal.

6) There is no fiscal accountability for the money that the state will have to pay to the federal government for the CSKT tribes to settle this abomination.

7) With the project reverting back to the hands of the BIA we saw great change in the operations and expense. They were implementing the compact before it was passed into Law. The delivery amount was cut substantially and we had to fight for our historical use of water. The manpower was cut by 50% with the maintenance not being done. There was not any place or organization to handle our disputes. This is just a small taste of how the compact will be implemented. This will be devastating to farms and ranches in the future of staying in business.

Thank you,
Jim Baker
Baker Land & Cattle

99 Baker RD
Hot Springs MT 59845
Phone: 406 741-3680

E-Mail: bakerlandcattle@icloud.com

EXHIBIT 38
DATE 4/11/15
SB 262

①

Thomas A. Lozeau Jr. C.S.&K.T. Member
I oppose S.B. 262-It is Unconstitutional to Tribal Members & Non-Members.

The United States of America Constitution contains Due process of the Law in Amedments ~~#~~ 5 & 14.

By Laws-Article I-The Tribal Council: Section 6. requires each member of The Tribal Council to support and defend the Constitution of the United States and the Tribal Constitution & By Laws.

Pg. 12 Tribal Constitution, "All rules and regulations heretofore promulgated by the Interior Dept. or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution or By Laws are here by declared inapplicable to the Confederated Salish and Kootenai Tribes of the Flathead Reservation", "All officers and employees of the Interior Dept. are ordered to abide by the provisions of the said Constitution and By Laws". In compatible to me equals "Null and Void Ab Initio", from the very inception it is Unlawful. The Tribal Constitution does not allow the Governing body the Tribal Council to Abrogate our Treaties or Tribal Constitution. Article VI-Section 1. The Tribal Council shall have the power, subject to any limitations imposed by the Statutes or the Constitution of the United States, and subject to all express restrictions upon such powers contained in this Constitution and attached By-Laws;

Article VIII - Land in its pre-amended form Section 1. Allotted Lands – Allotted lands, including heirship lands, within the Flathead Reservation, shall continue to be held as heretofore by their present owners. The right of the individual Indian to hold or to part with his land, as under existing law, shall not be Abrogated by anything contained in this Constitution, but the owner of restricted land may, with the approval of the Secretary of the Interior, voluntarily convey his land to the Confederated Tribes either in exchange for a money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided. Amendment III – Article VIII of the Constitution entitled "Land" is hereby amended in its entirety to read as follows: "Section 2. Saving Clause – Nothing herein shall be held to impair rights heretofore acquired in any allotment or assignment held by any individual." Implying unknown high costs of litigation as a scare tactic for support implies Due Process of the Law has a price tag, if it has a price tag it is "For Sale". If Due Process of the Law is "For Sale", what other rights have been sold or being prepared "For Sale"? Does Kerr Dam's involvement in the Compact impair the C.S.&K.T. Membership's right of Article IX - Referendum Section 1. The right to petition any enacted or proposed ordinance or resolution of the Council. It violates Article VII - Bill of Rights - Section 2. All Members of the Confederated Tribes shall be accorded equal oppertunities to participate in the economic resources and activities of the Reservation. A petition to which Kerr Dam is currently and activly being conducted as we speak, against the purchase - takeover of the Kerr Dam.

③

What is the Tribal Resolution Number allowing C.S.&K.T. to particapate in the Water Compact if one exists?

Sen. Chas Vincent, you Vehemently opposed the Water Compact in 2013, why? How did that Water Compact impact the Kootenai Basin? You now sponser, endorse, support the Current Water Compact, what impact does this current Water Compact have on the Kootenai Basin?

President Obama, We the Membership of the C.S.&K.T. request your imeadiate intervention into this matter. Up hold the United States Constitution & our Tribal Constitution & By Laws. The Governing body the Tribal Council lacks Constitutional Authority to violate Tribal Members Constitutional Rights, or Non-Members rights.

We request all parties involved with the passing of S.B. 262 be Charged with Conspiracy, Coercion - the act or power of coercing, Govt. by force, to restrain or constrain by force, by legal authority. Do not allow Legislative Power; Abrogate our 1855 Hell Gate Treaty or our Tribal Constitution & By Laws.!!

Shay-Hoy!

Thomas A. Lozeau Jr.
Thomas A. Lozeau Jr.
P.O. Box 294
Ronan, MT. 59864

* April 11, 2015

superior. As, court above, plain-
above. *Above all incumbrances*
thereof; Williams v. McDonald,
7 A. 886. Principal; as distin-
ıat is auxiliary or instrumental.

, or special bail, is otherwise termed
mm. 291. Jurisdiction "above" the ju-
es of the peace. Synonymous with
Coast Line R. Co. v. Nellwood Lum-
209, 94 S.E. 86, 87. Above high water
which might reasonably be expected to
gree of frequency. Banks v. Wilming-
Del.Super., 24 A.2d 592, 598, 599, 601,

or **MENTIONED.** Quoted be-
ive expression taken from the
f writing books on scrolls, where
ioned or cited before in the same
e. Encyc. Lond.

Lat. A great-great-uncle; or, a
lfather's brother (*abavi frater*).

ABROGATE. To annul, repeal, or destroy; to annul or repeal an order or rule issued by a subordinate authority; to repeal a former law by legislative act, or by usage.

ABROGATION. The destruction or annulling of a former law, by an act of the legislative power, by constitutional authority, or by usage.

It stands opposed to *rogation*; and is distinguished from *derogation*, which implies the taking away only some part of a law; from *subrogation*, which denotes the adding a clause to it; from *dispensation*, which only sets it aside in a particular instance; and from *antiquation*, which is the refusing to pass a law. Encyc. Lond. Implied abrogation takes place when the new law contains provisions which are positively contrary to former laws, without expressly abrogating such laws. Bernard v. Vignaud, 10 Mart.O.S. La. 560; and also when the order of things for which the law has been made no longer exists. See Ex parte Lum Poy, D.C., 23 F.2d 690.

For "Express Abrogation," see that title.

ABSCOND. To go in a clandestine manner out of the jurisdiction of the courts, or to lie concealed, in order to avoid their process. Malvin v. Christoph, 54 Iowa, 562, 7 N.W. 6. To hide

EXPRESS ABROGATION. Abrogation by express provision or enactment; the repeal of a law or provision by a subsequent one, referring directly to it.

Express abrogation is that literally pronounced by the new law either in general terms, as when a final clause abrogates or repeals all laws contrary to the provisions of the new one, or in particular terms, as when it abrogates certain preceding laws which are named.

EXPRESS ACTIVE TRUST. See Trust.

EXPRESS ASSUMPSIT. An undertaking to do some act, or to pay a sum of money to another, manifested by express terms.

An assumpsit is "express" if promisor puts his engagement in distinct and definite language. Dukes v. Rogers, 67 Ga.App. 661, 21 S.E.2d 295, 297.

An undertaking made orally, by writing not under seal, or by matter of record, to perform act or to pay sum of money to another. Holcomb v. Kentucky Union Co., 262 Ky. 192, 90 S.W.2d 25, 27; Anderson v. Biesman & Carrick Co., 287 Ill. App. 507, 4 N.E.2d 639, 640, 641.

ARTICLE VII—BILL OF RIGHTS

SECTION 1. All members of the Confederated Tribes over the age of 21 years shall have the right to vote in all tribal elections, subject to any restrictions as to residence as set forth in article IV.

SECTION 2. All members of the Confederated Tribes shall be accorded equal opportunities to participate in the economic resources and activities of the reservation.

SECTION 3. All members of the Confederated Tribes may enjoy without hindrance freedom of worship, speech, press, and assembly.

SECTION 4. Any member of the Confederated Tribes accused of any offense, shall have the right to a prompt, open, and public hearing, with due notice of the offense charged, and shall be permitted to summon witnesses in his own behalf and trial by jury shall be accorded, when duly requested, by any member accused of any offense punishable by more than 30 days' imprisonment, and excessive bail or cruel or unusual punishment shall not be imposed.

Before 9-1-50 ARTICLE VIII—LAND Allotment 1610-A

SECTION 1. *Allotted lands.*—Allotted lands, including heirship lands, within the Flathead Reservation, shall continue to be held as heretofore by their present owners. *The right of the individual Indian to hold or to part with his land, as under existing law, shall not be abrogated by anything contained in this Constitution, but the owner of restricted land may, with the approval of the Secretary of the Interior, voluntarily convey his land to the Confederated Tribes either in exchange for a money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided.

Amendment III - Article VIII of the Constitution entitled "Land" is hereby amended in its entirety to read as follows:

"Section 1. Land Transactions - *Subject to any limitations imposed by this Constitution and Bylaws, to any applicable Federal statute and to the approval of the Secretary of the Interior, the Tribal Council may:

(1) Purchase or receive by gift or relinquishment land or any interest therein, and may lease, exchange (with or without the giving or receipt of other consideration), encumber, and assign tribal lands or any interest therein; and

(2) Adopt ordinances or resolutions governing any or all such transactions.

"Section 2. Saving Clause - Nothing herein shall be held to impair rights heretofore acquired in any allotment or assignment held by any individual."

a complete record of assignments shall be kept in the agency office and shall be open for inspection by all members of the Confederated Tribes.

The Council shall draw up one or more forms for standard and exchange assignments, which shall be subject to the approval of the Secretary of the Interior.

* Article IX—Referendum

Section 1. Upon a petition of at least one-third (⅓) of the eligible voters of the Confederated Tribes, or upon the request of a majority of the members of the Tribal Council, * any enacted or proposed ordinance or resolution of the Council shall be submitted to a popular referendum, and the vote of a majority of the qualified voters voting in such referendum shall be * conclusive and binding on the Tribal Council, provided that at least thirty percent (30%) of the eligible voters shall vote in such election.

Aticle X—Amendments

Section 1. This Constitution and Bylaws may be amended by a majority vote of the qualified voters of the Confederated Tribes voting at an election called for that purpose by the Secretary of the Interior, provided that at least thirty percent (30%) of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment, at the request of two-thirds of the Council, or upon presentation of a petition signed by one-third (⅓) of the qualified voters, members of the Confederated Tribes.

* BYLAWS

* Article I—The Tribal Council

Section 1. The Chairman of the Council shall preside over all meetings of the Council, perform all duties of chairman, and exercise any authority detailed to him, and he shall be entitled to vote on all questions.

Section 2. The vice chairman shall assist the chairman when called on so to do, in the absence of the chairman shall preside, and when so presiding shall have all the privileges, duties, and responsibilities of the chairman.

Section 3. The Council secretary shall forward a copy of the minutes of all meetings to the Superintendent of the Reservation and to the Commissioner of Indian Affairs.

Section 4. The duties of all appointed boards or officers of the organization shall be clearly defined by resolutions of the Council at the time of their creation or appointment. Such boards and officers shall report from time to time as required to the Council and their activities and decisions shall be subject to review by the Council upon petition of any person aggrieved.

Section 5. Newly elected members who have been duly certified shall be installed at the first regular meeting of the Tribal Council.

* SECTION 6. Each member of the Tribal Council and each officer or subordinate officer, elected or appointed hereunder, shall take an oath of office prior to assuming the duties thereof, by which oath, * he shall pledge himself to support and defend the Constitution of the United States and this Constitution and Bylaws. The following form of oath of office shall be given: "I, ______________________________________, * do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, to carry out faithfully and impartially, the duties of my office to the best of my ability; to cooperate, promote, and protect the * best interests of my Tribe, in accordance with this Constitution and Bylaws."

Amended
See p. 21-22

SECTION 7. Regular meetings of the Tribal Council shall be held on the first Saturdays of January, April, July, and October, at 9:00 o'clock a. m., at the Flathead Agency.

SECTION 8. Special meetings may be called by a written notice signed by the chairman or a majority of the Tribal Council and when so called the Tribal Council shall have power to transact business as in regular meetings.

SECTION 9. No business shall be transacted unless a quorum is present which shall consist of two-thirds (⅔) of the entire membership.

SECTION 10. Order of business:
(a) Call to order by chairman.
(b) Roll call.
(c) Reading of minutes of last meeting.
(d) Unfinished business.
(e) Reports.
(f) New business.
(g) Adjournment.

SECTION 11. It shall be the duty of each member of the Tribal Council to make reports to the district from which he is elected, concerning the proceedings of the Tribal Council.

SECTION 12. The Tribal Council may prescribe such salaries for officers or members of the Council as it deems advisable, from such funds as may be available.

ARTICLE II—ORDINANCES AND RESOLUTIONS

SECTION 1. All final decisions of the Council on matters of general and permanent interest to the members of the Confederated Tribes shall be embodied in ordinances. Such ordinances shall be published from time to time for the information and education of the members of the Confederated Tribes.

SECTION 2. All final decisions of the Council on matters of temporary interest (such as action on the reservation budget for a single year, or petitions to Congress or the Secretary of the Interior) or relating especially to particular individuals or officials (such as adoption of members, instructions for tribal employees or rules of order for the Council) shall be embodied in resolutions. Such resolutions shall be recorded in a special book which shall be open to inspection by members of the Confederated Tribes.

SECTION 3. All questions of procedure (such as acceptance of Committee reports or invitations to outsiders to speak) shall be

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decided by action of the Council or by ruling of the Chairman, if no objection is heard.

In all ordinances, resolutions or motions the Council may act by majority vote, but all matters of importance shall be fully discussed and a reasonable attempt shall be made to secure unanimous agreement.

SECTION 4. *Legislative forms.*—Every ordinance shall begin with the words: "Be it enacted by the Council of the Confederated Salish and Kootenai Tribes—."

SECTION 5. Every resolution shall begin with the words: "Be it resolved by the Council of the Confederated Salish and Kootenai Tribes—."

SECTION 6. Every ordinance or resolution shall contain a recital of the laws of the United States and the provisions of this Constitution under which authority for the said ordinance or resolution is found.

ARTICLE III—RATIFICATION OF CONSTITUTION AND BYLAWS

This Constitution and the attached Bylaws, when adopted by a majority vote of the voters of the Confederated Tribes voting at a special election called by the Secretary of the Interior, in which at least thirty (30) percent of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval, and shall be in force from the date of such approval.

CERTIFICATE OF ADOPTION

Pursuant to an order, approved September 25, 1935, by the Secretary of the Interior, the attached Constitution and Bylaws were submitted for ratification to the members of the Confederated Salish and Kootenai Tribes of the Flathead Reservation and were on October 4, 1935, duly adopted by a majority vote of the members of said voting in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the act of June 14, 1935 (Pub., No. 147, 74th Cong.).

ROY E. COURVILLE,
Chairman of Election Board.

JOSEPH R. BLODGETT,
President of Tribal Council.

LUMAN W. SHOTWELL,
Superintendent and ex officio
Secretary of the Tribal Council.

MARTIN (his thumb mark) CHARLO,
Chief Confederated Salish Tribe.

PAUL (his thumb mark) KOOS TA-TA.
Chief Kootenai Tribe.

Witnesses to mark:
HENRY MATT.
NICOLAI LASSAW.

I, Harold I. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution or Bylaws are hereby declared inapplicable to the Confederated Salish and Kootenai Tribes of the Flathead Reservation.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and Bylaws.

Approval recommended October 26, 1935.

JOHN COLLIER,
Commissioner of Indian Affairs.

HAROLD L. ICKES,
Secretary of the Interior.
[SEAL]

WASHINGTON, D. C.,
October 28, 1935.

AMENDMENT TO THE CONSTITUTION AND BY-LAWS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION, MONTANA

AMENDMENT I.

Article VI, Section 1 (h) of the Constitution and By-laws of the Confederated Salish and Kootenai Tribes shall be amended to read as follows:

SECTION 1. The Tribal Council shall have the power, subject to any limitations imposed by the Statutes or the Constitution of the United States, and subject to all express restrictions upon such powers contained in this Constitution and attached By-laws;

(h) To appropriate for tribal use of the reservation any available applicable funds in the tribal treasury, provided that any such appropriation in excess of $25,000 shall be subject to review by the Secretary of the Interior.

CERTIFICATION OF ADOPTION

Pursuant to an order approved October 14, 1948, by the Assistant Secretary of the Interior, the attached Amendment I to the Constitution and By-laws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, was submitted for ratification to the Indians of the Flathead Reservation and was on December 10, 1948, duly adopted by a vote of 405 for, and 201 against, in an election in which over thirty percent of those entitled to vote cast their ballots, in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

WALTER W. MCDONALD,
Chairman, Confederated Salish & Kootenai Tribal Council.
PHIL HAMEL,
Secretary, Confederated Salish & Kootenai Tribal Council.

C. C. WRIGHT,
Superintendent, Conf. Salish & Kootenai Tribes.

CONSTITUTION AND BYLAWS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION

PREAMBLE

We, the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, in order to establish a more responsible organization, promote our general welfare, conserve and develop our lands and resources, and secure to ourselves and our posterity the power to exercise certain rights of self-government not inconsistent with Federal, State, and local laws, do ordain and establish this Constitution for the Confederated Tribes of the Flathead Reservation.

ARTICLE I—TERRITORY

The jurisdiction of the Confederated Salish and Kootenai Tribes of Indians shall extend to the territory within the original confines of the Flathead Reservation as defined in the Treaty of July 16, 1855, and to such other lands without such boundaries, as may hereafter be added thereto under any law of the United States, except as otherwise provided by law.

ARTICLE II—MEMBERSHIP

Amended
See p. 15–18

SECTION 1. The membership of the Confederated Tribes of the Flathead Reservation shall consist as follows:

(a) All persons of Indian blood whose names appear on the official census rolls of the Confederated Tribes as of January 1, 1935.

(b) All children born to any member of the Confederated Salish and Kootenai Tribes of the Flathead Reservation who is a resident of the reservation at the time of the birth of said children.

SECTION 2. The Council shall have the power to propose ordinances, subject to review by the Secretary of the Interior, governing future membership and the adoption of members by the Confederated Tribes.

SECTION 3. No property rights shall be acquired or lost through membership in this organization, except as provided herein.

ARTICLE III—THE TRIBAL COUNCIL

SECTION 1. The governing body of the Confederated Salish and Kootenai Tribes of the Flathead Reservation shall be the Tribal Council.

SECTION 2. The Council shall consist of ten councilmen to be elected from the districts as set forth hereafter, and Chiefs Martin Charlo and Eneas Paul Koostahtah.

SECTION 3. Representation from the districts hereby designated shall be as follows: Jocko Valley and Mission Districts, two councilmen each; Ronan, Pablo, Polson, Elmo-Dayton, Hot Springs-Camas Prairie, and Dixon, one councilman each.

SECTION 4. The Tribal Council shall have the power to change the districts and the representation from each district, based on community organization or otherwise, as deemed advisable, such change to be made by ordinance, but the total number of delegates shall not be changed as provided for in section 2 of article III of this Constitution.

SECTION 5. The Tribal Council so organized shall elect from within its own number a chairman, and a vice chairman, and from within or without its own membership, a secretary, treasurer, sergeant-at-arms, and such other officers and committees as may be deemed necessary.

SECTION 6. No person shall be a candidate for membership in the Tribal Council unless he shall be a member of the Confederated Tribes of the Flathead Reservation and shall have resided in the district of his candidacy for a period of one year next preceding the election.

SECTION 7. The Tribal Council of the Confederated Tribes of the Flathead Reservation shall be the sole judge of the qualifications of its members.

ARTICLE IV—NOMINATIONS AND ELECTIONS

SECTION 1. The first election of a Tribal Council under this Constitution shall be called and supervised by the present Tribal Council within 30 days after the ratification and approval of this Constitution, and thereafter elections shall be held every two years on the third Saturday prior to the expiration of the terms of office of the members of the Tribal Council. At the first election, five councilmen shall be elected for a period of two years and five for a period of four years. The term of office of a councilman shall be for a period of four years unless otherwise provided herein.

SECTION 2. The Tribal Council or an election board appointed by the Council shall determine rules and regulations governing all elections.

SECTION 3. Any qualified member of the Confederated Tribes may announce his candidacy for the Council, within the district of his residence, notifying the Secretary of the Tribal Council in writing of his candidacy at least 15 days prior to the election. It shall be the duty of the Secretary of the Tribal Council to post in each district at least 10 days before the election, the names of all candidates for the Council who have met these requirements.

SECTION 4. The Tribal Council, or a board appointed by the Council, shall certify to the election of the members of the Council within 5 days after the election returns.

SECTION 5. Any member of the Confederated Tribes of the Flathead Reservation who is 21 years of age or over and who has maintained a legal residence for at least one year on the Flathead Reservation shall be entitled to vote.

SECTION 6. The Tribal Council, or a board appointed by the Tribal Council, shall designate the polling places and appoint all election officials.

ARTICLE V—VACANCIES AND REMOVAL FROM OFFICE

SECTION 1. If a councilman or official shall die, resign, permanently leave the reservation, or be removed from office, the Council shall declare the position vacant and appoint a successor to fill the unexpired term, *provided* that the person chosen to fill such vacancy shall be from the district in which such vacancy occurs.

SECTION 2. Any councilman who is proven guilty of improper conduct or gross neglect of duty may be expelled from the Council by a two-thirds vote of the membership of the Council voting in favor of such expulsion, and *provided further*, that the accused member shall be given full and fair opportunity to reply to any and all charges at a designated Council meeting. It is further stipulated that any such member shall be given a written statement of the charges against him at least five days before the meeting at which he is to appear.

ARTICLE VI—POWERS AND DUTIES OF THE TRIBAL COUNCIL

SECTION 1. The Tribal Council shall have the power, subject to any limitations imposed by the Statutes or the Constitution of the United States, and subject to all express restrictions upon such powers contained in this Constitution and attached Bylaws;

(a) To regulate the uses and disposition of tribal property, to protect and preserve the tribal property, wildlife and natural resources of the Confederated Tribes, to cultivate Indian arts, crafts, and culture, to administer charity; to protect the health, security, and general welfare of the Confederated Tribes.

(b) To employ legal counsel for the protection and advancement of the rights of the Flathead Confederated Tribes and their members, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(c) To negotiate with the Federal, State, and local governments on behalf of the Confederated Tribes, and to advise and consult with the representatives of the Departments of the Government of the United States on all matters affecting the affairs of the Confederated Tribes.

(d) To approve or veto any sale, disposition, lease, or encumbrance of tribal lands and tribal assets which may be authorized or executed by the Secretary of the Interior, the Commissioner of Indian Affairs, or any other agency of the Government, *provided* that no tribal lands shall be sold or encumbered or leased for a period in excess of five years, except for Governmental purposes.

(e) To advise with the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Confederated Tribes, prior to the submission of such estimates to the Congress.

(f) To manage all economic affairs and enterprises of the Confederated Tribes in accordance with the terms of a charter to be issued by the Secretary of the Interior.

(g) To make assignments of tribal lands to members of the Confederated Tribes in conformity with article VIII of this Constitution.

Amended See p.13-14

(h) To appropriate for tribal use of the reservation any available applicable tribal funds, provided that any such appropriation may be subject to review by the Secretary of the Interior, and *provided, further*, that any appropriation in excess of $5,000 in any one fiscal year shall be of no effect until approved in a popular referendum.

(i) To promulgate and enforce ordinances, subject to review by the Secretary of the Interior, which would provide for assessments or license fees upon nonmembers doing business within the reservation, or obtaining special rights or privileges, and the same may also be applied to members of the Confederated Tribes, provided such ordinances have been approved by a referendum of the Confederated Tribes.

(j) To exclude from the restricted lands of the reservation persons not legally entitled to reside thereon, under ordinances which may be subject to review by the Secretary of the Interior.

(k) To enact resolutions or ordinances not inconsistent with article II of this Constitution governing adoptions and abandonment of membership.

(l) To promulgate and enforce ordinances which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Confederated Tribes, and providing for the maintenance of law and order and the administration of justice by the establishment of an Indian Court, and defining its powers and duties.

(m) To purchase land of members of the Confederated Tribes for public purposes under condemnation proceedings in courts of competent jurisdiction.

(n) To promulgate and enforce ordinances which are intended to safeguard and promote the peace, safety, morals, and general welfare of the Confederated Tribes by regulating the conduct of trade and the use and disposition of property upon the reservation, providing that any ordinance directly affecting nonmembers shall be subject to review by the Secretary of the Interior.

(o) To charter subordinate organizations for economic purposes and to regulate the activities of all cooperative and other associations which may be organized under any charter issued under this Constitution.

(p) To regulate the inheritance of real and personal property, other than allotted lands, within the Flathead Reservation, subject to review by the Secretary of the Interior.

(q) To regulate the domestic relations of members of the Confederated Tribes.

(r) To recommend and provide for the appointment of guardians for orphans, minor members of the Confederated Tribes, and incompetents subject to the approval of the Secretary of the Interior, and to administer tribal and other funds or property which may be transferred or entrusted to the Confederated Tribes or Tribal Council for this purpose.

(s) To create and maintain a tribal fund by accepting grants or donations from any person, State, or the United States.

(t) To delegate to subordinate boards or to cooperative associations which are open to all members of the Confederated Tribes, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.

(u) To adopt resolutions or ordinances to effectuate any of the foregoing powers.

SECTION 2. Any resolution or ordinance which by the terms of this constitution is subject to review by the Secretary of the Interior, shall be presented to the Superintendent of the Reservation who shall, within ten days thereafter, approve or disapprove the same, and if such ordinance or resolution is approved, it shall thereupon become effective, but the Superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior who may, within 90 days from the date of enactment, rescind said ordinance or resolution for any cause, by notifying the Council of such action: *Provided*, That if the Superintendent shall refuse to approve any resolution or ordinance submitted to him, within ten days after its enactment, he shall advise the Council of his reasons therefor, and the Council, if such reasons appear to be insufficient, may refer it to the Secretary of the Interior, who may pass upon same and either approve or disapprove it within 90 days from its enactment.

SECTION 3. The council of the Confederated Tribes may exercise such further powers as may in the future be delegated to it by the Federal Government, either through order of the Secretary of the Interior or by Congress, or by the State Government or by members of the Confederated Tribes.

SECTION 4. Any rights and powers heretofore vested in the Confederated Tribes but not expressly referred to in this Constitution shall not be abridged by this article, but may be exercised by the members of the Confederated Tribes through the adoption of appropriate bylaws and constitutional amendments.

ARTICLE VII—BILL OF RIGHTS

SECTION 1. All members of the Confederated Tribes over the age of 21 years shall have the right to vote in all tribal elections, subject to any restrictions as to residence as set forth in article IV.

SECTION 2. All members of the Confederated Tribes shall be accorded equal opportunities to participate in the economic resources and activities of the reservation.

SECTION 3. All members of the Confederated Tribes may enjoy without hindrance freedom of worship, speech, press, and assembly.

SECTION 4. Any member of the Confederated Tribes accused of any offense, shall have the right to a prompt, open, and public hearing, with due notice of the offense charged, and shall be permitted to summon witnesses in his own behalf and trial by jury shall be accorded, when duly requested, by any member accused of any offense punishable by more than 30 days' imprisonment, and excessive bail or cruel or unusual punishment shall not be imposed.

ARTICLE VIII—LAND

SECTION 1. *Allotted lands.*—Allotted lands, including heirship lands, within the Flathead Reservation, shall continue to be held as heretofore by their present owners. The right of the individual In-

Amended
See p. 19-20

dian to hold or to part with his land, as under existing law, shall not be abrogated by anything contained in this Constitution, but the owner of restricted land may, with the approval of the Secretary of the Interior, voluntarily convey his land to the Confederated Tribes either in exchange for a money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided.

The Tribal Council shall have the right to exchange tribal lands for individual allotments when necessary for consolidation of tribal holdings and subject to approval of the Secretary of the Interior. Such exchanges shall be based on the appraised value of the lands so exchanged, and the individual Indian shall hold the land so exhanged in the same manner as the original allotment.

SECTION 2. *Tribal lands.*—The unallotted lands of the Flathead Reservation, and all lands which may hereafter be acquired by the Flathead Confederated Tribes or by the United States in trust for the Flathead Confederated Tribes, shall be held as tribal land, and no part of such land shall be mortgaged or sold. Tribal lands shall not be allotted to individuals but may be assigned to members of the Confederated Tribes, or leased, or otherwise used by the Confederated Tribes as hereinafter provided.

SECTION 3. *Leasing of tribal lands.*—Tribal lands may be leased by the Tribal Council, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law.

In the leasing of tribal lands preference shall be given, first, to Indian cooperative associations, and, secondly, to individual Indians who are members of the Confederated Tribes. No lease of tribal land to a nonmember shall be made by the Tribal Council unless it shall appear that no Indian cooperative association or individual member of the Confederated Tribes is able and willing to use the land and to pay a reasonable fee for such use.

Grazing permits covering tribal land may be issued by the Tribal Council, with the approval of the Secretary of the Interior, in the same manner and upon the same terms as leases.

SECTION 4. *Grants of standard assignments.*—In any assignment of tribal lands which now are owned by the Confederated Tribes or which may hereafter be acquired for the Confederated Tribes by the United States, or purchased by the Confederated Tribes out of tribal funds, preference shall be given, first, to heads of families which are entirely landless, and, secondly, to heads of families which have no allotted lands or interests in allotted lands but shall have already received assignments consisting of less than 80 acres of agricultural land, or other land or interest in land of equal value.

No allotted member of the Confederated Tribes who may hereafter have the restrictions upon his land removed and whose land may thereafter be alienated shall be entitled to receive an assignment of lands as a landless Indian.

Assignments made under this section shall be for the primary purpose of establishing homes for landless Indians, and shall be known as "Standard Assignments."

The Tribal Council may, if it seems fit, charge a fee of not to exceed $5.00 on approval of an assignment of land made under this section.

SECTION 5. *Tenure of standard assignments.*—If any member of the Confederated Tribes holding a standard assignment of land shall, for a period of one year, fail to use the land so assigned, or shall use such land for any unlawful purposes, his assignment may be canceled by the Tribal Council after he has had due notice and an opportunity to be heard, and the said land may be reassigned in accordance with the provisions of section 4 of this article.

Upon the death of any Indian holding a " Standard Assignment ", his heirs, or other individuals designated by him by will or by written request, shall have a preference in the reassignment of the land, provided such persons are members of the Confederated Tribes who would be eligible to receive a " Standard Assignment."

SECTION 6. *Grant of exchange assignment.*—Any member of the Confederated Tribes who owns an allotment or any share of heirship land, or any unencumbered deeded land within the reservations, may voluntarily transfer his interest in such land to the Confederated Tribes in exchange for an assignment to the same land or to other lands of equal value. If the assignee prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger grazing unit.

Assignments made under this section shall be known as " Exchange Assignments."

Amended
See p. 19-20

SECTION 7. *Leasing of exchange assignments.*—Exchange assignments may be used by the assignee or leased by him to Indian cooperative associations, to individual members of the Confederated Tribes, or, if no individual Indian or Indian cooperative association is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-Indians in the same manner as allotted lands.

SECTION 8. *Inheritance of exchange assignments.*—Upon the death of the holder of any exchange assignment, such land shall be reassigned by the Tribal Council to his heirs or devisees, subject to the following conditions:

(a) Such lands may not be reassigned to any heirs or devisees who are not members of the Confederated Tribes, except that a life assignment may be made to the surviving widower or widow of the holder of an assignment.

(b) Such lands may not be reassigned to any heir or devisee who already holds more than 320 acres of grazing land, or other land or interests in lands of equal value, either under allotment or under assignment.

(c) Such lands may not be subdivided into units smaller than 160 acres, and no area of agricultural land shall be subdivided into units smaller than two and one-half acres, except that land used for buildings or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the Tribal Council shall issue to the eligible heirs or devisees, grazing permits or other interest in tribal lands of the same value as the assignment of the decedent.

(d) If there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment in accordance with the provisions of Section 4 of this Article.

Section 9. *Inheritance of improvements.*—Improvements of any character made upon assigned land may be bequeathed to and inherited by members of the Confederated Tribes, or otherwise disposed of under such regulations as the Tribal Council shall provide. No permanent improvements shall be removed from the land without the consent of the Tribal Council.

Section 10. *Exchange of assignments.*—Assignments may be exchanged between members of the Confederated Tribes by common consent in such manner as the Tribal Council shall designate.

(a) *Use of unassigned community land.*—Community land which is not assigned, including community timber reserves, shall be managed by the community council for the benefit of the members of the entire community, and any cash income derived from such land shall accrue to the benefit of the community as a whole.

Section 11. *Purchase of land by community.*—Tribal funds may be used, with the consent of the Secretary of the Interior, to acquire land under the following conditions:

(a) Land within the Flathead Reservation, or adjacent to the boundaries thereof which is not now in Indian ownership, may be purchased by or for the Confederated Tribes.

(b) Restricted land which is in heirship status at the time of the adoption and approval of this Constitution may be purchased by or for the Confederated Tribes with the consent of all the adult heirs, and the legal guardians of minor heirs, or incompetent heirs, payment therefor to be made as may be agreed upon.

Amended
See p. 19-20

(c) Land owned by any member of the Confederated Tribes who is over the age of 60 years, or who is physically incapacitated, may be transferred by its owner to the Confederated Tribes in exchange for a pension or not more than twice the annual rental value of the land for the life of the pensioner, to be paid out of available tribal funds.

(d) Land in excess of 320 acres owned by any member of the Confederated Tribes, with the consent of the owner, payments to be made under such terms as may be agreed upon.

(e) Land owned by any member of the Confederated Tribes who desires to leave the reservation permanently may be purchased by the Confederated Tribes, under such terms as may be agreed upon.

Section 12. *Method of making assignments.*—Applications for assignments shall be filed with the Secretary of the Council and shall be in writing, setting forth the name of the person or persons applying for the land and as accurate a description of the land desired as the circumstances will permit. Notices of all applications received by the Secretary shall be posted by him in the agency office and in at least three conspicuous places in the district in which the land is located, for not less than 20 days before action is taken by the Council.

Any member of the Confederated Tribes wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections, to be filed with the Secretary of the Council, and may, if he so desires, appear before the Council to present evidence. The Secretary of the Council shall furnish the Superintendent or other officer in charge of the agency a complete record of all action taken by the Council on the application for assignment of land, and

a complete record of assignments shall be kept in the agency office and shall be open for inspection by all members of the Confederated Tribes.

The Council shall draw up one or more forms for standard and exchange assignments, which shall be subject to the approval of the Secretary of the Interior.

ARTICLE IX—REFERENDUM

SECTION 1. Upon a petition of at least one-third (1/3) of the eligible voters of the Confederated Tribes, or upon the request of a majority of the members of the Tribal Council, any enacted or proposed ordinance or resolution of the Council shall be submitted to a popular referendum, and the vote of a majority of the qualified voters voting in such referendum shall be conclusive and binding on the Tribal Council, provided that at least thirty percent (30%) of the eligible voters shall vote in such election.

ATICLE X—AMENDMENTS

SECTION 1. This Constitution and Bylaws may be amended by a majority vote of the qualified voters of the Confederated Tribes voting at an election called for that purpose by the Secretary of the Interior, provided that at least thirty percent (30%) of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment, at the request of two-thirds of the Council, or upon presentation of a petition signed by one-third (1/3) of the qualified voters, members of the Confederated Tribes.

BYLAWS

ARTICLE I—THE TRIBAL COUNCIL

SECTION 1. The Chairman of the Council shall preside over all meetings of the Council, perform all duties of chairman, and exercise any authority detailed to him, and he shall be entitled to vote on all questions.

SECTION 2. The vice chairman shall assist the chairman when called on so to do, in the absence of the chairman shall preside, and when so presiding shall have all the privileges, duties, and responsibilities of the chairman.

SECTION 3. The Council secretary shall forward a copy of the minutes of all meetings to the Superintendent of the Reservation and to the Commissioner of Indian Affairs.

SECTION 4. The duties of all appointed boards or officers of the organization shall be clearly defined by resolutions of the Council at the time of their creation or appointment. Such boards and officers shall report from time to time as required to the Council and their activities and decisions shall be subject to review by the Council upon petition of any person aggrieved.

SECTION 5. Newly elected members who have been duly certified shall be installed at the first regular meeting of the Tribal Council.

SECTION 6. Each member of the Tribal Council and each officer or subordinate officer, elected or appointed hereunder, shall take an oath of office prior to assuming the duties thereof, by which oath, he shall pledge himself to support and defend the Constitution of the United States and this Constitution and Bylaws. The following form of oath of office shall be given: " I, --------------------------------------, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, to carry out faithfully and impartially, the duties of my office to the best of my ability; to cooperate, promote, and protect the best interests of my Tribe, in accordance with this Constitution and Bylaws."

Amended
See p. 21-22

SECTION 7. Regular meetings of the Tribal Council shall be held on the first Saturdays of January, April, July, and October, at 9:00 o'clock a. m., at the Flathead Agency.

SECTION 8. Special meetings may be called by a written notice signed by the chairman or a majority of the Tribal Council and when so called the Tribal Council shall have power to transact business as in regular meetings.

SECTION 9. No business shall be transacted unless a quorum is present which shall consist of two-thirds (⅔) of the entire membership.

SECTION 10. Order of business:

(a) Call to order by chairman.
(b) Roll call.
(c) Reading of minutes of last meeting.
(d) Unfinished business.
(e) Reports.
(f) New business.
(g) Adjournment.

SECTION 11. It shall be the duty of each member of the Tribal Council to make reports to the district from which he is elected, concerning the proceedings of the Tribal Council.

SECTION 12. The Tribal Council may prescribe such salaries for officers or members of the Council as it deems advisable, from such funds as may be available.

ARTICLE II—ORDINANCES AND RESOLUTIONS

SECTION 1. All final decisions of the Council on matters of general and permanent interest to the members of the Confederated Tribes shall be embodied in ordinances. Such ordinances shall be published from time to time for the information and education of the members of the Confederated Tribes.

SECTION 2. All final decisions of the Council on matters of temporary interest (such as action on the reservation budget for a single year, or petitions to Congress or the Secretary of the Interior) or relating especially to particular individuals or officials (such as adoption of members, instructions for tribal employees or rules of order for the Council) shall be embodied in resolutions. Such resolutions shall be recorded in a special book which shall be open to inspection by members of the Confederated Tribes.

SECTION 3. All questions of procedure (such as acceptance of Committee reports or invitations to outsiders to speak) shall be

decided by action of the Council or by ruling of the Chairman, if no objection is heard.

In all ordinances, resolutions or motions the Council may act by majority vote, but all matters of importance shall be fully discussed and a reasonable attempt shall be made to secure unanimous agreement.

SECTION 4. *Legislative forms.*—Every ordinance shall begin with the words: "Be it enacted by the Council of the Confederated Salish and Kootenai Tribes—."

SECTION 5. Every resolution shall begin with the words: "Be it resolved by the Council of the Confederated Salish and Kootenai Tribes—."

SECTION 6. Every ordinance or resolution shall contain a recital of the laws of the United States and the provisions of this Constitution under which authority for the said ordinance or resolution is found.

ARTICLE III—RATIFICATION OF CONSTITUTION AND BYLAWS

This Constitution and the attached Bylaws, when adopted by a majority vote of the voters of the Confederated Tribes voting at a special election called by the Secretary of the Interior, in which at least thirty (30) percent of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval, and shall be in force from the date of such approval.

CERTIFICATE OF ADOPTION

Pursuant to an order, approved September 25, 1935, by the Secretary of the Interior, the attached Constitution and Bylaws were submitted for ratification to the members of the Confederated Salish and Kootenai Tribes of the Flathead Reservation and were on October 4, 1935, duly adopted by a majority vote of the members of said voting in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the act of June 14, 1935 (Pub., No. 147, 74th Cong.).

ROY E. COURVILLE,
Chairman of Election Board.

JOSEPH R. BLODGETT,
President of Tribal Council.

LUMAN W. SHOTWELL,
Superintendent and ex officio
Secretary of the Tribal Council.

MARTIN (his thumb mark) CHARLO,
Chief Confederated Salish Tribe.

PAUL (his thumb mark) KOOS TA-TA,
Chief Kootenai Tribe.

Witnesses to mark:
HENRY MATT.
NICOLAI LASSAW.

I, Harold I. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution or Bylaws are hereby declared inapplicable to the Confederated Salish and Kootenai Tribes of the Flathead Reservation.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and Bylaws.

Approval recommended October 26, 1935.

JOHN COLLIER,
Commissioner of Indian Affairs.

HAROLD L. ICKES,
Secretary of the Interior.
[SEAL]

WASHINGTON, D. C.,
October 28, 1935.

AMENDMENT TO THE CONSTITUTION AND BY-LAWS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION, MONTANA

AMENDMENT I.

Article VI, Section 1 (h) of the Constitution and By-laws of the Confederated Salish and Kootenai Tribes shall be amended to read as follows:

SECTION 1. The Tribal Council shall have the power, subject to any limitations imposed by the Statutes or the Constitution of the United States, and subject to all express restrictions upon such powers contained in this Constitution and attached By-laws;

(h) To appropriate for tribal use of the reservation any available applicable funds in the tribal treasury, provided that any such appropriation in excess of $25,000 shall be subject to review by the Secretary of the Interior.

CERTIFICATION OF ADOPTION

Pursuant to an order approved October 14, 1948, by the Assistant Secretary of the Interior, the attached Amendment I to the Constitution and By-laws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, was submitted for ratification to the Indians of the Flathead Reservation and was on December 10, 1948, duly adopted by a vote of 405 for, and 201 against, in an election in which over thirty percent of those entitled to vote cast their ballots, in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

WALTER W. MCDONALD,
Chairman, Confederated Salish & Kootenai Tribal Council.
PHIL HAMEL,
Secretary, Confederated Salish & Kootenai Tribal Council.

C. C. WRIGHT,
Superintendent, Conf. Salish & Kootenai Tribes.

APPROVAL

I, William E. Warne, Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve Amendment I to the Constitution and By-laws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

Approval recommended: December 21, 1948.

JOHN H. PROVINSE,
Assistant Commissioner.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

WASHINGTON, D. C., *December 22, 1948.*

O

CONSTITUTION AND BYLAWS
# of the
SALISH AND KOOTENAI TRIBES
# of the
FLATHEAD RESERVATION
MONTANA

Amendment II

Article II of the Constitution entitled "Membership" is hereby amended in its entirety to read as follows:

"Section 1. Confirmation of Rolls - The membership of the Confederated Tribes of the Flathead Reservation is confirmed in accordance with the per capita rolls as from time to time prepared.

"Section 2. Present Membership - Membership in the Tribes on and after the date of the adoption of this amendment shall consist of all living persons whose names appear on the per capita roll of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, as prepared for the per capita distribution as shown on the per capita roll paid in February 1959 together with all children of such members, born too late to be included on such per capita roll and prior to the effective date of this section who possess one-fourth (1/4) or more Salish or Kootenai blood or both and are born to a member of the Confederated Tribes of the Flathead Indian Reservation. Subject to review by the Secretary of the Interior, the Tribal Council shall make any necessary corrections in this 1959 membership roll so that no one eligible for membership under prior constitutional provisions shall be excluded therefrom.

"Section 3. Future Membership - Future membership may be regulated from time to time by ordinance of the Confederated Tribes subject to review by the Secretary of the Interior. Until and unless an ordinance is adopted any person shall be enrolled as a member who shall (a) apply, or have application made on his behalf, establishing eligibility under this provision; (b) show that he is a natural child of a member of the Confederated Tribes; (c) that he possesses one-quarter (1/4) degree or more blood of the Salish or Kootenai Tribes or both, of the Flathead Indian Reservation, Montana; (d) is not enrolled on some other reservation.

"Section 4. Adoption - The Tribal Council shall have the power to enact and promulgate ordinances, subject to review by the Secretary of the Interior, governing the adoption of persons as members of the Confederated Salish and Kootenai Tribes.

"Section 5. Loss of Membership - Membership in the Confederated Tribes may be lost (1) by resignation in writing to the Tribal Council; (2) by enrollment of the member with another Indian tribe; (3) by establishing a legal residence in a foreign country; (4) upon proof of lack of eligibility for enrollment, or fraud in obtaining enrollment, with due notice and opportunity to be heard and to defend before the Tribal Council, subject to appeal to the Secretary of the Interior, whose decision shall be confined to the record made in such proceeding which, if supported by substantial evidence, shall be binding.

"Section 6. Definitions - Wherever the term "Indian Blood" shall have been used herein or in tribal ordinances, unless the context shall require a different meaning, it shall be determined to mean the blood of either or both the Kootenai or the Salish Tribes of the Flathead Reservation.

"Section 7. Current Membership Roll - The membership roll of the Confederated Salish and Kootenai Tribes of the Flathead Reservation shall be kept current by striking therefrom the names of persons who have died or have lost membership pursuant to this Constitution and adding thereto the names of persons who shall have established eligibility or been adopted. The roll so prepared shall be the basis for determining the right of persons whose names appear thereon to share in annual per capita distribution of funds or in any other tribal property, subject to Secretarial approval.

"Section 8. Rules of Procedure - The Tribal Council shall have the authority to prescribe rules to be followed in compiling a membership roll in accordance with the provisions of this article, the completed roll to be approved by the Tribal Council of the Confederated Salish and Kootenai Tribes. In case of distribution of tribal assets, the roll shall be submitted to the Secretary of the Interior for final approval as may be provided by law.

"Section 9. Rights of Members are Prospective - No person shall be entitled to receive a per capita payment or share in any other tribal assets which were distributed prior to the date of his actual enrollment."

CERTIFICATION OF ADOPTION

Pursuant to an order approved January 20, 1960, by the Assistant Secretary of the Interior, the attached amendment to the Constitution of the Confederated Salish and Kootenai Tribes of the Flathead Reservation was submitted for ratification to the qualified voters of the Salish and Kootenai Indian Tribes and was on April 1, 1960 duly ratified by a vote of 762 for, and 187 against, in an election in which at least 30 percent of those entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

(sgd) Jerome Hewankorn
Vice-Chairman, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd) E. W. Morigeau
Actg. Secretary, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd) Charles S. Spencer
Superintendent, Flathead Agency

APPROVAL

I, Fred A. Seaton, Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendment II to the Constitution of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, to be effective as of April 1, 1960, the date of the ratification by the qualified voters of the tribes.

Approval recommended:

(sgd) Glenn L. Emmons
Commissioner, Bureau of Indian Affairs

(sgd) Fred A. Seaton
Secretary of the Interior
(SEAL)

May 5, 1960

Washington, D. C.

CONSTITUTION AND BYLAWS
of the
SALISH AND KOOTENAI TRIBES
of the
FLATHEAD RESERVATION
MONTANA

Amendment III

Article VIII of the Constitution entitled "Land" is hereby amended in its entirety to read as follows:

> "Section 1. Land Transactions - * Subject to any limitations imposed by this Constitution and Bylaws, to any applicable Federal statute and to the approval of the Secretary of the Interior, the Tribal Council may:
>
> (1) Purchase or receive by gift or relinquishment land or any interest therein, and may lease, exchange (with or without the giving or receipt of other consideration), encumber, and assign tribal lands or any interest therein; and
>
> (2) Adopt ordinances or resolutions governing any or all such transactions.
>
> * "Section 2. Saving Clause - Nothing herein shall be held to impair rights heretofore acquired in any allotment or assignment held by any individual."

CERTIFICATION OF ADOPTION

Pursuant to an order approved January 20, 1960, by the Assistant Secretary of the Interior, the attached amendment to the Constitution of the Confederated Salish and Kootenai Tribes of the Flathead Reservation was submitted for ratification to the qualified voters of the Salish and Kootenai Indian Tribes and was on April 1, 1960, duly ratified by a vote of 617 for, and 329 against, in an election in which at least 30 percent of those entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

(sgd.) Jerome Hewankorn
Vice-Chairman, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd.) E. W. Morigeau
Actg. Secretary, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd) Charles S. Spencer
Superintendent, Flathead Agency

APPROVAL

I, Fred A. Seaton, Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendment III to the Constitution of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, to be effective as of April 1, 1960, the date of the ratification by the qualified voters of the tribes.

Approval recommended:

(sgd) Glenn L. Emmons
Commissioner, Bureau of Indian Affairs

(sgd) Fred A. Seaton
Secretary of the Interior
(SEAL)

May 5, 1960 Washington, D. C.

CONSTITUTION AND BYLAWS
# of the
SALISH AND KOOTENAI TRIBES
# of the
FLATHEAD RESERVATION
MONTANA

Amendment IV

Section 7 of Article I of the Bylaws entitled "The Tribal Council" is hereby amended to read as follows:

> "Section 7. Regular meetings of the Tribal Council shall be held on the first Friday of January, April, July, and October, at 9:00 o'clock a.m., at the Flathead Agency."

CERTIFICATION OF ADOPTION

Pursuant to an order approved January 20, 1960, by the Assistant Secretary of the Interior, the attached amendment to the Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation was submitted for ratification to the qualified voters of the Salish and Kootenai Indian Tribes and was on April 1, 1960, duly ratified by a vote of 825 for, and 117 against, in an election in which at least 30 percent of those entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

(sgd) Jerome Hewankorn
Vice-Chairman, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd) E. W. Morigeau
Actg. Secretary, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd) Charles S. Spencer
Superintendent, Flathead Agency

APPROVAL

I, Fred A. Seaton, Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendment IV to the Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, to be effective as of April 1, 1960, the date of the ratification by the qualified voters of the tribes.

Approval recommended:

(sgd) Glenn L. Emmons
Commissioner, Bureau of Indian Affairs

(sgd) Fred A. Seaton
Secretary of the Interior
(SEAL)

May 5, 1960 Washington, D. C.

EXHIBIT 39
DATE 4/11/15
SB 262

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**Also Licensed in North Dakota

UMO/UMB TESTIMONY
SB 262
Kristin L. Omvig, Rocky Mountain Law Partners PLLP
APRIL 11, 2015

INTRO: Chairman Bennett, Members of the House Judiciary Committee, my name is Kristin Omvig ("OMVIG"). I am attorney with RMLP and we are general counsel for the FJBC. I am also part of the Montana agricultural community, as both an owner and operator of my family's ranch/farm located in Eastern Montana.

Thank you for the opportunity to address the proposed Unitary Management Ordinance ("UMO"). SB 262 consists of approximately 140 pages--60% of which is devoted to either creating a New Law of Administration for the Flathead Indian Reservation ("FIR") or removing the Reservation from the reach of the Montana Water Use Act and the State judiciary. In sum, the UMO/UMB is unconstitutional. Three (3) obvious violations exist:

TESTIMONEY:

1. **The UMO/UMB Violates the Equal Protection Clause by Treating Non-Tribal Water User on the FIR Different than Other Water Users in the State of Montana.**

First, the UMO violates both the State and Federal Constitutions Equal Protection Clause(s) by treating Non-Tribal FIP water users different than other water users. [Art. II, § 4, Mont. Const. and 14th Amendment, U.S. Constitution]. Generally, the Montana Water Use Act applies across the State. § 85-1-101 *et seq.*], MCA. Passage of the Unitary Management Ordinance:

- Creates a complex hierarchy of governing authority over both fee and trust land located within the Reservation boundaries, including a 5 member Water Management Board, a Water Engineer, Staff, and an unknown number of Water Commissioners.
- It places control of all water rights, *"whether derived from tribal, state or federal law"* in a board of political appointees. [UMO § 1-1-101(4)].

- It vests exclusive jurisdiction for the issuance of all new appropriation rights, changes in use, calls, and enforcement in the Water Management Board--while eliminating the Department of Natural Resources ("DNRC") and Montana Water Court from the equation.

- The New Law of Administration imposed on Montana citizens located within the Reservation violates Art. V, § 12, of the Montana Constitution which clearly prohibits the legislature from passing a special or local act when a general act is, or can be made, applicable. Here, the MWA is such a general act. Adoption of this New Law of Administration will inevitably result in years of litigation and interpretation by some undefined court system or systems.

2. **The UMO/UMB Violates Art. II and Art. VII of the Montana Constitution Access to Justice, Due Process of Law and Divests the District Court and Montana Supreme Court of Jurisdiction**.

Second, FIP irrigators possess recognized property rights. [Art. IX, § 3, Mont. Const.] The Montana Constitution guarantees that no Montana citizen shall be deprived of property without due process of law. [Art. II, § 17, Mont. Const.] However, the UMO violates due process requirements.

For example the UMO hearing process allows a decision maker to consider all evidence that in the decision maker's opinion *"possesses probative value, including hearsay, if it is the type of evidence commonly relied upon by reasonably prudent Persons in the conduct of their normal business affairs*". [UMO § 2-2-109(6).] It does not apply the Rules of Evidence, does not require the decision maker to issue findings of fact or conclusions of law to support a decision thereby making it impossible for a party to know the actual basis for the decision, and it contains no standard of review for appeal. (UMO § 2-2-110). Given these flaws, the process becomes susceptible to challenge due to its arbitrary and capricious nature. The appeal is limited to a review of the record, absent extraordinary circumstances. *Id.*

Final appeals under the New Law of Administration will be left to a state or tribal *"court of competent jurisdiction"* which must be agreed to by **all** parties. Otherwise, jurisdiction defaults to the federal court whether or not the federal court actually has legal jurisdiction. So, if the parties won't agree to adjudicate the dispute in either tribal or state court and federal jurisdiction is not triggered, who hears the appeal? The UMO does not tell us. But, what is clear is the Montana Constitution assures its citizens access to courts of justice. [Art. II, § 16, Mont. Const.] And vests state district courts with original jurisdiction over all civil matters, while extending the Supreme Court processes to all parts of the State. [Art. VII, § 4 and § 2, Mont. Const.] The UMO eliminates those rights.

3. The Compact Results in a Taking Under the 5th Amendment to the United States Constitution.

Finally, the Compact results in a taking of private property. [5th Amendment to the U.S. Constitution. 42 U.S.C. § 1983.] Other presenters have, or will, explain the water rights at stake owned by FIP water users. The Compact subordinates Non-Tribal rights to alleged senior tribal rights and imposes tribal authority over such water rights. Compact proponents counter that even if it does, landowners won't be *"deprived of **all** economically beneficial use of their lands"*. But, how much devaluation is too much? The United States Supreme Court has recognized *"partial takings"* where property values are significantly diminished as to obliterated. *Lucas v. South Carolina Coastal Council*, 505 U.S. 1003 (1992) and *Penn Central Transportation Co. v. New York*, 438 U.S. 104 (1978). I would suggest to you that slashing historical water deliveries, crop production levels and family incomes in half rises to the level of a partial, if not complete, regulatory taking. At a minimum, it is a blow to Montana agriculture as a whole.

CLOSE: In closing, the UMO/UMB eviscerates inalienable rights guaranteed to Montana citizens under the Constitution. The FJBC urges you to vote "NO" on SB 262.

Thank you.

EXHIBIT 40
DATE 4/11/15
SB 262

Mr. Chairman and Committee Members:

The most egregious aspect of the compact is the **"Grand Bargain"**

How many of you are aware of the **" Grand Bargain"** How many of you even know what it means? The **"Grand Bargain"** lays out the framework for the UMO or Law of Administration.

Chris Tweeten, Compact Commission, Aug. 2, 2012. "...The response is to remind the tribes about the Grand Bargain and the fact that we agreed to do this extraordinary thing. Frankly, with respect to agreeing to subject or to remove non-indian rights on the reservation from the jurisdiction and control of the state, and place that somewhere else at the tribe's request." *

Who gave authority to the Compact Commission to remove non-indian rights from the jurisdiction and control of Montana? Where in Montana Constitution can Montana citizens be placed under a foreign authority? This is a complete surrender of our state and federal protections as citizens without our consent.

The tribal constitution governs indians and their property. It does **not** give authority to govern non-indians and their property.

As non-indians, we have no vote, no representation, no voice and no standing in tribal courts. By this **"Grand Bargain"**, We lose our 1st Amendment rights. Because we own private land within the reservation boundaries, we will be denied equal protection under Montana law. This is a violation of Montana law and the US 14th Amendment.

All things considered, the **"Grand Bargain"** is a **NOT-SO-Grand Bargain.** The tribes requested it. I, for one, respectfully decline their request.

Please deny the Grand Bargain, UMO, and Compact. Let everyone, indian and non-indian, as we are all Montana Citizens, be under Montana State adjudication of the water rights. Vote NO on SB262.

*State recorded Compact Commission website page for CSKT compact.

Sheila Vallejo
Box 386
St. Ignatius
Mont. 59865
ph. 406-745-4250

LEGAL ANALYSIS OF THE PROPOSED CSKT COMPACT

A Guide for Citizens, Legislators, and Policy Makers

Prepared by

Montana Land and Water Alliance, Inc.

April 7, 2015

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LEGAL ANALYSIS OF THE PROPOSED CSKT COMPACT

This series of papers was commissioned by the Montana Land and Water Alliance, Inc., in furtherance of efforts to provide the Montana legislators and the public with information regarding the critical issues of the proposed CSKT compact. The following analyses were made necessary by the refusal of the Montana Reserved Water Rights Compact Commission to address the substantive questions raised by the public regarding the Compact and its ramifications for citizens, state sovereignty, and federal reserved water rights across the western United States.

LIST OF DOCUMENTS

1. **October 29, 2014. The Montana Land and Water Alliance's Response to the Water Policy Interim Committee's Legal Analysis of the Questions Presented by Representatives Nancy Ballance and Keith Regier**, prepared by Jay Stein, Jim Brockmann, and Richard Simms

   This paper analyzes the legal problems with the WPIC's study of constitutional and legal questions presented by 50 legislators. The study in part concludes that the proposed transfer of title of the irrigation water to the CSKT will result in water rights holders having an onerous "life estate" interest in their water rights.

2. **November 5, 2014. Letter to Attorney General Fox Regarding Article IX of the Montana Constitution**, prepared by Richard A. Simms

   This paper analyzes the Compact's proposed Unitary Management Ordinance and its violation of Article IX of the Montana Constitution.

3. **January 11, 2015. Letter to Legislators Regarding the Lack of Quantification in the Proposed CSKT Compact**, prepared by Richard A. Simms

   This paper discusses the substantive reduction of historic use of agricultural water in the Flathead Irrigation Project and its conversion to instream flow as an inappropriate and potentially illegal substitute for the quantification of the federal reserved water rights of the CSKT. The paper also discusses a number of tenets of federal law reserving Indian reservations and federal reserved water rights, including the fact that federal reserved water rights arise out of the federal reservation of land.

4. **January 15, 2015. Letter to the Montana Land and Water Alliance Regarding Why it is not possible to "do anything you want" in a compact negotiation**, prepared by Jay F. Stein and James C. Brockmann

   This paper describes that there are 'sideboards' on any federal reserved water rights negotiation and why the approach used in the negotiation of the CSKT Compact is legally improper.

5. **February 11, 2015. Letter to Legislators Regarding No Ratification in Partial Response to Compact Commission's Critique of January 15, 2015 letter**, prepared by Richard A. Simms

   This memorandum reinforces the concepts presented in an earlier letter to legislators and identifies the specific provisions of the compact that (a) effectuate the permanent conversion of agricultural waters to instream flow, (b) the core features of the compact that deprive the state of Montana of its constitutional and statutory obligations to administer water within the reservation, (3) the provisions that eliminate certain legislative and judicial prerogatives, and (4) the provisions of the compact that give the Tribes an enormous amount of water not based on the doctrine of federal reserved water rights. The paper also reinforces that it was the United States, not the Tribes that reserved the Flathead Indian Reservation; otherwise the federal reserved rights doctrine could not have been expanded to include non-Indian federal reservations of land

6. **March 18, 2015. Letter to Legislators Regarding the 10,000 Claims Threat**, prepared by Richard A. Simms

   This memorandum explains why the threat of 10,000 claims to be filed by the CSKT in Eastern Montana if the Compact fails is prohibited by the Treaty of Hellgate, the Judith River Treaty, and by U.S. Supreme Court case law involving Article III of the Treaty of Hellgate and other "Stevens Treaty" tribes. The paper also addresses why there is no legal or factual precedent for transforming an access right into a water right.

7. **April 6, 2015. Memorandum on Constitutional Violations that will Result with Compact Ratification**, prepared by Richard A. Simms

   This memorandum describes the violations of the Montana Constitution that will result from ratification of the CSKT Compact and in particular, the Unitary Management Ordinance proposed as the law of administration for the Compact. Articles V (the Legislature), VII (the Judiciary) and IX (Natural Resources) are impacted.

Attorneys Representing the Montana Land and Water Alliance

RICHARD A. SIMMS – Mr. Simms has 43 years experience with water rights and federal reserved rights issues. After clerking for the Tenth Circuit Court of Appeals, Mr. Simms became associate counsel with the New Mexico State Engineer and Interstate Stream Commission in 1972. In 1976, he was made general counsel and successfully argued United States v. New Mexico, Texas v. New Mexico, and Colorado v. New Mexico before the United States Supreme Court. After going into private practice in 1982, Mr. Simms opened his own office in 1988, limiting his practice to water law. He is active in interstate litigation and currently represents the plaintiff states in Kansas v. Colorado and Nebraska v. Wyoming. He is recently retired as the senior partner in the firm Simms and Stein. The firm limits its practice to water law. Richard Simms limited his practice to water law, initially representing the New Mexico State Engineer and the New Mexico Interstate Stream Commission, entering private practice in 1982. He was responsible for United States v. New Mexico and was counsel of record for either the plaintiff or defendant state in Texas v. New Mexico, Colorado v. New Mexico, Kansas v. Colorado, and Nebraska v. Wyoming. He was also of counsel in Oklahoma & Texas v. New Mexico.

Forest Service and Western Water Rights: http://lawlibrary.unm.edu/nrj/45/4/07_hall_forest.pdf
Determining Indian Water Rights: https://www.kansascityfed.org/PUBLICAT/SYMPOS/1979/S79SIMMS.pdf

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McCarran and Administration of Indian Water Rights
http://opensiuc.lib.siu.edu/cgi/viewcontent.cgi?article=1284&context=jcwre

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Paper No. 1

October 29, 2014. The Montana Land and Water Alliance's Response to the Water Policy Interim Committee's Legal Analysis of the Questions Presented by Representatives Nancy Ballance and Keith Regier

Prepared by Jay Stein, Jim Brockmann, and Richard Simms

This paper analyzes the legal problems with the WPIC's study of constitutional and legal questions presented by 50 legislators. The study in part concludes that the proposed transfer of title of the irrigation water to the CSKT will result in water rights holders having an onerous "life estate" interest in their water rights.

THE MONTANA LAND AND WATER ALLIANCES' RESPONSE TO THE WATER POLICY INTERIM COMMITTEE'S LEGAL ANALYSIS OF THE QUESTIONS PRESENTED BY REPRESENTATIVES NANCY BALANCE AND KEITH REGIER

October 29, 2014

INTRODUCTION

In reviewing the basic components of the 2013 Compact, including the draft Compact, the Unitary Management Ordinance, and the Water Use Agreement, it became clear that the Montana Reserved Water Rights Compact Commission's approach to the negotiations begins with a conceptual predilection, namely that the CSKT claims are legally "colorable" and therefore that the claims should be recognized. The Interim Committee's internal attempt to answer the questions presented to the Committee does not provide an independent, balanced legal analysis of the related legal issues, but rather presents an argumentative defense to justify the draft Compact as written.

The legal issues related to the Tribes' claims of aboriginal, off-reservation instream flows go to the validity of the claims, whether they arise out of Art. III of the Treaty of Hellgate notwithstanding the explicit language to the contrary in Art. I and Art. II of the Treaty, whether the rights, if they ever existed, were abrogated, the quantity of the claimed rights, whether the claimed rights can be transferred to other uses, and the priority of the claimed rights. Without addressing some of these issues, the Staff's analysis states that Tribal claims are colorable and concludes that the Water Court could therefore adjudicate them that way.

With respect to the United States' claims for federal reserved water rights in trust for the Tribes, the legal issues include the purposes of the Flathead Reservation, whether there was sufficient unappropriated water in existence in 1859 out of which a Winters right based on practicably irrigable acres could have been reserved given the Tribes' adverse aboriginal claims, whether non-Indian reserved rights decisions apply to the United States' claims, the measure or quantification of the claims, and the priority of the claims. The Staff's analysis reaches the same conclusion with respect to each issue. The analysis stops with the determination that it's possible the Water Court might agree with the Tribal claims.

POINT I

THE SETTLEMENT DOCUMENTS EFFECTUATE THE UNLAWFUL CONVERSION OF THE NON-TRIBAL IRRIGATORS'WATER RIGHTS, TURNING THEM INTO PART OF THE TRIBAL RIGHT

Pursuant to the provisions of the General Allotment Act, 25 U.S.C. §§ 331 *et seq.*, Article VI of the Treaty of Hellgate provides for the survey and allotment in severalty of tracts of Flathead Reservation lands ranging in size from 80 acres to more than 640 acres, depending on family size. Ultimately, the allotments would be conveyed by patent. Article VI also places certain restrictions on the sale or lease of the individual allotments "until a State constitution, embracing such lands within its boundaries shall have been formed." Pursuant to the terms of the General Allotment Act and the Flathead Allotment Act of 1904, both the Flathead Reservation and the Tribal government therein were to be dissolved eventually.

In the Flathead Allotment Act of 1904, allotments were to be made in severalty to Tribal members and other qualifying Indians, which started in 1904 and concluded shortly thereafter, and the surplus lands after allotment were opened to settlement by non-Tribal members under the homestead and mining laws of the United States.

In the Act of May 29, 1908, which authorized the development of the Flathead Irrigation and Power Project, Congress recognized that water rights would vest in individual landowners once a majority of the costs of the Project were repaid. The Act also provided that Project operations and management were to be turned over to the landowners. Beginning in 1948, the remaining construction costs were to be paid from power revenues from the Flathead Irrigation and Power Project, resulting in vested ownership of the irrigation water rights before the Project was paid off entirely.

The Indian Reorganization Act of 1934, which authorized the restoration of surplus lands within the Flathead Reservation to the Tribes, signaled an about-face from the policies of the General Allotment Act and the Flathead Allotment Act. The Reorganization Act, however, did not repeal the General Allotment Act, the Flathead

Allotment Act, or the Act of May 29, 1908, authorizing the Flathead Irrigation and Power Project. Perhaps more importantly, the Reorganization Act exempted from the application of the Act all lands within any reclamation irrigation project located on an Indian reservation. Congress explicitly stated in 25 U.S.C. § 463(a), the section of the Indian Reorganization Act that authorizes the restoration of surplus lands previously opened to settlement, that "this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation." Justice Stewart summed it up in reference to the Crow Reservation, "[t]here is simply no suggestion in the legislative history [of allotment legislation] that Congress intended that the non-Indians who settled upon alienated allotted lands would be subject to tribal regulatory authority." *Montana v. United States*, 450 U.S. 544 (1981).

Instead of protecting the real property water rights of both the Tribal and non-Tribal irrigators in the Flathead Irrigation and Power Project, both the 2013 Compact and the Tribes' rewritten compact place the ownership of the water rights in the Tribes, unconditionally. Both of the compacts, if ratified, would take the property rights of the irrigators without compensation, in violation of the Fifth Amendment of the Constitution of the United States. Instead of recognizing that the non-Tribal irrigators have water rights, which can be handed down in perpetuity, both compacts would turn the non-Tribal water right into a diminished life-estate that would be subject to the onerous and burdensome provisions of the Tribes' Law of Administration.

Everything we've said above about the conversion of the non-Tribal water rights is set forth in considerably more detail in the Flathead Joint Board of Control's proposals of October 8, 2014, which we would encourage you to consider. You should also consider what would happen in practical terms if either settlement is ratified. Section 1-1-101(4) of the Unitary Management Ordinance, now referred to as the Law of Administration, states:

> Upon the Effective Date of the Compact, this Ordinance shall govern all water rights, whether derived from tribal, state or federal law, and shall control all aspects of water use, including all permitting of new uses, changes of existing uses, enforcement of water right calls and all aspects of enforcement within the exterior boundaries of the Flathead Indian Reservation. Any provision of Title 85, MCA, that is inconsistent with this Law of Administration in not applicable within the Reservation.

The Flathead Reservation would become an island unto itself in Montana, an island where the water rights of the non-Tribal members are converted to Tribal ownership and the Tribes are free to transfer them to instream uses and exercise plenary administrative control for the sole benefit of the Tribes.

In this regard, the initial Flathead Irrigation Project was explicitly designed by Reclamation engineers to make it possible to irrigate all of the practicably irrigable acreage on the Flathead Reservation. When the Project lands were opened to allotments and settlement, more Tribal members were irrigating Project lands than non-Tribal irrigators. Over time, the Tribes effectively walked away from the Project, leaving 90% of the Project acreage in non-Tribal hands. Ironically, based on an interest in fisheries that was in its nascent stages in the 1970s, the Tribes now want to subordinate roughly 80% of what arguably might have been their entire Winters right – past, present, and future – to an unadjudicated aboriginal fisheries claim that would upend their Winters claim.

The history, law, and facts are ignored and in the draft Compact, everything is given to the Tribes on the rather meaningless theory that the Tribes' claims are "colorable," which means that they have a modicum of precedential support, while no benefit of the doubt is given to the non-Tribal water users with respect to any of the unresolved Winters or aboriginal claims. Indeed, given the historical development of the Flathead Irrigation Project, the General Allotment Act, the enactment of the Flathead Allotment Act in 1904, and its amendment in the Act of May 28, 1908, the body of applicable federal law weighs heavily in favor of the non-Indian citizens of Montana who reside on the Flathead Reservation, a fact the Compact Commission has simply ignored.

POINT II

BOTH SETTLEMENT PROPOSALS ARE INCONCLUSIVE AND LACK THE FINALITY REQUISITE TO WATER RIGHTS DECREES

The Settlement Agreement is being negotiated in the context of an *inter sese* adjudication of all of the interrelated water rights in Basins 76L & 76LJ, a lawsuit in which all of the parties are adverse to one another. Pursuant to the terms of the adjudication statutes, all of the parties are indispensable, their rights must be included in the preliminary decree, and each water right is then subject to *inter sese* objection by other water right owners. Pursuant to one of the statutes that lays out the parameters of the Compact Commission's responsibilities in compact negotiations, the terms of any negotiated compact must also be included in the preliminary decree, thus making each settlement subject to the same *inter sese* process. The United States' waiver of sovereign immunity in state court adjudications complements Montana law in that the waiver extends only to *inter sese* adjudications predicated upon the entry of a final decree wherein each water right is set forth in conclusive and final terms so that administration of the rights is thus made possible.

Both the settlement document that was not ratified by the legislature last year and the Tribes' rewritten compact that was presented to the Compact Commission in October, 2014, are not only neither conclusive nor final, each contains explicit provisions that contravene finality in different ways. In other words, each of the settlements documents, as a decree, is explicitly open-ended and inconclusive. While the settlement that is ultimately adopted must set forth the Tribes' and the United States' rights on behalf of the Tribes in terms definitive enough to make *inter sese* administration possible, both of the proposed settlement documents set forth numerical descriptions of certain rights that do not concretely delineate the rights, and both settlement proposals are predicated on an "adaptive management" process that makes the extent of the rights continually subject to change based on the proposition the state-based irrigation rights, which have been rolled into the Tribal water right, can continue to be quantitatively reduced in order to transfer the water thus "conserved" to ever-increasing instream flow rights.

Ordinarily, water right decrees are required to include the priority, amount, purpose, and place of use, the tracts of land to which the right is appurtenant, and any other conditions necessary to define the right and its priority. Instream flow rights must specify the purpose of the right, the location of the right, and the flow rates that provide the basis for calling out diversionary rights on a daily basis. Water rights decrees must also be final and conclusive. To comport with the procedural due process requirements incorporated in the Montana adjudication statutes, federal reserved water rights must also be final and conclusive, whether in the form of a decree resulting from litigation or in a compact.

To make the point that many of the numerical descriptions of the CSKT rights in both proposed compacts are not conclusive enough to be uniformly administered or understood by adverse parties, we have selected two examples. In the abstract describing the "Flathead River below Kerr," it is stated that the right has two "administration points," also called "points of diversion." The abstract lists a maximum diversion at each point in cubic feet per second, with no minimum diversion, and the flow values appear to be a simple percentage of the hydrograph as opposed to being predicated on fisheries science. In priority administration, everything above the two diversion points, including large capacity wells, could be regulated.

The other instream flow we selected as an example of how the numerical descriptions of the Tribal rights are inconclusive is the "Flathead System Compact Water." The right totals 229,000 acre feet per year, consisting of 90,000 acre feet per year from Hungry Horse Reservoir, off-reservation on the South Fork of the Flathead River, and 128,000 acre feet per year originally quantified by Dowl-HKM as the quantitative extent of the Tribes' practicably irrigable acreage. *See* Clark Fork Basin Task Force, 2010. The "point of diversion" can be anywhere – Hungry Horse, the South Fork, Flathead Lake, or the Flathead River. The water which would be precluded from new appropriation by this "instream flow right" is the water the Tribes plan "to sell" as part of their so-called sharing shortages plan. The reason for the forever transient point of diversion is simply to increase marketability. It has nothing to do with fishery science. Contrary to settled federal reserved rights law, if the Tribes have extra water to sell they obviously don't need the water to establish their "permanent homeland," assuming that's a legitimate purpose of a federal reservation of land for an Indian reservation. As a matter of historical and legal fact, the Flathead Reservation was never intended to be a permanent homeland.

Adaptive management is also incorporated in both the old and new settlement proposals. In the Tribes' rewritten compact – the "Adaptive Management Version," the "Adaptive Management planning process" becomes the Water Use Agreement. First, the Flathead Joint Board of Control is eliminated. The "parties" in the new proposal are the Tribes, the United States, and the State of Montana. Because the State of Montana has not represented the interests of the 28,000 non-Tribal citizens of Montana living within the Flathead Reservation, about 3,000 of whom irrigate roughly 90% of the lands within the Flathead Irrigation Project, the non-Tribal irrigators have no representation. In the 2013 Compact, Art. III(C)(1) folds the non-Tribal water rights into Tribal ownership, taking the irrigators' real property rights. The new proposal swallows the water rights of the non-Tribal citizens of Montana in the text of the proposed compact as opposed to the Water Use Agreement. This is apparently based on the Compact Commission's characterization of the Tribes' claim that they own all of the water on the Reservation as "colorable." The Tribes' claim of absolute ownership of all of the water on the Reservation, however, is most certainly not colorable; it is patently outrageous. With respect to both the old and the new compact proposals, the Montana state legislature does not have the authority to take property without compensation in violation of the Fifth Amendment of the United States Constitution in the guise of ratifying either compact.

The Adaptive Management process that would complement the Water Use Agreement is defined as a "planning process [that] implements several of the provisions found in the Compact that are specific to FIIP Instream Flows, reservoir storage, and irrigation water management on natural water watercourses influenced by, and infrastructure associated with, the Flathead Indian Irrigation Project." In reality, the process is a form of operations administration designed to continually reduce the amount of water delivered for irrigation purposes, to substantially increase power production, and to facilitate off-reservation marketing. Because the Flathead Joint Board of Control is eliminated in the new proposal, the non-Tribal irrigators have no representation on the "Adaptive Management Technical Team" which will advise the Project Operator. The object of this arrangement is to further reduce the initial reduction of the farm turnout allowance from 4.7 acre feet per acre per year to 1.4 acre feet per acre per year in order to pursue a continuing increase in the quantity of water to be reallocated to instream flow uses.

POINT III

BOTH SETTLEMENT PROPOSALS USURP THE APPLICATION OF ART. IX OF THE MONTANA CONSTITUTION TO LANDS WITHIN THE FLATHEAD RESERVATION

The changes made under the Tribe's revised compact highlight the way the Settlement Agreement usurps Art. IX of the Montana Constitution within the Flathead Reservation and negates many provisions of Montana law governing the adjudication and administration of water rights. Art. IX and the adjudication statutes outline the procedural due process that is requisite to the United States' waiver of sovereign immunity under the McCarran Amendment. The old unratified Compact expressly negates Montana law in §1-1-101(4) of the Unitary Management Ordinance, which reads:

> Upon the Effective Date of the Compact, this Ordinance shall govern all water rights, whether derived from tribal, state or federal law, and shall control all aspects of water use, including all permitting of new uses, changes of existing uses, enforcement of water right calls and all aspects of enforcement within the exterior boundaries of the Flathead Indian Reservation. Any provision of Title 85, MCA, that is inconsistent with this Law of Administration is not applicable within the Reservation.

The Tribes' revised compact no longer refers to the UMO as the "UMO," but as "the Law of Administration." Nevertheless, the UMO remains in the new proposal as Appendix 4 of the Compact, and §1-1-101(4) is explicitly made a substantive part of the new proposal in the Compact itself. Accordingly, both proposed compacts would render nugatory Art. IX of the Montana Constitution within the Flathead

Reservation, the adjudication statutes that are prerequisite to the administration of water rights in Montana, and essentially all of the provisions of the water code regarding water rights administration. All of the protection afforded some 28,000 non-Indian citizens living within the boundaries of the Flathead Reservation pursuant to the mandate of Art. IX of the Montana Constitution would be taken away through the Unitary Management Ordinance and the new Law of Administration if either of the compact proposals is ratified.

The basic structure of Montana's Water Use Act of July 1, 1973, was modeled after the Model Code drafted in 1905 by Morris Bien, then the Supervising Engineer of the Reclamation Service. At the second conference of the engineers of the Reclamation Service, Mr. Bien explained:

> A State code of water laws should provide for the appropriation, adjudication, and apportionment of the waters of the State, and divides itself naturally into four branches: First, a declaration of the fundamental principles on which the right to use water shall be based. Second, the adjudication of rights to the use of water claimed under the laws previously in force, thus determining unappropriated public waters. Third, the regulation, control, and determination of the rights to water to be subsequently acquired. Fourth, the regulation and control of the distribution of the water rights the use of which have been established.

Montana is a Bien Code state. At the Montana Constitutional Convention in 1972, the new Constitution and the statutes were drafted simultaneously. Art. IX of the Constitution confirmed and recognized the pre-1973 water rights and mandated that the Montana legislature "shall provide for the administration, control, and regulation of the water rights and shall establish a system of centralized records, in addition to the present system of local records." Accordingly, the legislature created a system of statewide adjudication of all of the pre-1973 rights, recognizing that they had been developed simply by diversion and application to beneficial use pursuant to the territorial and the pre-1973 common law doctrine of prior appropriation. The Montana Water Act of July 1, 1973, also established a new permit system for initiating and perfecting new appropriations of water and for making changes in the purpose or place of use of existing water rights.

Both of the proposed settlement proposals take the property rights of the non-Tribal users of Flathead Irrigation Project water without compensation in violation of the Fifth Amendment of the United States Constitution. Both proposals make the purpose of the Flathead Reservation a "permanent homeland dedicated to the exclusive use and benefit of said [Tribes] as an Indian Reservation," flatly contrary to the legal and factual creation and development of the Reservation. Both take away the prosecution of all non-Tribal claims for water rights, thus eliminating the possibility of *inter sese* objections on their part. The list goes on and on, but perhaps the worst thing that either proposal would do is give over the administration of water rights on the Reservation to the new Law of Administration, which is contrary to virtually aspect of prior appropriation law in Montana.

In conclusion, it would certainly not be "a rational exercise of legislative authority" to ratify a settlement that would take real property rights and vaporize the application of Art. IX of the Montana Constitution and all of the adjudication and water rights administration provisions of the Montana Water Use Act within the Flathead Reservation.

CONCLUSION

Instead of recommending to the legislature that a Settlement should be ratified in the 2015 legislative session, the Water Policy Interim Committee should first: 1) ensure the ownership and protection of the existing state/federal reclamation-based water rights of the Tribal and non-Tribal irrigators in the Flathead Irrigation Project; 2) ensure that there was sufficient unappropriated water in existence in 1859 out of which a Winters right based on practicably irrigable acreage could have emerged in light of the Tribes' adverse aboriginal claims; 3) ensure that the aboriginal right claims are predicated on sound fishery science; 4) ensure that the water rights set forth in the Compact are sufficiently final and conclusive to serve as a final decree susceptible of administration; and 5) ensure that the water rights of the Tribal and non-Tribal irrigators in the Flathead Irrigation Project are administered by the Water Court pursuant to Art. IX of the Montana Constitution and Montana's adjudication statutes. The object should be the protection of both the Tribal members and the 28,000 non-Tribal members residing on the Flathead Reservation.

Paper No. 2

November 5, 2014. Letter to Attorney General Fox Regarding Article IX of the Montana Constitution

Prepared by Richard A. Simms

This paper analyzes the Compact's proposed Unitary Management Ordinance and its violation of Article IX of the Montana Constitution.

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Overnight Priority Mail

November 5, 2014

Attorney General Tim Fox
Office of the Attorney General
215 N. Sanders, Third Floor
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Dear General Fox:

Representatives of your office, the Compact Commission, the Legislative Services Division, and the Water Policy Interim Committee have been told that the Confederated Salish & Kootenai Compact violates Art. IX of the Montana Constitution. The common response has been to say that Art. IX § (3)4 states that "**[the] legislature shall provide** for the administration, control, and regulation of water rights and shall establish a system of centralized records, in addition to the present system of local records." After emphasizing the phrase "the legislature shall provide," it is my understanding that your position has been that in ratifying the CSKT Compact the legislature would be doing exactly what the Constitution mandates, *i.e.*, providing for the administration of water rights. Your response is the same response that is overweeningly recited by the Compact Commission, the Legal Services Division, and the Water Policy Interim Committee. The purpose of this letter is to explain how illusory the response is.

The provisions of Art. IX of the Montana Constitution apply interactively to the State of Montana. Art. IX, § 3(1) provides that "[a]ll existing rights to the use of any waters for any useful or beneficial purpose are hereby recognized and confirmed." The existing rights referred to in Art. IX are all water rights perfected in Montana by diversion and application to beneficial use under the territorial and common law of prior appropriation in Montana prior to 1973, the year the Montana Water Use Act was enacted.

Art. IX § 3(3) states that all "surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided by law." This provision results from the federal government's initial deference to the emergence of territorial and state water law in the West, which was enacted into federal law through the Act of July 26, 1866, 14 Stat. 253, the Act of July 9, 1870, 16 Stat. 218, and the Desert Land Act of March 3, 1877, 19 Stat. 377. Finally, Art. IX § (4) of the Montana Constitution provides that "[t]he legislature shall provide for the administration, control, and regulation of water rights and shall establish a system of centralized records, in addition to the present system of local records."

The mandate to provide for state administration of water rights required: 1) the adjudication of all pre-1973 water rights recognized and confirmed in Art. IX § (3)1 in order to make them subject to administration; 2) the creation of a statutory procedure for perfecting new (post-1973) water rights and changes in place or purpose of use of both pre-1973 rights and newly permitted water rights; 3) the creation of a statewide system of *inter sese* adjudication wherein all water rights are determined as between individual water right owners and the state **and as among one another** in order to make the United States, on its own behalf, and on behalf of its Indian wards, subject to being named a party defendant in Montana's state court water rights adjudication under the McCarran Amendment; and 4) the creation of a system of administration for all interdependent, adjudicated water rights as among one another. As planned at the Constitutional Convention, on the same day the Montana Constitution was adopted, the Montana legislature created statutory schemes for all four of these prerequisites in order to enable the State to provide for the "control and regulation of the water rights" and the establishment of "a system of centralized records, in addition to the present system of local records." All four of these statutory schemes mandated by Art. IX of the Montana Constitution have statewide application for the simple reason that Montana's organic law does not carve out gaping geographical holes in its application.

If the legislature were to ratify the CSKT Compact it would:
1) Preclude the formal recognition of the individual water rights owned by both Tribal and non-Tribal irrigators in the Flathead, Mission, and Jocko irrigation districts on the Flathead Reservation, contrary to state and federal law;
2) Effectuate a taking of: a) the real property rights of some 23,000 non-Indians residing within the boundaries of the Flathead Reservation; b) the real property rights of the irrigators in the Flathead, Mission, and Jocko irrigation districts and c) the water rights appurtenant to their property within the boundaries of the Flathead Reservation, in violation of the Fifth Amendment of the United States Constitution;
3) Violate the equal protection clause of the United States Constitution;
4) Usurp the system of statewide adjudication, administration, and regulation of water rights in Montana currently in place as a result of the mandate of Art. IX;
5) Vitiate the system of centralized records mandated by Art. IX;

6) Give plenary control over the administration of all water rights within the Flathead Reservation, whether "derived from tribal, state or federal law," to a single entity whose water rights are adverse to all other water rights in the relevant water basins in the pending statewide adjudication in the Montana Water Court;
7) Usurp McCarran Amendment jurisdiction over the United States, not only with respect to its own rights, but also for its claims of rights for the CSKT in trust;
8) Totally negate the contemplation of Art. IX with respect to state control over the adjudication and administration of the interrelated and conflicting water rights *inter sese*;
9) Take away the ability to administer the water rights of the United States on its own behalf and the water rights of the United States on behalf of its Indian wards as against the water rights of all non-Indian citizens of Montana residing in the affected water basins; and
10) Completely upend the object of Art. IX of the Montana Constitution and numerous laws enacted by the Montana legislature pursuant to the mandate of Art. IX.

In conclusion, the blind assertion that the ratification of the CSKT Compact would "provide for the administration of water rights pursuant to Art. IX of the Montana Constitution," is dead wrong under both federal and state water law. The conveyance of exclusive administrative authority to the Tribes under "The Law of Administration" means that the UMO (or the Law of Administration) "shall govern all water rights, whether derived from tribal, state, or federal law" and "shall control all aspects of water uses, changes of existing uses, enforcement of water right calls and all aspects of enforcement within the exterior boundaries of the Flathead Indian Reservation." In sum, the "Law of Administration" obliterates Art. IX of the Montana Constitution and all of the Montana law enacted pursuant thereto by the Montana legislature.[1] To conclude that the ratification of the CSKT Compact would "provide for the administration, control, and regulation of water rights" in Montana is completely inane.

Sincerely,

Richard A. Simms

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[1] Pursuant to the "Law of Administration," "any provision of Title 85, MCA, that is inconsistent with this Law of Administration is not applicable within the Reservation."

Cc: Members of the Montana Reserved Water Rights Compact Commission
Members of the Water Policy Interim Committee
All Legislators
John Tubbs, Director of the Montana Department of Natural Resources and Conservation

Paper No. 3

January 11, 2015. Letter to Legislators Regarding the Lack of Quantification in the Proposed CSKT Compact

Prepared by Richard A. Simms

This paper discusses the substantive reduction of historic use of agricultural water in the Flathead Irrigation Project and its conversion to instream flow as an inappropriate and potentially illegal substitute for the quantification of the federal reserved water rights of the CSKT. The paper also discusses a number of tenets of federal law reserving Indian reservations and federal reserved water rights, including the fact that federal reserved water rights arise out of the federal reservation of land.

Letter from Attorney Richard A. Simms to Montana Legislators On behalf of the Montana Land and Water Alliance, Inc.

EXECUTIVE SUMMARY

January 12, 2015

1. **The Tribes claimed and the 2013 Compact would have awarded 179,539 acre feet of water, measured at the farm turnouts, for the irrigation of 128,241.73 acres of land in the Flathead Irrigation Project. The historical duty of water in the Project was 4.7 acre feet per acre. The 2013 Compact reduced the historical duty by 3.3 acre feet per acre to 1.4 acre feet, diminishing the amount of water historically available to the irrigators on farm by 423,200 acre feet annually. This reduction in supply is carried into the new Compact.**

2. **The 2013 Compact, discussed above, would have permanently reduced the irrigators' water supply by 423,200 acre feet annually. The new Compact, released on January 7, 2015, preserves what would have been done by the 2013 Compact, but exacerbates the permanent reduction in the irrigators' water supply by 35,908 to 71,816 more acre feet annually by changing the measurement of the water delivered to the irrigators from the farm turnouts to a River Diversion Allowance.**

3. **The on-Reservation instream flows were created: 1) to provide a basis upon which to exercise Tribal control over all of the water entering the Reservation; 2) to impose numerous conservation measures on the Irrigation Project irrigators and to convert the water thus saved to Tribal instream flows; 3) to make it possible to control the "secretarial water rights" within the Irrigation Project; and 4) to make it possible to control all of the state-based, private diversions on the Reservation outside of the Irrigation Project to minimize their use of water. These four objectives are accomplished through the Tribes' on-Reservation instream flow claims, which are adopted in the Compact.**

4. **In the guise of off-reservation instream flows, the Compact would award the Tribes control over almost all of the water west of the Continental Divide in Montana, the use of which was previously under the control of the State of Montana for the beneficial use of its citizens.**

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January 8, 2015

Senator Debby Barrett, President of the Senate
Representative Austin Knudsen, Speaker of the House
All Legislators

Ladies and gentlemen:

In reaching agreement on the terms of the proposed Compact, the Tribes and the Montana Reserved Water Rights Compact Commission have tacitly agreed to transform federal reserved water rights under *Winters v. United States*, 207 U.S. 564 (1908), into Indian reserved water rights, greatly expanding the nature and scope of the permissible claims that Indian tribes can make under the Winters Doctrine.[1] An understanding of the relevant historical facts is important.

The Treaty of Hellgate created the Flathead Indian Reservation. When the Treaty was negotiated in 1855, the State of Montana did not exist. The Winters Doctrine did not exist either, and the United States had no legal basis at the time on which to claim water rights under federal law that might be held in trust for Indian tribes.

In the early 1800s, the United States was still in the process of acquiring western lands from various foreign powers. About 90% of the State of Montana became part of the public domain in the Louisiana Purchase in 1803. The northwest corner of Montana became part of the public domain of the United States by virtue of the Treaty of June 15, 1846, with Great Britain, and all of Montana became part of Washington Territory on March 2, 1853, two years ahead of the Treaty of Hellgate.

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[1] In *Winters*, the Court was confronted with a circumstance in which the United States needed water to supply a proposed irrigation project on the Ft. Belknap Indian Reservation when the Treaty creating the Reservation was silent with respect to water and the only other way to perfect a water right at the time was through Montana state law. To create a basis upon which to generate a water right under federal law, the United States Supreme Court held that **when the Unites States reserves land from the public domain for the purpose of creating an Indian Reservation, the Unites States impliedly reserved enough then unappropriated water to satisfy the purposes for which the lands were withdrawn.** The "Winters Doctrine" has been articulated in these terms by the Supreme Court ever since the doctrine was created in 1908.

In the middle 1800s, western expansion in the United States was growing rapidly. Pursuant to Art. XII of the Treaty of Hellgate, the Treaty would not become effective until its ratification by Congress in 1859, for a reason. In 1855, the President's representative, Washington Territorial Governor Isaac Stevens, negotiated the Treaty of Hellgate, in which the CSKT "hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the country occupied or claimed by them."[2] On March 8, 1859, Congress ratified the Treaty of Hellgate, making the Treaty effective and establishing that the Flathead Reservation was reserved from lands in the public domain by the will of the United States Congress. Prior to 1859, the Flathead Reservation did not exist, and the Tribes did not own "all the water in, on and under the Reservation."

According to the Tribes, the water rights on the Flathead Reservation were not impliedly reserved by the United States under *Winters* to satisfy the purpose for which the United States withdrew the land from the public domain. The Tribes assert that the Reservation lands were never a part of the public domain and that they created their own Reservation by virtue of their "time immemorial" occupation of the area.[3] The Tribes also assert that Art. III of the Treaty of Hellgate, which deals with access and rights of way, generates instream flow water rights. Specifically, the Tribes rely on the provision that states "the exclusive right of taking fish in all of the streams running through or bordering said reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed places, in common with citizens of the Territory . . .." According to the Tribes, this language gives them instream flow rights on and off the Reservation with a "time immemorial" water right priority.

In recognizing the substance and scope of the CSKTs' Indian reserved water rights claims in the proposed Compact, the Compact Commission has agreed with the Tribes that the Tribes have always owned "all of the water in, on and under the [Flathead] Reservation." The Tribes and the Compact Commission have also agreed with the legal proposition that the Tribes reserved their own Reservation with a "time immemorial" water rights priority. The United States Supreme Court, on the other hand, has never reached any of these legal conclusions in federal reserved water rights litigation, and it is highly unlikely that the Court ever will.

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[2] In Art. II of the Treaty the United States' reservation of lands from the public domain to create the Flathead Reservation was made from "the lands ceded" by the Tribes in Art. I. The lands were already a part of the public domain.

[3] As stated by Tribal Council, "the U.S. Supreme Court determined [in *Winters*] that the Tribes had reserved to themselves adequate water to satisfy the purposes for which the Reservation was created . . .." John B. Carter, "Indian Aboriginal and Reserved Water Rights, An Opportunity Lost," 64 Mont. L. Rev 377 (2003) See also the "Premise" of *CSKT v. U.S. Dept. of Interior Sec. Sarah Jewell, et al (CV-14-44-M-DLC), presently pending in federal district court: "The Tribes reserved from their aboriginal territory the Flathead Indian Reservation as their exclusive and permanent homeland pursuant to the Helllgate Treaty of July 16, 1855 (12 Stat. 975)," at ¶ 1.*

1) **The Tribes claimed and the 2013 Compact would have awarded 179,539 acre feet of water, measured at the farm turnouts, for the irrigation of 128,241.73 acres of land in the Flathead Irrigation Project. The historical duty of water in the Project was 4.7 acre feet per acre. The 2013 Compact reduced the historical duty by 3.3 acre feet per acre to 1.4 acre feet, diminishing the amount of water historically available to the irrigators on farm by 423,200 acre feet annually. This reduction in supply is carried into the new Compact.**

A Press Release issued by the Governor's Office on December 11, 2014, begins with the statement that "the Compact . . . protects all existing rights for stockwater, municipal, domestic, commercial, industrial and other non-irrigation uses, while respecting tribal and treaty rights." Conspicuously missing is a statement that the Compact would protect all irrigation rights. One of the possible reasons is that the Compact permanently reduces by 423,200 acre feet annually the irrigation rights appurtenant to all lands in the Flathead Irrigation Project, 90% of which are owned by non-Indian irrigators.

The Abstracts in three Appendices to the Compact quantify the Tribes' aboriginal and federal reserved water rights claims for "the Flathead *Indian* Irrigation Project."[4] Appendix 5 to the Compact contains three Abstracts, one for each division of the Irrigation Project. The Tribes' total claim for irrigation rights of 179,539 acre feet was calculated by multiplying the total acreage in each division by an allowable duty of 1.4 acre feet per acre:

District	**Acres**	**Duty**	**Acre Feet**
Jocko	10,604.82	1.4	14,847
Mission	13,077.87	1.4	18,309
Flathead	104,559.04	1.4	146,383
Project Total	128,241.73		179,538

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[4] The "Flathead Indian Irrigation Project" is defined in the Compact as "the irrigation project developed by the United States to irrigate lands within the Reservation pursuant to the Act of April 23, 1904, Public Law 58-159, 33 Stat. 302 (1904), and the Act of May 29, 1908, Public Law 50-156, 35 Stat. 491 (1908)." When those Acts were passed , however, the "Flathead Irrigation Project" was a Reclamation Project. The Project was transferred to the BIA by the Secretary of the Interior in 1924. The Tribes proposed that the Compact redefine the Flathead Irrigation Project, attempting to turn it into an Indian Project, to obviate 25 U.S.C. § 463(a) of the Indian Reorganization Act of 1934 which explicitly preserved the lands and water rights developed "within any reclamation project heretofore authorized in any Indian reservation."

According to a 1938 Bureau of Indian Affairs Report, 490,859 acre feet of water were available contemporaneously to irrigate the 104,859 Project acres that were then irrigated, translating into an historical duty of water recognized by the BIA of 4.7 acre feet per acre.[5]

By reducing the historical duty of water on the Project of 4.7 acre feet per acre to 1.4 acre feet per acre, the Compact would permanently diminish the annual amount of water historically available to the irrigators by 423,220 acre feet. In addition, the Compact contains numerous provisions for the further diminution of the Project irrigation right to allow the Tribes to continue to convert the water from irrigation to instream flows, up to and including "decommissioning" the Flathead Irrigation Project. In the Water Use Agreement, annual payments made by the State of Montana for "irrigation rehabilitation and betterment" are discussed. Item 39(g) of the Agreement specifies that "in the event the annual payments described in 39(e), above, are no longer needed, **such as in the event the FIIP is decommissioned, all invested funds shall be dispersed for FIIP removal and landscape rehabilitation.**" In other words, if the reduction in the duty of water, combined with additional, mandatory conservation measures, cause the Irrigation Project to fail, the Tribes enlist the State of Montana to fund the removal of the Project works and the rehabilitation of the landscape.[6]

Because of the way in which the CSKT rights are quantified in the proposed Compact, the taking of 423,220 acre feet from the irrigators is not apparent, much less obvious to anyone diligent enough to read all 55 pages of the Compact and all 1,456 pages of the Appendices to the Compact, within which the Abstracts lie.

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[5] The Flathead Joint Board of Control, representing all of the irrigators in the Flathead Irrigation Project, has repeatedly attempted to obtain water distribution and Project diversion records from the Bureau of Reclamation and the Bureau of Indian Affairs, to no avail. In *Flathead Joint Board of Control v. United States Department of the Interior*, 309 F. Supp.2d 1217 (Mont. 2004), the Board of Control made a Freedom of Information Act request to the Bureau of Reclamation and the Bureau of Indian Affairs to obtain the same kind of information. Except for a small number of documents, their request was denied.

[6] In this regard, the Flathead Irrigation Project was designed and constructed by Reclamation to irrigate "all of the practicably irrigable acreage" on the Flathead Reservation. In *Arizona v. California*, 373 U.S. 346 (1963), the Supreme Court set the standard of "practically irrigable acreage" as a means of defining the limit on the amount of water reserved by the United States for both the present and future needs of the Indians. The Flathead Reservation is probably the only Indian Reservation in the country where the United States optimized the amount of the Winters Doctrine reserved right for the Tribes. Ironically, within three decades the Tribes walked away from their optimal federal reserved water right by the voluntary sale of individual allotments to non-Indians who now farm 90% of the land within the Irrigation Project.

The Appendices and the Abstracts have never been reviewed or explained for the Legislature.

2) **The 2013 Compact, discussed above, would have permanently reduced the irrigators' water supply by 423,200 acre feet annually. The new Compact, released on January 7, 2015, preserves what would have been done by the 2013 Compact, but exacerbates the permanent reduction in the irrigators' water supply by 35,908 to 71,816 more acre feet annually by changing the measurement of the water delivered to the irrigators from the farm turnouts to a River Diversion Allowance.**

The Flathead Irrigation Project is a large and complicated system designed to capture and divert all of the water needed to irrigate all of the practicably irrigated acreage on the Flathead Reservation. Prior to 1924, when the initial construction was completed, "Reclamation [had] constructed eight reservoirs and dams, eight diversion dams, 56 canals, and over 9,145 canal structures (bridges, culverts, pipes, and flumes). This included 863 miles of canals, 15 miles of drains, 75,957 feet of pipe, and 24 miles of roads."[7] The Project now "includes 15 reservoirs, over 1,300 miles of canal and lateral systems and approximately 10,000 minor structures" for the diversion, control, and application of the diverted water to beneficial use on individual farms or ranch properties. *Id.* at 3.

While the Project is large and complicated, the Reclamation Service strategically sited canal intakes along different stretches of the river system to divert the water from its natural course into the main canal system. Once the water is diverted into the main canal system it travels through the system and is ultimately diverted through smaller canals and laterals to the headgates of individual farms where it is turned onto farmland. Depending on the location of the individual farm turnouts and the distance the water has to be conveyed through the system, the losses that occur because of canal leakage, evapotranspiration by riparian trees and vegetation, and evaporation off the bare surface of the water, vary at individual farm turnouts. The actual water that reaches the farm turnout, however, is considerably less than the volume of water diverted at the river and stream courses.

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[7] Garrit Voggesser, "The Flathead Project," Bureau of Reclamation, 2001, at 23. After 1924, the Indian Service completed the construction of Kicking Horse Dam, Dikes, and Reservoir in 1930. The Indian Service completed the entire Flathead Irrigation Project in 1963. *Id.* at 26-27.

The new Compact would deliver the same 1.4 acre feet per acre or 179,538 acre feet as measured by a "River Diversion Allowance" as opposed to a "Farm Turnout Allowance." As a result, the losses of water between the river and stream diversions and the individual farm turnouts will have to be absorbed by the individual irrigators. This problem could have been solved by increasing the amount of water needed per acre (1.4 acre feet) to a higher number, but no adjustment was made to protect the irrigators.

The Tribes suggest that these losses could be as high at 20% to 40%.[8] Because the losses now fall on the irrigators' shoulders, the permanent annual reduction of the irrigators' water supply would increase from 423,200 acre feet by 35,908 (20%) to 71,816 (40%) acre feet more, *i.e.*, to a range from 459,108 to 495,016 acre feet annually in permanent water lost to the irrigators. Viewed in personal terms, the new Compact would reduce the average duty of water of 1.4 acre feet per acre so that individual deliveries would range from 0.84 acre feet per acre to 1.1 acre feet per acre. It is doubtful that any irrigator in the Project could get along with such a drastic reduction in annual water supply.

3) The on-Reservation instream flows were created: 1) to provide a basis upon which to exercise Tribal control over all of the water entering the Reservation; 2) to impose numerous conservation measures on the Irrigation Project irrigators and to convert the water thus saved to Tribal instream flows; 3) to make it possible to control the "secretarial water rights" within the Irrigation Project; and 4) to make it possible to control all of the state-based, private diversions on the Reservation outside of the Irrigation Project to minimize their use of water. These four objectives are accomplished through the Tribes' on-Reservation instream flow claims, which are adopted in the Compact.

To appreciate what the Tribes and the Compact Commission have done in the Compact, you have to step back and understand what it is they are trying to accomplish and exactly what Compact provisions they've crafted to get there.

The Confederated Salish and Kootenai Tribes have based their Compact negotiating position on the claim that their Tribal water rights have suffered from two principal "stresses," the first being their view that "the construction, operation and maintenance of the Flathead Irrigation Project "has severely degraded Tribal natural resources," and the second being their opinion that "ongoing water development [of both surface and ground water] under the State of Montana appropriation system" has "substantially diminished[ed] Reservation riparian and aquatic habitats."[9] Accordingly, **the Tribes have claimed "all [of] the water necessary to revitalize the pre-Treaty natural environment of the Reservation *and* such additional water necessary to satisfy the many purposes for which they reserved [the] Flathead Reservation as their permanent homeland."**[10] *Id.*, at 10. (*Emphasis added*).

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[8] Discussion by Seth Makepeace, the Tribal Hydrologist, and Wade Irion, a Tribal consultant from HKM, June 18, 2014, Helena Montana. See, also, CSKT Compact Technical Working Group, "Report of Findings," August 26, 2014.

Agreeing in principle with the Tribes' basic positions, the Compact Commission has agreed to convert ostensibly wasteful uses of Flathead Project irrigation water into instream flow rights owned by the Tribes and "to do this extraordinary thing" . . . [of] "remov[ing] non-Indian rights on the Reservation from the jurisdiction and control of the state." Comments of Chris Tweeten, Compact Commission Meeting, August 2, 2012. Based on the Tribes' claim that they own all of the surface and ground water on the Flathead Reservation and that **they should have plenary control over the administration of all of the water,** the new Compact simultaneously purports to: 1) roll into Tribal ownership any and all of the legal rights that non-Tribal irrigators have to irrigate lands in the Flathead Irrigation Project; 2) eliminate the State of Montana's constitutional mandate to administer public waters on the Flathead Reservation; and 3) take without compensation Flathead Irrigation Project water and to convert into on-Reservation instream flows with a time immemorial priority owned by the United States in trust for the Tribes.

There are three types of on-Reservation instream flows in the Compact, namely "Natural Node" flows (Appendix 10), "FIIP Instream Flows" (Appendix 11, and "Other Reservation Instream Flows" (Appendix 12). All together, it takes a total of 645 pages in the three Appendices to explain or "quantify" the instream flows. Exhibit A, attached hereto, shows the locations of the 102 Natural Node flows are in red, the 33 FIIP Instream Flows in blue, and the 49 other (non-FIP) instream flows in green so they can be referenced as they are discussed below.

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[9] CSKT Settlement Briefing Paper, July 27, 2010, at 2-3.

[10] Contrary to the Winters Doctrine, none of the federally reserved water rights claimed by the Tribes has been quantified based on an explication of the purposes for which the United States reserved the Flathead Reservation. The assertion that "a permanent homeland" was the basic purpose of the Reservation is inaccurate as a matter of historical fact, and the so-called purpose is nothing more than a meaningless generality adopted to avoid quantification of the federally reserved right on the basis of the actual purposes for which the Flathead Reservation was withdrawn from the public domain.

Initially, it should be noted that instream flow rights are conceptually different than typical water rights to divert water from a stream or river and apply it to beneficial use. Strictly speaking, instream flow rights are the antithesis of rights to divert and use water because their purpose is to preclude the diversion and use of water in order to maintain the volumes of water in a river or stream which are described as flow rates by the instream flow right. Federal reserved instream flow rights can be enforced against water rights perfected under regimes of state law only for three purposes: 1) to place a "call" on all upstream, junior water rights to force them to cease their diversions until the instream flow right is fully satisfied; 2) to preclude new uses of water under the doctrine of prior appropriation; and/or 3) to preclude transfers of prior appropriation water rights to private lands upstream of the instream flow rights. In other words, precluding the diversion of water by junior water right owners, as well as water development by new appropriations, is the only legal utility of an instream flow "water right."

a. Natural Node of "Natural Flow" Instream Flows.

The Natural Node instream flows are sometimes called the "Natural Flow" instream flows. Looking at Exhibit A, these flows (red) are located at the base of headwater streams, generally above existing water diversions and use under state law, but below all of the runoff area uninfluenced by the activities of man. The red dots are the points of administration. The "place of use" encompasses every reach of every stream that drains water to the Reservation. Looking to the east side of the Reservation, for example, these instream flow rights were designated to make it possible for the CSKT to exercise control over all of the natural runoff from the Mission Mountains that enters the Reservation. To the south, the instream flows are positioned to capture all of the natural runoff from the Rattlesnake Mountains, to the southwest all of the natural runoff from the Salish Mountains, and to the northwest all of the natural runoff from the Cabinet Mountains. In addition, points of administration are located internally on the Reservation at lower elevations of numerous mountainside stream systems.

The purpose of the Natural Node instream flows, in a nutshell, is to make it possible for the CSKT to exercise administrative protection over all "the waters in, on, and under the Reservation."[11] If the legal principles articulated by the United

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[11] The volume of water that flows through each of the nodes is calculated for wet, normal, and dry years, while the instream flows are set based on the flows in wet years. This assumes that the stream flows entering the Reservation are characteristic of wet hydrologic conditions, but no provision is made in the Compact to adjust the flows in the stream system below these nodes to match the flow conditions in normal or dry years.

States Supreme Court were followed, the CSKT would not be allowed these instream flows.

b. FIIP Instream Flows.

While Art. VI of the Treaty of Hellgate contemplated the allotment of Reservation lands, the disposal of unallotted lands, and the direct sale of Reservation lands as in the Treaty with the Omahas, it wasn't until the Flathead Allotment Act of April 23, 1904, 33 Stat. 302, that Congress required the Reservation to be allotted in severalty to individual Tribal members and opened unallotted lands to settlement under the homestead and mining laws. In the Act of May 29, 1908, 35 Stat. 448, Congress amended the Flathead Allotment Act and authorized the creation of the Flathead Irrigation and Power Project to supply water to irrigate all of the irrigable land on the Reservation, whether owned by allottees, settlers, or purchasers of allotments.

Today, the Tribes describe the condition of the Irrigation Project as "deplorable" and maintain that its "construction, operation, and maintenance has severely degraded Tribal natural resources."[12] Consulting engineers for the Tribes have recommended such improvements as replacing existing turnouts with precast headgates that include flow meters, restricting livestock access to canals and laterals, the installation of automated water management equipment, the installation of fish protection structures, canal lining, canal realignment, the elimination of Spring flood flow application, and the use of new technologies, such as sprinkler instead of gravity flow irrigation.

The FIIP instream flows are flows that are theoretically calculated and made available, initially, by idealizing Irrigation Project management, operations, and efficiency and converting the "water saved" into the claimed instream flows. The first installment of saved water would come from the reduction of the duty of water on Project lands from 4.7 acre feet per acre to 1.4 acre feet, resulting in a "savings" of 423,200 acre feet annually, as was proposed in the 2013 Compact, discussed in Number 1, above.[13] The second installment would come from the new Compact through the change in the measurement of water delivered to the irrigators from the farm turnouts to a River Diversion Allowance, discussed in Number 2, above.[14] This would increase the "savings" of 423,200 acre feet annually to somewhere between 459,108 to 495,016 acre feet annually. Additional installments would come from additional conservation measures imposed on the irrigators by means of rehabilitation and betterment projects idealized by computer modeling to hypothetically estimate addition water savings.

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[12] Settlement Briefing Paper, July 27, 2010, at 6 and 7.

[13] Pages 3-5.

[14] Pages 5-6.

There are 32 FIIP instream flows in Appendix 11 of the Compact, twenty-one of which were quantified by the Tribes' contractor as a result of *Joint Board of Control v. United States and Confederated Salish & Kootenasi Tribes*, 832 F.2d 1127 (9th Cir. 1987), using three commonly accepted fishery methodologies to determine **minimum** instream flows, *i.e.*, the incremental instream flow methodology, the wetted perimeter methodology, and the Tenet method. The other 11 instream flows were added on top of the twenty-one interim instream flows without the use of any of these methodologies.

In the Compact, the Tribes and the Compact Commission increased the interim instream flows by 317.8% by ignoring the fact that the courts have recognized only **minimum** instream flows for fishery purposes when such flows have been recognized. The true underlying purpose of the large award of water is to give the Tribes administrative control over all of the water on the Reservation. When the 11 new instream flows were added, the Tribes and the Compact Commission increased the interim instream flows by 392%. They should have quantified the FIIP instream flows by establishing that the water is needed to satisfy the purpose for which the Reservation was created. Revitalizing "the pre-Treaty natural environment" was not one of the purposes of the Flathead Reservation.

c. The Other Reservation Instream Flows.

There are 82 instream flow rights shown on Exhibit A that were created to exercise Tribal control over the "Secretarial water rights" within the Flathead Irrigation Project (blue) and the "private water rights" outside of the Project (green).

The private water rights are located outside the Project. The Secretarial water rights are designated "non-FIIP" water rights because they are not served by the Project facilities. These rights were initially served by private ditches or springs within the Project, with some developed before the construction of the Project, and other developed contemporaneously with Project construction. The rights were identified by a Reclamation Commission created to determine how the rights should be treated. The net result was that the Secretary of the Interior recognized approximately 6,000 acres of valid, pre-Project rights that came to be known locally as "Secretarial water rights." These are in fact state-based water rights that needed discrete protection because they are located within the Project, but are not being served by Reclamation's 93 water right filings under Montana law for the water rights to needed serve the Project.

By reference to Exhibit A, you can see the administrative points for the private rights in green and the Secretarial rights in blue. In each instance, the administration points are located below the lands served under the private and Secretarial rights and the upstream, Natural Node rights shown in red. Looking at Exhibit A, it becomes clear that the instream administration points for the private and the Secretarial rights were located where they are to enable the Tribes to exercise control over the intervening private and Secretarial rights.

These instream flow rights have no other purpose than leveraging the Tribal instream flow rights against the private and Secretarial rights in order to squeeze water out of these two kinds of state-based water rights to convert it to Tribal instream flows.

4) **In the guise of off-reservation instream flows, the Compact would award the Tribes control over almost all of the water west of the Continental Divide in Montana, the use of which was previously under the control of the State of Montana for the beneficial use of its citizens.**

In the first paragraph of their complaint in the pending federal district court action against the United States Department of the Interior and the Bureau of Indian Affairs, et al., the CSKT claim that they, as opposed to the United States, "reserved from their aboriginal territory the Flathead Indian Reservation as their exclusive and permanent homeland pursuant to the Hellgate Treaty." In ¶ 33, they state that "[u]nder Art. III [of the Treaty] the Tribes reserved their right to hunt, fish, and gather on **and off** the [Flathead Indian Reservation]." In the Compact negotiations, Art. III was the legal basis upon which the Tribes and the Compact Commission agreed to recognize off-Reservation instream flows.

Art III of the Treaty of Hellgate states: "The exclusive right of taking fish in all the streams running through or bordering said reservation is further secured to said Indians; **as also the right of taking fish at all usual and accustomed places, in common with citizens of the Territory . . ..**" (*Emphasis Added*). On its face, the right conferred by Art. III is a right of access held in common by the Tribes and the citizens of the Territory. A right owned in common is a right owned or shared equally by all members of the common group, which in this case includes the Tribes and the non-Indian citizens of Washington Territory, who today are the non-CSKT citizens of the State of Montana. In recognizing a "time immemorial priority" for the claim of off-reservation instream flows, however, the Tribes and the Compact Commission have bifurcated the common right in Art. III, making the Tribes' portion of the right prior and paramount to the rights of the other citizens of Montana. There is absolutely no precedent for doing so, and the United States Supreme Court most certainly would not rewrite Art. III of the Treaty of Hellgate to recognize a so-called water right that would give the Tribes legal control over nearly of the water west of the Continental Divide in Montana.[15] See Exhibit B.

Art. III of the Treaty of Hellgate also conceptually limits any claim of a self-reserved Art. III water right to the Tribes' aboriginal territory. The CSKT "subsistence or ranging" area, where the Tribes have threatened to file 10,000 claims for "aboriginal" instream flows, was not part of the Treaty of Hellgate. The CSKT "aboriginal territory" was the primary area of occupancy and settlement to which the Tribes ceded, relinquished, and conveyed all right, title, and interest in exchange for the Flathead Reservation and $26,793,171.25 in cash.[16] The 12,000,000 acres they ceded lies west of the Continental Divide, and it was on these lands that Art. III of the Treaty provided access to fish at their usual and accustomed places.[17]

There is another reason fundamental to the fabric of western water law that the Supreme Court would not rewrite Art. III of the Treaty of Hellgate to give control of the public water supply to the Tribes as the Tribes and the Compact Commission have done. In *California-Oregon Power Co. v. Beaver Portland Cement Co.*, 295 U.S. 142 (1935), the Court concluded:

> We hold that following the Act of 1877, if not before, all non-navigable waters then a part of the public domain became *publici juris*, subject to the plenary control of the designated states, . . . with the rights in each [state] to determine for itself to what extent the rule of appropriation or the common-law rule in respect to riparian rights should obtain. For since 'Congress cannot enforce either rule upon

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[15] According to the Tribes, they also have an Art. III right to control much of the water in eastern Montana. In this regard, the Tribes have repeatedly asserted that they will "file [over 10,000] claims for instream flows throughout their aboriginal territory" in Montana, including, in their opinion, their "subsistence territory" east of the Continental Divide. CSKT Settlement Briefing Paper, July 27, 2010. The chances of the United States Supreme Court recognizing any or all of the 10,000 claims throughout the State of Montana is close to nil.

[16] See Findings of Fact on Compromise Settlement, August 1, 1966, at 1. ICC Docket No. 61; ICC Docket # 50233, 86 Stat. 64.

[17] See Findings of Fact, August 3, 1959, Findings Nos. 17-19, ICC Docket No. 61.

> any state,' *Kansas v. Colorado*, 206 U.S. 46, 94 [1906], the full power of choice must remain with the state.'

On the basis of this law, the State of Montana rejected the common law of riparian rights and adopted instead the doctrine of prior appropriation. Pursuant to Art. IX, § 3 of the Montana Constitution, "[a]ll surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided by law." Art. IX of the Montana Constitution applies both on and off the Flathead Reservation, though the Tribes and the Compact Commission have agreed in the Compact to "remove non-Indian rights on the Reservation from the jurisdiction and control of the state."

As explained above, the purpose or legal utility of a reserved instream flow water right is: 1) to preclude the continued use of existing of water rights perfected under state law through priority administration; 2) to prevent changes in use of existing water rights under state law; and/or 3) to preclude the development of new uses of public water under state law. Through the recognition of off-Reservation instream flows over nearly all of the off-Reservation waters draining to the Columbia River west of the Continental Divide, the Tribes would ostensibly be given the legal power to do each of the three things described above. While Art. IX of the Montana Constitution would still apply formally to the area draining to the Columbia, except on the Reservation, the significance of its application would be significantly diminished. See Exhibit B.

Conclusion

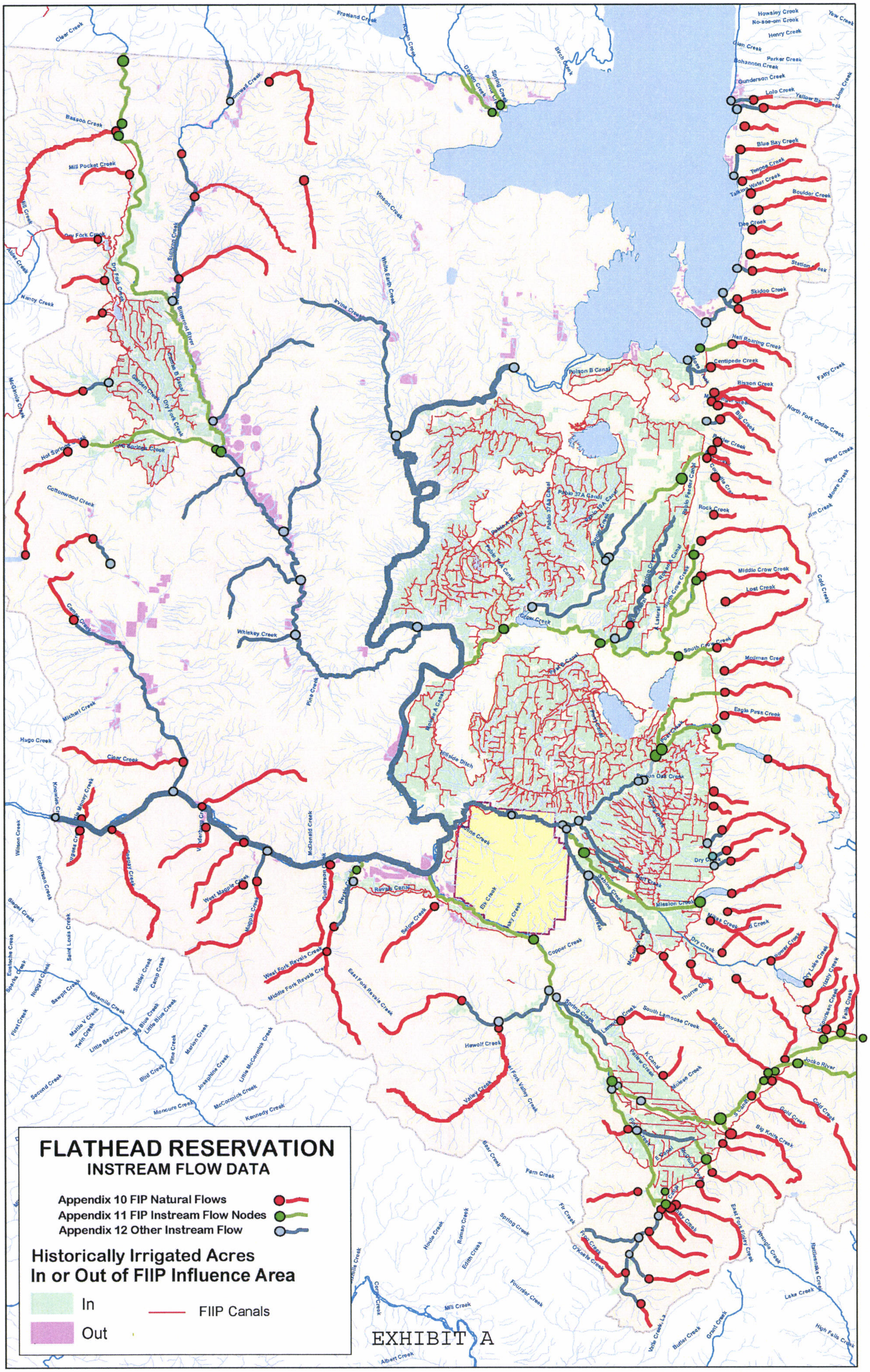
The United States Supreme Court has repeatedly held that federal reserved water rights are implied water rights that derive from the purposes for which the United States withdraws land from the public domain for a specific federal purpose. In the CSKT Compact, the basic mechanism for generating reserved rights is the use of a computer model to hypothetically idealize the management, operation, and efficiency of the Flathead Irrigation and Power Project in order to convert the water saved into 102 instream flows that portray the Flathead Reservation before man ostensibly ruined the area, all at the expense of 2,000 farmers and ranchers who use Project waters. If the goal is to kill the Flathead Irrigation Project, the Compact is a good start. The proposed Compact is not grounded, in any respect, on a Winters Doctrine reserved right that would be litigated in court.

Sincerely,

Richard A. Simms

Cc: Attorney General Tim Fox

Exhibit A: Map Locating On-Reservation Instream Flows
Exhibit B: Map Locating Off-Reservation Instream Flows

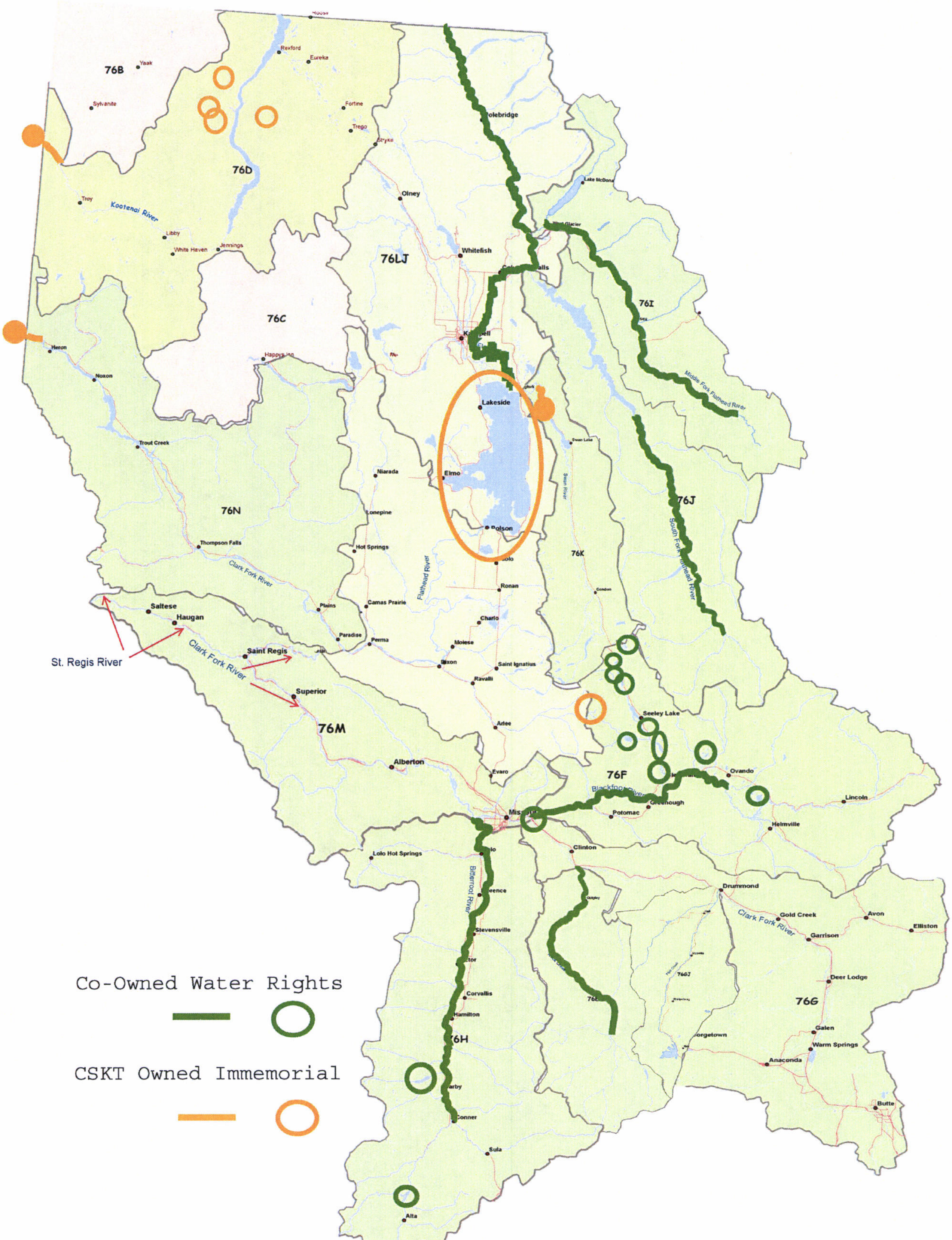

Appendix 10 FIP Natural Flows
Appendix 11 FIP Instream Flow Nodes
Appendix 12 Other Instream Flow
Historically Irrigated Acres
In or Out of FIIP Influence Area
In
Out
FIIP Canals
Clear Creek
Bassoo Creek
Mill Pocket Creek
Dry Fork Creek
Nancy Creek
McGinnis Creek
Hot Springs Creek
Cottonwood Creek
Camas Creek
Michel Creek
Hugo Creek
Knowles Creek
Wilson Creek
Burgess Creek
Seepay Creek
West Magpie Creek
Magpie Creek
McDonald Creek
Gunderson Creek
Revais Creek
Revais Canal
West Fork Revais Creek
Middle Fork Revais Creek
East Fork Revais Creek
Selow Creek
Hewolf Creek
Valley Creek
Copper Creek
Spring Creek
South Lamoose Creek
Jocko River
Big Knife Creek
Finley Creek
East Fork Finley Creek
Bitterroot River
Sullivan Creek
Vinson Creek
White Earth Creek
Irvine Creek
Whiskey Creek
Pine Creek
Hillside Ditch
Moiese A Canal
Crow Creek
South Crow Creek
Middle Crow Creek
Lost Creek
Mollman Creek
Eagle Pass Creek
Post Creek
Mission Creek
Sabine Creek
Dry Creek
Polson B Canal
Pablo Feeder Canal
Pablo 37A Canal
Hell Roaring Creek
Centipede Creek
Bisson Creek
Big Creek
Rock Creek
Skidoo Creek
Station Creek
Dee Creek
Boulder Creek
Talking Water Creek
Blue Bay Creek
Yellow Bay Creek
Lolo Creek
Gunderson Creek
Bohannon Creek
Glen Creek
Henry Creek
Howsley Creek
Freeland Creek
Dayton Creek
Spring Creek
Ninemile Creek
Albert Creek
Lake Creek
High Falls Creek
Rattlesnake Creek

FLATHEAD RESERVATION

INSTREAM FLOW DATA

EXHIBIT A

CSKT Water Compact -
Off Reservation Water Rights Claims


76B
Yaak
Sylvanite
Rexford
Eureka
Fortine
Trego
Stryker
76D
Troy
Kootenai River
Libby
White Haven
Jennings
76C
Happys Inn
Heron
Noxon
Trout Creek
76N
Thompson Falls
Clark Fork River
Plains
Paradise
Saltese
Haugan
Saint Regis
Superior
St. Regis River
76M
Alberton
Polebridge
Olney
Whitefish
76LJ
Kalispell
Lake McDonald
West Glacier
76I
Middle Fork Flathead River
Lakeside
Elmo
Polson
Niarada
Lonepine
Hot Springs
Camas Prairie
Flathead River
Ronan
Charlo
Moiese
Dixon
Perma
Saint Ignatius
Ravalli
Arlee
Evaro
Swan Lake
Swan River
76K
Condon
76J
South Fork Flathead River
Seeley Lake
76F
Ovando
Blackfoot River
Greenough
Potomac
Lincoln
Helmville
Missoula
Clinton
Lolo Hot Springs
Bitterroot River
Florence
Stevensville
Corvallis
Hamilton
76H
Darby
Conner
Sula
Alta
Drummond
Clark Fork River
Gold Creek
Garrison
Avon
Elliston
Deer Lodge
76G
Galen
Warm Springs
Anaconda
Butte
Co-Owned Water Rights
CSKT Owned Immemorial

Paper No. 4

January 15, 2015. Letter to the Montana Land and Water Alliance Regarding Why it is not possible to "do anything you want" in a compact negotiation

Prepared by Jay F. Stein and James C. Brockmann

This paper describes that there are 'sideboards' on any federal reserved water rights negotiation and why the approach used in the negotiation of the CSKT Compact is legally improper.

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To: Dr. Catherine Vandemoer
Chair, Montana Land and Water Alliance, Inc.

A77-524

From: Jay F. Stein, James C. Brockmann, and Seth R. Fullerton

Re: CSKT Compact Analysis

Date: February 3, 2015

Facts:

The Confederated Salish and Kootenai Tribes ("Tribes") are seeking to enter into a compact ("CSKT Compact") with the State of Montana to settle water rights claims advanced by the United States on behalf of the Tribes in the Montana general stream adjudication styled *United States v. Abell,* No. CIV-79-33-M (filed April 5, 1979). The draft CSKT Compact of January 12, 2015,[1] is analyzed in this memorandum, together with "The CSKT Compact 'Boiled Down'" memorandum from the Compact Commission, and the U.S.D.A. –Forest Service- Montana Compact.[2]

The CSKT Compact states that it "is entered into by and among the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, the State of Montana, and the United

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[1] The Compact of January 12, 2015, contains no substantive revisions to the November 8, 2014, draft. The proposed water administration system, volume of water allocated to the Flathead Irrigation Project, and volume of instream flows remain the same.

[2] There have been numerous revisions to the CSKT Compact. The nine Appendices remain incomplete.

States of America to settle all existing claims to water of or on behalf of the Confederated Salish and Kootenai Tribes…". The tribal claims are principally for instream flows for which the Tribes claim an aboriginal priority. The issues discussed in this memorandum derive from the presence of non-federal water right holders within the Flathead Indian Reservation who exercise rights obtained under state law within the Flathead Irrigation Project, and who are adversely affected by the CSKT Compact.

The CSKT Compact has two principal effects. The proposed compact transfers the administration of the public waters of the State of Montana on the Flathead Reservation, including rights obtained under State law in the Flathead Irrigation Project, from the executive branch of government to a board created by the Compact. Second, the CSKT Compact transfers ownership of non-federal water rights to the Tribes and reduces the historical duty of water used by irrigators within the Flathead Irrigation Project to provide for instream flows to satisfy tribal claims.

Question:

Can anything be negotiated in a compact? Can Montana give the Tribes administrative jurisdiction over water rights when Art. IX of the Montana Constitution requires otherwise?

Conclusion:

Because a compact is a law of the State, and requires ratification by the State legislature, the legislature cannot enact unconstitutional results. The CSKT Compact is unconstitutional in two respects.

- First, the transfer of administrative authority over public waters in the State of Montana to a board created by the CSKT Compact is contrary to Art. IX of the Montana Constitution, and is unconstitutional. [3]
- Second, the CSKT Compact creates an unconstitutional takings of water rights historically applied to beneficial use by irrigators within the Flathead Irrigation Project by transferring the irrigation rights to the Tribes and reducing the delivery of water to irrigators to provide instream flows within the Reservation.

Discussion:

A compact is both a creature of state and federal law. Ratification by the Montana legislature makes a compact a state law; ratification by the United States Congress makes the compact a federal law. The CSKT Compact is undergoing a ratification process in the Montana Legislature. If ratification should occur, the compact will become a law of the State of Montana. As such, it must comply with the provisions of the Montana Constitution enacted in 1973 which recognized the validity of prior rights and a state system for administrating them. The legislature has no power or authority to enact legislation that varies the provisions or the substance of the Montana Constitution. Such acts are unconstitutional.

Unconstitutional Delegation

At the Montana Constitutional Convention in 1972, the new Constitution and water statutes were drafted simultaneously. Art. IX of the Constitution confirmed and recognized the pre-1973 water rights and mandated that the Montana legislature "shall provide for the administration, control, and regulation of the water rights and shall establish a system of centralized records, in addition to the present system of local records." This provided for the administration of water rights in Montana, *i.e.*, acquisition of water rights, transfers of existing rights, and the enforcement of priority calls to protect senior priorities. Accordingly, the legislature created a system of statewide adjudication of all of the pre-1973 rights, recognizing that they had been developed by diversion and application to beneficial use pursuant to the territorial and the pre-1973 common law doctrine of prior appropriation. The Montana Water Act of July 1, 1973, also established a new permit system for initiating and perfecting new appropriations of water and for making changes in the purpose or place of use of existing water rights. These measures were to be undertaken pursuant to state law and under the jurisdiction of the executive branch of government.

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[3] The Compact Commission's memorandum "The CSKT Compact 'Boiled Down'" does not dispute that jurisdiction over water rights administration on the Reservation will be transferred to the Water Management Board: "Proposed Water Management Board (WMB) will have jurisdiction only ON the Reservation – NO jurisdiction…off the Reservation." *Id.* at p.3. However, the Compact provides that the WMB does have jurisdiction to lease the off-reservation water delivered from Hungry Horse Reservoir, Flathead Lake, and off-reservation flows in the South Fork of the Flathead River.

As a general proposition, a state cannot enter into a compact that is in contravention of the state constitution. In *Interstate Compacts-State Constitutions as Limitations on States' Power to Ratify Federally Approved Compacts*, 26 Indiana Law Journal 451 (1951), the author of the Note stated that "[s]ince the totality of a state's power is derived from its own sovereignty, Congress cannot grant a state the power to act in contravention of the state constitution." The Note cited *Montana ex rel. Hiare v Rice*, 204 U.S. 291 (1906); *Rhode Island v Massachusetts,* 12 Pet. 657 (U.S. 1838). *But see West Virginia ex rel. Dyer v. Sims,* 341 U.S. 22 (1951).

Administration is provided in Article IV. I of the CSKT Compact. Article IV.I.1 establishes the Flathead Reservation Water Management Board ("WMB") which "shall be the exclusive regulating body on the Reservation for the issuance of Appropriation Rights and authorizations for Changes in Use of Appropriation Rights and Existing Uses, and for the administration and enforcement of all Appropriation Rights and Existing Uses." [4] It includes two members appointed by the Governor, two by the Tribal Council, and one by those four board members. [5] The Compact Commission's Memorandum "The CSKT Compact 'Boiled Down'" defends this jurisdictional shift because it "fills regulatory void that currently exists on the Reservation and keeps the State at the table for future development on the Reservation". *Id.* at 3.[6]

The jurisdiction of the WMB is set forth at Article IV.I.4.a. It includes "exclusive jurisdiction over the issuance of all new Appropriation Rights on the Reservation. The process for the consideration, issuance or denial of all Appropriation Rights is set forth in the Law of Administration." [7] Under Article IV.I.4.c., the WMB shall have the jurisdiction to enforce the terms of this Compact...." Under Article IV.I.4.b., the Board has exclusive jurisdiction "over the issuance of authorizations for Changes in Uses of all water rights on the Reservation." Procedure is according to the Law of Administration. Under Article IV.I.1 the WMB has exclusive jurisdiction to resolve any controversy over the meaning and interpretation of the Compact on the Reservation, and any controversy over the right to the use of water as between the Parties or between or among holders of Appropriation Rights and Existing Uses on the Reservation…." The WMB has the power to "promulgate procedures." *See* Article IV.I.5.a.

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[4] "Appropriation Rights" and "Change in Use" are defined terms in Article II which pertains to administrative functions applied to water rights.

[5] **Establishment of Board.** There is hereby established the Flathead Reservation Water Management Board. Upon the Effective Date, the Board shall be the exclusive regulatory body on the Reservation for the issuance of Appropriation Rights and authorizations for Changes in Use of Appropriation Rights and Existing Uses, and for the administration and enforcement of all Appropriation Rights and Existing Uses.

[6] In *Ciotti v. Dept. of Natural Resources,* 923 P.2nd 1073 (1996), the Montana Supreme Court held that the State Engineer's jurisdiction is to grant new appropriations was stayed pending reading adjudication of the tribal rights.

[7] "Law of Administration" means the body of laws enacted by both the State and the Tribes to provide for the administration of surface and Groundwater within the Reservation as well as those waters that appertain to the operation and maintenance of the FIIP that have been diverted or transported onto the Reservation for FIIP purposes, that are both materially consistent with the substantive provision of Appendix 4.

Article IV.I.5.b adopts the hearing process in the Law of Administration. Under Article IV.I.5.c., a Water Engineer is appointed as an administrator.

The CSKT Compact would negate Art. IX of the Montana Constitution within the Flathead Reservation, and essentially all of the provisions of the Water Code regarding water rights administration by transferring administrative authority out of the executive branch of the State of Montana to the WMB. All of the protection afforded some 23,000 non-Indian citizens living within the boundaries of the Flathead Reservation, and exercising vested irrigation rights within the Flathead Irrigation Project pursuant Art. IX of the Constitution would be negated if the compact proposals are ratified.[8]

This includes the abrogation of Montana's Water Code to the irrigators in the Flathead Irrigation Project. The Montana Water Code provides that "pursuant to Article IX of the Montana Constitution, the legislature declares that any use of water is a public use and that the waters within the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided in this chapter." *See* Mont. Code Ann. §85-2-101 (1). With respect to existing rights, the Montana Water Code provides that "pursuant to Article IX, section 3(1), of the Montana constitution, it is further the policy of this state and a purpose of this chapter to recognize and confirm all existing rights to the use of any waters for any useful or beneficial purpose." *Id.* at

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[8] The U.S.D.A. –Forest Service-Montana Compact is not precedent for the CSKT Compact in this regard. While the subject of the Forest Service Compact is reserved rights for the National Forest System in Montana, the Compact is conditioned on provisions which are not the same as the CSKT Compact. For example, administration and dispute resolution is pursuant to "a court of competent jurisdiction," not a Compact created board. Article III.B. "Discrete Administrative Use " as defined in Article I(4) and Article II, section A.2 "shall not adversely affect a surface water right recognized under state law." Article III.c.2 (c).

85-2-101 (4). The Montana Water Code provides that all appropriations of water must be based upon a permit by the Department of Natural Resources and Conservation. Mont. Code Ann. §85-2-302 (1) states: "[e]xcept as provided in 85-2-306 and 85-2-369, a person may not appropriate water or commence construction of diversion, impoundment, withdrawal, or related distribution works except by applying for and receiving a permit from the department."

Accordingly, conflicts on two levels are created. Administration undertaken outside Art. IX creates a separate water code to be administered by the WMB rather than the Montana Department of Natural Resources and Conservation, with provisions that conflict with state law. In authorizing the WMB and the Law of Administration, the CSKT Compact conflicts with Article IX of the Montana Constitution, particularly its confirmation of existing rights, and is unconstitutional.

Takings

According to the 1938 Bureau of Indian Affairs report, the Flathead Irrigation Project consisted of 104,859 acres. The BIA computed a duty of water for that acreage of 4.7 acre-feet per acre, based on an available supply of 490,859 acre-feet of water. This is reduced by the CSKT Compact. Moreover, the irrigation rights are transferred to tribal ownership in Article III.c.1.a.[9] The Flathead Irrigation Project's total irrigation claim is reduced to 179,539 acre-feet over Project acreage of 128,241.73 acres--resulting in a duty of 1.4 acre-feet per acre. This is a taking as it contradicts Article IX, Section 3 of the Montanan Constitution which states that "[a]ll existing rights to the use of any waters for any useful or beneficial purpose are hereby recognized and confirmed."

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[9] That provision states: "the Tribes have the right to water that is suspendered to the Flathead Irrigation Project to be used to such purposes in such volumes and flow rates and from such sources of supply as identified in the abstracts of the rights attached hereto…."

The principal objective of the CSKT Compact with respect to tribal rights is to provide instream flows within the Reservation. This is based on the Tribes' position that "ongoing water development under the State of Montana Appropriation System" has "substantially diminish[ed] Reservation riparian and aquatic habitat."[10] With respect to "FIIP Instream Flows," the Tribes contend that the Flathead Irrigation Project is operated inefficiently and that its "construction, operation, and maintenance has severely degraded tribal reserves." [11] The reduction in supply to Flathead Project Irrigation is designed to "save" water from inefficient use and apply to instream flows.

There are two additional elements of the takings. First, because the conveyance loss is not accounted for, the actual amount applied on farm will actually be less than 1.4 acre feet per year.[12] Second, the hunting and fishing rights of the Reservation are to have associated aboriginal water rights for instream flows necessary to sustain the fisheries at a protected level. This Instream Flow Right obtains the first priority of use operationally and will also have a senior priority date to the irrigation uses, *i.e.*, an aboriginal priority date or time of immemorial priority date as opposed to the priority date of July 16, 1855, for the irrigation uses.

This would take the property rights of the irrigators without compensation, in violation of the Fifth Amendment of the Constitution of the United States and Article II, Section 9 of the Montana Constitution. Article II, Section 9 provides: "private property shall not be taken or damaged for public use without just compensation to the full extent of the loss having been first made to or paid into court for the owner. In the event of litigation, just compensation shall include necessary expenses of litigation to be awarded by the court when the private property owner prevails." In *Rauser v Toston Irrigation District,* 172 Mont. 530, 565 P.2d 632 (1977) the Montana Supreme Court held that where the government action results in a permanent or indefinite physical occupation of all or a portion of private real property or deprives the owner of all economically beneficial use of the property, the "or damaged" language should be considered. To constitute damage, the impact of government action on property must be direct, peculiar, and significant. For example, land that becomes waterlogged because of the effects on an adjacent government irrigation project on the ground water table is damaged and compensation is required.

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[10] CSKT Settlement Briefing Paper, July 27, 2010, at 2-3.

[11] *Id.* at 6,7.

[12] The conveyance loss is not accounted for because the diversion allowance has been moved from the Farm Turnout to the River Diversion point without adding any more water to make up for the conveyance loss between the river diversion and the farm headgate.

Reduction in constitutionally confirmed beneficial use of existing rights meets this standard.

It would not be "a rational exercise of legislative authority" to ratify a settlement that would take real property rights of the citizens of Montana and negate the application of Art. IX of the Montana Constitution, as well as other water rights administration provisions of the Montana Water Use Act within the Flathead Irrigation Project. It would be unconstitutional.

Paper No. 5

February 11, 2015. Letter to Legislators Regarding No Ratification in Partial Response to Compact Commission's Critique of January 15, 2015 letter

Prepared by Richard A. Simms

This memorandum reinforces the concepts presented in an earlier letter to legislators and identifies the specific provisions of the compact that (a) effectuate the permanent conversion of agricultural waters to instream flow, (b) the core features of the compact that deprive the state of Montana of its constitutional and statutory obligations to administer water within the reservation, (3) the provisions that eliminate certain legislative and judicial prerogatives, and (4) the provisions of the compact that give the Tribes an enormous amount of water not based on the doctrine of federal reserved water rights. The paper also reinforces that it was the United States, not the Tribes that reserved the Flathead Indian Reservation; otherwise the federal reserved rights doctrine could not have been expanded to include non-Indian federal reservations of land

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February 11, 2015

Senator Debbie Barrett, President of the Senate
Representative Austin Knudsen, Speaker of the House
All Legislators

Ladies and gentlemen:

In the my letter to you of January 8, 2015, I stated initially that "[i]n reaching agreement on the terms of the proposed Compact, the Tribes and the Montana Reserved Water Rights Compact Commission have agreed to transform federal reserved water rights under *Winters v. United States*, 207 U.S. 564 (1908), into Indian reserved water rights, greatly expanding the nature and scope of the permissible claims that Indian tribes can make under the Winters Doctrine." In a response to my letter prepared by counsel for the Reserved Water Rights Compact Commission dated February 2, 2015, it is asserted that the agreement does not "reflect a position agreed to by the parties in the Compact, nor [is it an accurate] represent[ation of] the underlying premise of the Compact. Counsel also asserted that my statement that the Compact Commission has adopted the "legal proposition that the Tribes reserved their own Reservation with a 'time immemorial water rights priority' . . . is also incorrect." The first statement in Article I of the Compact, however, reads: "WHEREAS, pursuant to the Hellgate Treaty of 1855, 12 Stat. 975, the Confederated Salish and Kootenai Tribes reserved the Flathead Indian Reservation." The very first predicate of the Compact, like all of the provisions of the Compact, is recited by the Tribes, the State of Montana, and the United States, in concert.[1]

The innocent thesis of the Compact Commission's response to my initial letter is that the provisions of the Compact, including all of the instream flows, were designed "to protect existing uses." To the contrary, the basic mechanism in the Compact for generating reserved rights is the use of an inappropriate computer model to hypothetically idealize the management, operation, and efficiency of the

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[1] The Compact Commission, attached to the Governor's Office, negotiated the Compact on behalf of the State of Montana.

Flathead Irrigation Project in order to convert the "water saved" into 102 instream flows that portray the Reservation in its uncorrupted state. The core provisions designed to effectuate the ongoing conversion of irrigation water into instream flows run through the length of the Compact. Some of these provisions deprive the State of Montana of its constitutional and statutory authority to administer water within the Reservation. Others eliminate certain legislative and judicial prerogatives within the Reservation. And others, contained in the Abstracts, which are buried in the Appendices to the Compact and form a substantive part of the Compact, give such an enormous amount of the State of Montana's water to the Tribes that, instead of being based on a *Winters* doctrine analysis, the gift can only derive from the proposition that the Tribes own all of the water on, under, or near the Reservation.

The core provisions designed to effectuate the ongoing conversion of irrigation water to instream flows include:

- Article I, First and Eighteenth Recitals; Article II, Subsections 2, 5, 20, 23, 28, 30, 31, 32, 38, 44, 45, 50, 51, 52, 56, 57, 58, 67, 71;
- Article III, Subsections A, C (pp.14-21), E; Article IV, Subsections D, F; Article V, Subsections B, C; and Article VI, Subsections A, B.

The provisions that deprive the State of Montana of its constitutional and statutory obligations to administer water within the Reservation include:

- Article II, Subsection 45, "Law of Administration," Appendix 4, Article IV (Implementation of Compact) (the creation of a unitary management ordinance governing the administration, development, and enforcement of a new and distinct body of water law over all water rights within the Reservation, whether based on Tribal, federal, or state law);
- Article VI, I (1, 2, 4, 5, 6) (the creation of a politically appointed water management board dominated by Tribal interests to implement the unitary management ordinance).

The provisions that eliminate certain legislative and judicial prerogatives include:

- Article III C (1) (a-l), D (1-8) (preventing the state district court and the Water Court from adjudicating valid state-based water rights within the Reservation);

- Article III C (k), D (4, 5, 6), (co-ownership of state-based instream flow rights off-Reservation which could previously be transferred to other uses if required by judicial and legislative prerogative);
- Article IV B (5,6), Article IV, generally (exempting the Tribes from compliance with MCA 85-2-402 regarding changes of use, large volume water transfers, and out-of-state transfers);
- Article III D 5 (c) (requiring consultation with "stakeholders" in off-Reservation watersheds regarding the reductions in state-based water uses to accommodate Tribal off-Reservation instream flows).

And the provisions giving such an enormous amount of the State of Montana's water to the Tribes that the gift can only derive from the proposition that the Tribes own all of the water on, under, or near the Reservation include:

- Appendix 9, Appendix 10 (awarding 100% of the water in Flathead Lake (prior to the construction of Kerr Dam), both on and off the Reservation, with a time immemorial priority);
- Article V (1), (retaining the right of the Tribes to secure all the state-based water rights currently impounded by Kerr Dam);
- Article III C 1 (a, c, e), Appendices 5, 9, 11, 12-13 (awarding 100% of the water in the Flathead Irrigation Project with a time immemorial priority, while 90% of the water delivered to the farms and ranches is appurtenant to lands owned by non-Indians);
- Article II, Subsections 2, 5, 20, 23, 28, 30, 31, 32, 38, 44, 45, 50, 51, 52, 56, 57, 58, 67, 71 (definitions that effectuate the allocation of irrigation water to instream flows);
- Appendices 18, 25-27, Article III C (7, 8) (awarding 40%-65% of available river flow in eight off-Reservation rivers dedicated to instream flows); and
- Appendix 17 (awarding all of the off-Reservation lakes in the adjacent mountain ranges).[2]

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[2] The Compact Commission's counsel also responded to the 70% reduction in historic use detailed in my letter. Review of historical data made available to the Montana Land and Water Alliance, Inc. subsequent to my letter, confirms that the reduction in historic use is still a valid and reasonable estimate. The additional water supplied at the river diversion, which was not contemplated even after the Technical Work Group's findings during the summer of 2014 that the Tribes' model was inappropriate to determine farm turn out allowances, results in a maximum delivery of 1.4 acre feet per acre at the farm turnouts, which still represents a 70% reduction in historic use in a *wet year*. Moreover, the Compact proposes to expand irrigated acreage by some 5,000 acres, but still proposes to supply the same amount of water for irrigation, resulting in even less on-farm water delivery.

Finally, I want to explain a major legal problem with the argument that the Supreme Court held that the Indians involved in *Winters v. United States*, 207 U.S. 564 (1908), reserved their Reservation as opposed to the United States.

The specific, bedrock issue in *Winters* was whether the United States had impliedly reserved water from appropriation under Montana's Territorial law of prior appropriation when, through the Agreement of May 1, 1888, the United States explicitly withdrew from the public domain the land that became the Ft. Belknap Reservation.[3] Generally, the *Winters* doctrine has been repeatedly articulated by the Supreme Court this way: "When the federal government withdraws its land from the public domain, the Government, by implication, reserves appurtenant water then unappropriated to the extent needed to accomplish the purpose of the reservation." *Cappaert v. United States*, 426 U.S. 128, 141 (1976). Another way to appreciate the basic issue in *Winters* is to ask whether there would be any legal consequences if the Indians reserved the Fort Belknap Reservation instead of the United States. One consequence would have been that the Supreme Court could not have made federal reserved water rights equally applicable to non-Indian reservations of land from the public domain, as the Court did in *Arizona v. California*, 373 U.S. 546 (1963).

In *Arizona v. California*, the Supreme Court itself answered the question of who did the reserving in *Winters*:

> The Court in *Winters*, concluded that the Government, when it created the [Fort Belknap] Indian Reservation, intended to deal fairly with the Indians by reserving for them the waters without which their lands would have been useless. *Winters* has been followed by the Court as recently as 1939 in *United States v. Powers*, 305 U.S. 527. We follow it now and agree that the United States did reserve the water rights for the Indians effective as of the time the Reservation was created.

Ibid. at 600. The Court also agreed with the Special Master's recommendation that the *Winters* doctrine should be extended to reservations of land from the public domain for non-Indian reservations:

> The Master ruled that the principle underlying the reservation of water rights for Indian Reservations was equally applicable to other federal

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[3] Note the Court's statement at the beginning of the decision on the merits that "[t]his case, as we view it, turns on the agreement of May [1], 1888, resulting in the creation of the Fort Belknap Reservation," an Agreement set forth in the Act of May 1, 1988, 25 Stat. 113." Id., at 575.

> establishments such as National Recreation Areas and National Forests. We agree with the conclusions of the Master that the United States intended to reserve water sufficient for the future requirements of the Lake Mead National Recreation Area, the Havasu Lake National Wildlife Refuge, the Imperial National Wildlife Refuge, and the Gila National Forest.[4]

Id. at 601.

The "principle underlying the reservation of water rights for Indian Reservations" in both *Winters* and *Arizona v. California* was when the United States reserved land from the public domain to create the Fort Belknap Indian Reservation, it impliedly withdrew sufficient water to satisfy the purposes for which the land was withdrawn. If, on the other hand, the Indians reserved their own Reservation, whatever the other underlying principle might have been, the *Winters* doctrine could not have been extended by the Court in *Arizona v. California* to non-Indian reservations of land from the public domain for special purposes, and the Compact Commission, along with all of the western states, would have to reopen countless adjudication cases and negotiated settlements to accommodate this new and expansive view of the *Winters* Doctrine.

Sincerely,

Richard A. Simms

Cc: Attorney General Tim Fox

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[4] The Gila National Forest was the forest involved in *United States v. New Mexico*, 438 U.S. 696 (1978) (the "careful examination" of the purposes for which a reservation was made "is required because the reservation is implied, rather than expressed" and each time the Court has reviewed federal reserved water rights, it has "repeatedly emphasized that Congress reserved "only the amount necessary to fulfill the purpose of the reservation, no more").

Paper No. 6

March 18, 2015. Letter to Legislators Regarding the 10,000 Claims Threat

Prepared by Richard A. Simms

This memorandum explains why the threat of 10,000 claims to be filed by the CSKT in Eastern Montana if the Compact fails is prohibited by the Treaty of Hellgate, the Judith River Treaty, and by U.S. Supreme Court case law involving Article III of the Treaty of Hellgate and other "Stevens Treaty" tribes. The paper also addresses why there is no legal or factual precedent for transforming an access right into a water right.

MEMORANDUM

To: Senator Debby Barrett, President of the Senate
Representative Austin Knudsen, Speaker of the House

From: Richard A. Simms, Attorney for Montana Land and Water Alliance

Re: Threat of 10,000 Off-Reservation Instream Flow Claims

Date: March 18, 2015

In *United States v. Winans*, 198 U.S. 371 (1905), the United States Supreme Court construed Article III of the Yakima Nation Treaty, *i,e.*, "the right of taking fish at all usual and accustomed places in common with citizens of the Territory," as a Treaty-imposed right of access to places opened to settlement under the Treaty where the Yakima had fished historically. *Winans* was not a water rights case. It was about a servitude in the land and had absolutely nothing to do with reserved water rights. Reserved water rights did not exist until the Court promulgated the doctrine three years later in *Winters v. United States*, 207 U.S. 564 (1908), a doctrine that posits that reserved water rights for an Indian Tribe may be generated by implication when the United States reserves land from the public domain to create the Tribe's Reservation.

The Flathead Compact, however, puts *Winans* and *Winters* together so that the Art. III Treaty-imposed servitude generates a reserved water right for instream flows. The overriding issue in regard to the threat of filing 10,000 instream flow claims east of the continental divide in Montana if the Compact is not ratified, is why a servitude of access across land entails a reserved water right for instream flows.

In the shadow of this overriding issue, there is an independent issue regarding the on-going threat to file claims for instream flows in the area east of the continental divide within the CSKT subsistence range, which covers roughly half of Montana. *See*, Map 2: Confederated Salish Kootenai Tribes Subsistence Range. Whether Art. III of the Treaty of Hellgate of July 16, 1855, 12 Stat. 975, applies to the CSKT subsistence range is decided by the geographical grasp of the Treaty.

The Geographical Grasp of the Treaty of Hellgate

The Yakima Nation Treaty of June 9, 1855, 12 Stat. 951, Art. III of which was the subject of *United States v. Winans*, is with certain minor exceptions, almost exactly the same as the Treaty of Hellgate. Each Article in both treaties applies only to the lands ceded by the tribes to the United States or to the Reservations within the ceded areas created by the United States when the treaties were ratified and proclaimed in 1859. The Treaty of Hellgate does not apply to the CSKT subsistence range south and east of the continental divide and therefore Art. III of the Treaty does not create any right of taking fish in common with the citizens of the Territory in that range.

In Art. I of the Yakima Treaty, the Yakima agreed to "hereby cede, relinquish, and convey to the United States all their right, title, and interest, in and to *the lands and country occupied by them* (*Emphasis added*). In Art. II, the Yakima agreed that "*from the lands ceded* in Art. I, the United States would create a reservation for the exclusive use of the tribes which would be "*settled upon . . . within one year of the ratification of this treaty*." (*Emphasis added*). The same provisions are found in the Treaty of Hellgate in Articles I and II. Similarly, in the concluding paragraph of the Yakima Treaty, as in the concluding paragraph of the Treaty of Hellgate, it is provided that "[t]his treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and the Senate of the United States." The Yakima Treaty was ratified on March 8, 1859, and proclaimed on April 18, 1859. The Treaty of Hellgate was both ratified and proclaimed on March 8, 1859. In other words, both the Yakima Reservation and the Flathead Reservation were created by the United States from lands ceded by the Tribes, the lands ceded were found to be the primary areas of occupancy and settlement of the respective confederated tribes, and neither Stevens Treaty was effective until 1859.[1]

In the Treaty of Hellgate, the lands ceded by the confederated tribes are the areas numbered 87, 88, and 89, all north and west of the continental divide.[2] *See* "Indian Land Areas Judicially Established in 1978." Art. III of the Treaty of Hellgate also addresses rights-of-way on and off of the Flathead Reservation. In pertinent part, Art. III states that the "exclusive right of taking fish in all the streams running through or bordering said reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed places, in common with the citizens of the Territory, and of erecting temporary buildings for curing; together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land." With respect to the same provision in Art. III of the Yakima Treaty, the Supreme Court explained in *United States v. Winans*, 198 U.S. 371 (1905), that two rights were established:

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[1] In the first sentence of the Court's opinion in *United States v. Winans*, Justice McKenna referred to the Yakima Treaty as a treaty "made in 1859," a fact which seems to be lost on many people today. With respect to the fact that the ceded lands were lands found to be the primary areas of occupancy and settlement of the Confederated Salish and Kootenai Tribes, see Findings of Fact on Compromise Settlement, August 1, 1966, ICC Docket No. 61; ICC Docket No. 50233, 86 Stat. 64. See also, Findings of Fact, August 3, 1959, Findings Nos. 1-19, ICC Docket No. 61.

It was also understood by both Tribal Nations and the United States that the ceded lands outside the internal Reservations would be opened to settlement under the homestead and mining laws of the United States.

[2] Justice McKenna explained this to some extent in *United States v. Winans*, and the Court explicated the matter further fifteen years later in *Seufert Brothers Company v. United States*, 249 U.S. 194 (1919). *Infra*, at 6-10. If you compare both maps, it becomes apparent that the lands ceded by the CKST lie within the area of Montana north and west of the continental divide.

> There was an exclusive right of fishing within certain boundaries. There was a right outside of those boundaries reserved 'in common with citizens of the Territory.' As a mere right, it was not exclusive in the Indians. Citizens might share it, but the Indians were secured in its enjoyment by a special provision of means for its exercise. They were given 'the right of taking fish at all usual and accustomed places,' and the right 'of erecting temporary buildings for curing them.' The contingency of future ownership of the lands, therefore, was foreseen and provided for. In other words, the Indians were given a right in the land, the right of crossing it to the river, the right to occupy it to the extent and for the purpose mentioned. No other conclusion would give effect to the treaty. And the right was intended to be continuing against the United States and its grantees as well as against the State and its grantees.

Id. at 381.[3] The exclusive right of the Tribes was within the Yakima Reservation. The right outside the boundaries of the Reservation, but within the ceded area, is where the Yakima and the CSKT were granted rights "in common with the citizens of the Territory." The areas south and east of the continental divide, where the CSKT ranged from time to time, are neither addressed nor identified in the Treaty of Hellgate, and no right "of taking fish at all usual and accustomed places" in the subsistence range of the CSKT is granted in Art. III of the Treaty. *See*, "Map 2: Confederated Salish Kootenai Subsistence Range." *See*, also *Antoine et ux. v. Washington*, 420 U.S. 194, 205 (1975) ("*Winans* involved a treaty that reserved to the Indians *in the area ceded to the United States* 'the right of taking fish at all usual and accustomed places, in common with citizens of the Territory.'") (*Emphasis added*).

The United States, Not the Tribes, Reserved The Yakima and the Flathead Reservations in 1859

In deciding in *Winans* whether Art. III of the Yakima Nation

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[3] The "contingency of future ownership of lands" was foreseen within the lands ceded because that is where it was known that settlement under the homestead and mining laws of the United States would take place. Art. VI of the Treaty of Hellgate and Art. 6 of the Yakima Nation Treaty, which are identical, also contemplated allotments in severalty, the subsequent sale of which would result in changes in ownership.

Treaty preserved a servitude in the land of access to all usual and accustomed fishing places, the Supreme Court recognized that the Yakima believed that they were retaining their historical right to fish, but the Court did not hold that the Yakima "reserved" their own Reservation. Quite the contrary, the Court held that the United States reserved the Yakima Reservation upon the effective date of the Treaty in 1859. Quoting *Shively v. Bowlby*, 152 U.S. 1, 41 (1894), the Court stated:

> 'By the Constitution, as is now well established, the United States, having acquired the Territories, and being the only Government which can impose laws upon them, have the entire dominion and sovereignty, national and municipal, Federal and State, over all the Territories, so long as they remain in a territorial condition.'

United States v. Winans, 198 U.S. 371, 383 (1905). In terms of sovereign power, the Court held that the United States reserved the Yakima Reservation:

> The extinguishment of Indian title, opening the land for settlement and preparing the way for future States, were appropriate to the objects for which the United States held the Territory. *And surely it was within the competency of the Nation to secure to the Indians such a remnant of the great*

> *rights they possessed as 'taking fish at all usual and accustomed places."*

Id. (*Emphasis added*).[4]

In a letter to Chas Vincent dated December 16, 2013, from Melissa Hornbein, it was stated that "[t]he Tribes' position in negotiations was that based on existing state and federal legal precedent, [Art. III] gives rise to an off-reservation instream flow rights with a 'time immemorial' priority *in all locations where the Tribes traditionally relied on such fisheries for subsistence*." (*Emphasis added*). While that may have been the Tribes' position in Compact negotiations, and while it may also have been the view of the Compact Commission in negotiations, it was not the Supreme Court's view in *United States v. Winans*, 198 U.S. 371 (1905), *Winters v. United States*, 207 U.S. 564 (1908), or in any other federal reserved water rights case.

In *Antoine et ux. v. Washington*, 420 U.S. 194 (1975), the appellants were two Indians convicted of hunting and possession of deer out of season in violation of Wash. Rev. Code. §§ 77.16.020 and

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[4] The country within the Yakima subsistence range became part of the Territory of Washington, *i.e.*, part of the public domain of the United States, through the Treaty of June 15, 1846, with Great Britain.

77.16.030. The United States Supreme Court immediately addressed the error of the Washington Supreme Court:

> The Colville Confederated Tribes ceded to the United States [the] northern half [of the Colville Reservation] under a congressionally ratified and adopted agreement, dated May 9, 1891. Article 6 of that ratified Agreement provided expressly that 'the right to hunt and fish in common with all other persons on lands not allotted to said Indians shall not be taken away or in anywise abridged.' Appellants' defense was that congressional approval of Art. 6 excluded from the cession and retained and preserved for the Confederated Tribes the exclusive, absolute, and unrestricted rights to hunt and fish that had been part of the Indians' larger rights *in the ceded portion of the reservation*, thus limiting governmental regulation of the rights to federal regulation and precluding application to them of Wash. Rev. Code §§ 77.16.020 and 77.16.030. The Supreme Court of Washington held that the Superior Court had properly rejected this defense. 82 Wash. 2d 440, 511 P.2d 1351 (1973). We noted probable jurisdiction. 417 U.S. 966 (1974). We reverse.

Id., at 196-97 (*emphasis added*).

The Washington Supreme Court had stated in its opinion that "the State of Washington was not a party to the 1891 Agreement," that "[o]nce ratified, a *treaty* becomes the supreme law of the land," and that the 1891 Agreement was "only [enforceable] against those party to it." *Id.*, at 200-01. In response, the United States Supreme Court held:

> [W]e take [these statements] to mean that the Congress is not constitutionally empowered to inhibit a State's exercise of its police power by legislation ratifying a contract between the Executive Branch and an Indian tribe to which the State is not a party. *The fallacy in that proposition is that a legislated ratification of an agreement between the Executive Branch and an Indian tribe is a "Law of the United States . . . made in Pursuance' of the Constitution and, therefore, like 'all Treaties made,' is made binding upon affected States by the Supremacy Clause.*

Id., at 201 (*emphasis added*).

The Extent of the Article III Fishing Rights in Winans

In *Winans*, Art. III of the Yakima Nation Treaty was construed to give the Yakima fishing privileges on the north bank of the Columbia River, not because the Court distinguished between the north and south banks, but because the Winans brothers' property and fishing wheels were on the north bank. In *Seufert Brothers Company v. United States*, 249 U.S. 194 (1919), the United States sought to enjoin a commercial fishing company from interfering with the fishing rights granted to the Yakima in Art. III on the south bank of the Columbia. The Seufert Brothers Company argued that the lands ceded by the Yakima were all on the north side of the Columbia, that Art. III is "in the nature of an exception from the general grant of the treaty," that "whatever rights [Art. III] saves must be reserved out of the thing granted," and because "all of the lands lay to the north of the river [Art. III] cannot give any rights on the south bank."

In *Seufert*, the Court explained that the Yakima Treaty:

> [W]as one of a group of eleven treaties negotiated with the Indian tribes of the northwest between December 26, 1854, and July 16, 1855, inclusive. Six of these were concluded between June 9th and July 16th, inclusive, and one of these last, dated June 25th, was with the Walla-Walla and Wasco tribes, 'residing in Middle Oregon,' and occupying a large area, bounded on the north by that part of the Columbia River in which the fishing places in controversy are located.
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> * * *
>
> These treaties were negotiated in a group for the purpose of freeing a great territory from Indian claims, preparatory to opening it to settlers, and it is obvious that with the treaty with the tribes inhabiting Middle Oregon, in effect, the United States was in a position to fulfill any agreement which it might make to secure fishing rights in, or on either bank of, the Columbia River in the part of it now under consideration, -- and the treaty was with the Government, not with Indians, former occupants of relinquished lands.

Id., at 196-97.

The evidence at trial in *Seufert* established:

> [T]hat the Indians living on each side of the river, ever since the treaty was negotiated, had been accustomed to cross to the other side to fish, that the members of the tribes associated freely and intermarried, and that neither claimed exclusive control of the fishing places on either side of the river or the necessary use of the river banks, but used both in common.[5]

Id., at 197. The evidence also established that the Yakima, the Walla-Walla, and the Wasco tribes:

> [W]ere accustomed to resort habitually to the locations described in the decree for the purposes of fishing at the time the treaty was entered into, and that they continued to do so to the time of the taking of the evidence in the case, and also that Indians from both sides of the river built houses upon the south bank in which to dry and cure their fish during the fishing season.

In upholding the Art. III fishing rights of the Yakima, the Supreme Court held that "the United States, having rightfully acquired the Territories, and being the only Government which can impose laws on them," reserved the Yakima Reservation by congressional ratification and presidential proclamation in 1859. Art. III, obviously, was ratified and proclaimed along with the rest of the Yakima Nation Treaty.[6]

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[5] The Yakima to the north and the Walla-Walla and Wasco to the south. (*Footnote added*).

[6] In her letter of December 16, 2013, to Senator Chas Vincent, Melissa Hornbein cited *Seufert Brothers Co. v. United States* for the proposition that Treaty rights under Art. III "[apply] even outside of the aboriginal territory

The Recent Development of Art. III Case Law

The State of Montana's position on the strength of the legal support for including off-Reservation instream flow water rights in the Compact based on Art. III's "right of taking fish at all usual and accustomed places, in common with the citizens of the Territory," appears to have changed over the years. In recent years, a seeming bias in favor of gleaning support from the cases has emerged. Accordingly, the purpose of this section of this memorandum is to compare what has recently been said about the precedent with what the precedent actually says.

In her letter to Chas Vincent of December 16, 2013, Melissa Hornbein began her explanation of "why it would be better to recognize [Art. III off-Reservation water rights] . . ., rather than a right to fish" by stating that "[t]he State conducted its own analysis of these legal arguments (2001 Stevens Treaty Memo) and concluded that while no court has yet been presented with, or decided the question of, whether

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ceded by the tribe," as if she felt she needed to try to make the point. This construction of the case was wrong, however. In *Seufert*, the Court held that Art. III of the Yakima Treaty gave the Yakima fishing privileges on the south side of the Columbia River, for the same reason that it had been held in *Winans* that the Yakima Treaty gave the same privileges on the north bank of the Columbia River.

[Art. III] gives rise to an enforceable instream flow right off-reservation, *existing precedent does provide a strong basis for the argument*." *Ibid.*, at 2 (*emphasis added*). Actually, the 2001 Stevens Treaty Memo, which was a Memorandum from Ann Yates, the Compact Commission's legal counsel, to Chris Tweeten, then Chairman of the Compact Commission, dated December 28, 2001, concluded that the Ninth Circuit would be inclined to "find instream flow rights off-reservation in the Tribes' usual and accustomed fishing grounds," but that the rights would likely be limited to "off-reservation places currently fished," as opposed to those "fished in 1855," as well as to the "moderate living" standard reiterated in *Washington et al. v Washington State Commercial Passenger Fishing Vessel Association et al.*, 443 U.S. 658 (1979) (The right to a share of harvestable fish "secures so much as, but no more than, is necessary to provide the Indians with a livelihood, that is to say, a moderate living." No water right was deemed to accompany the right of access and the limited right to harvest fish). The off-Reservation instream flow rights recognized in the Compact are neither limited by demonstrated fishery needs for minimum flows nor even the pretext of identified needs. More importantly, the Art. III right of access was limited to just that between 1905 and 1974, when Judge Boldt addressed the impingement by greatly increased commercial fishing in Washington on the Tribes' Treaty right by adding the second component of a right to a harvestable fish. Adding a third component of an instream flow right has to be seen for what it would be. If we were talking about federal reserved water rights, the addition of the third component would give the United States the power to unjustifiably condemn the rights of irrigators or other diversion-based water rights in the guise of an implied water right. By framing the matter in terms of an Indian reserved water right, the Compact confers the power of unjustifiable condemnation on the Tribes for no reason whatsoever.

The next case cited as providing legal support for off-reservation instream flows is *United States v. Adair*, 723 F.2d 1394 (9th Cir. 1984). The principal subject of *Adair* was Art. I of the Klamath Treaty of October 14, 1864, 16 Stat. 707, which gave the Klamath the exclusive right to hunt, fish, and gather *on their Reservation*. Prior to the General Allotment Act of 1877, ch. 119, 24 Stat. 388, Klamath Reservation lands were held communally. After allotments were made in severalty, more than a fourth of the Reservation went into individual ownership and numerous allotments were conveyed to non-Indians. In 1954, Congress passed the Klamath Termination Act of August 13, 1954, 68 Stat. 718, allowing individual tribal members to give up tribal property for cash, which most of the tribal members elected to do. The United States ended up purchasing most of the Reservation and placing the remainder of the Reservation in trust for the tribal members who elected to retain their interests. In 1958, the United States also purchased 15,000 acres of the Reservation to establish a migratory bird refuge to be operated by the United States Fish and Wildlife Service. Finally, in 1961 and 1973, the United States purchased large forested portions of the former Reservation, which became the Winema National Forest, resulting in federal ownership of approximately 70 % of the former Reservation.

In addition to the changes in land holdings between 1864 and 1973, a jurisdictional dispute arose when the United States filed a suit in federal district court in 1974 for a declaration of water rights in a portion of the Williamson River Drainage. Four months later, the State of

Oregon filed a general adjudication in state court for all of the water rights in the Klamath Basin. Thereafter, the State of Oregon intervened in the federal action and moved to dismiss under *Colorado River Water Conservation District v. United States*, 424 U.S. 800 (1976), a case that recognized the wisdom of deferring to state court water rights adjudications under the McCarran Amendment, 443 U.S.C. §666. The motion to dismiss was denied, but the federal district court limited the questions it would address to three: "(1) whether water rights had been reserved for the use of Klamath Reservation lands in the 1864 treaty; (2) whether such rights passed to the Government and to private persons who subsequently took fee title to reservation lands; and (3) what priorities should be accorded the water rights of each of the present owners and users of former reservation lands." In limiting its jurisdiction, the federal district court avoided state water law issues and retained jurisdiction to rule "only on the application of the federal Indian law doctrine of reserved water rights." *Id.*, at 1406. In this regard, the Ninth Circuit stated that "[f]ar from improperly intruding on the role of the state court, we find that in exercising federal jurisdiction in this fashion the district court coordinated its adjudication of water rights with adjudication by the state court so as to allow each forum to consider those issues most appropriate to its expertise."[7] *Id.*

On the merits in *Adair*, the Court began by stating that *Cappaert v. United States*, 426 U.S. 128 (1976), and *United States v. New Mexico*, 438 U.S. 696 (1978), "addressed the scope and nature of *Winters* doctrine water rights on federal land *other than Indian Reservations*," but then stated that "[i]n determining whether there is a federally reserved water right implicit in a federal reservation of public land, the issue is whether the Government intended to reserve unappropriated and thus available water. Intent is inferred if the previously unappropriated waters are necessary to accomplish the purposes for which the reservation was created." *Id.* at 1408. In other words, the Court first rejected the applicability of *Cappaert* and *New Mexico*, but then framed the issue as it was framed in both of those cases. Based on the guidelines established in *Cappaert* and *New Mexico*, namely whether "the scope of the implied right is circumscribed by the necessity that calls for its creation" and the proposition that a federal reserved water right "reserves only that amount of water necessary to fulfill the purpose of the reservation, no more," the Court held that "[w]e therefore have no difficulty in upholding the district court's finding that at the time the Klamath reservation was established, the Government and the Tribe intended to reserve a quantity of water flowing through the reservation not only for the purpose of supporting Klamath agriculture, but also for the purpose of maintaining the Tribe's [exclusive] treaty right to hunt and fish on reservation lands." *Id.* at 1410. This holding, it should be noted, provides no support for changing the nature of an Art. III Stevens Treaty right of access by expanding it categorically to include a reserved water right that, historically, could not have been thought or intended to be a part of the Art. III right of access. Art. III cannot be construed to be a purpose for which the Flathead Reservation was created. Quite the opposite, it was meant to be a right of access off-reservation in the

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[7] *Adair* is likely the model on which the CSKT's pending, federal district court case was fashioned. Footnote 11 in the 9th Circuit's opinion, appears at the same place this one appears. In my opinion, most everything stated by the Court in footnote 11 is demonstrably incorrect. There is no independent "federal law doctrine of Indian reserved water rights." If there were, the United States Supreme Court could not have made federal reserved water rights equally applicable to non-Indian reservations of land from the public domain, as the Court did in *Arizona v. California*, 373 U.S. 546 (1963). The original *Winters* right, which became effective with Congress' ratification of the Fort Belknap Treaty in 1888, was reserved by the United States when it withdrew the lands from the public domain to create the Fort Belknap Reservation. *Winters v. United States*, 207 U.S. 564, 577 (1908). The unrelated right of access in *Winans* three years earlier was also a federal right in that it was created by the sovereign power of the United States when Article III became a law of the United States upon ratification of the Treaty in 1859. *See, supra*, at 6-8; *United States v. Winans*, 198 U.S. 371, 383 (1905).

Tribes' principal area of occupancy, *i.e.*, on the lands they ceded, where they fished before agreeing to settle on the Reservation once it was established.

Turning to the issue of priority, the Court made reference to "established principles of Indian treaty interpretation," including the statement in *Winans* that "the treaty is not a grant of rights to the Indians, but a grant of rights from them – a reservation of those not granted." The Court further explained that "a corollary of these principles, also recognized by the Supreme Court, is that when a tribe and the Government negotiate a treaty, the tribe retains all rights not expressly ceded to the Government in the treaty so long as the rights retained are consistent with the tribe's sovereign dependent status." In this regard, it should be noted that the only way to recognize the Tribes' intention in the context of the Treaty of Hellgate is by virtue of the fact that the United States established the Art. III right in *Winans* and not the Tribes. *Supra*, at 7-8; *United States v. Winans*, 198 U.S. 371, 393 (1905). The Tribes retain the right by intending to do so, while the United States establishes the right by virtue of its exclusive sovereign power to enact the Tribes' intention into law. *See*, *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 209 (1978) ("Indian tribes are 'completely under the sovereignty and dominion of the United States'").

The Court then turned to the line of cases and commentary upholding aboriginal or Indian title deriving from the uninterrupted use and occupation of land and water. Accordingly, the Court held: 1) that the Treaty confirms the Art. I right to support hunting and fishing; 2) that the water right has a time immemorial priority; 3) that the right is limited by the amount of water necessary to support the fishing right as it is currently being exercised, as opposed to how it was exercised in 1864; 4) and that the right is limited to the "moderate living" standard in *Washington v. Fishing Vessel Ass'n*, 443 U.S. 658, 686 (1979). None of these holdings supports changing the nature of an Art. III Stevens Treaty right of access off-Reservation by expanding it categorically to include a reserved water right that wasn't there when the Supreme Court articulated its decision in *Winans* in 1905. The right was nothing but a right of access until the Boldt Decision in 1974. "Priority" in terms of water rights was neither involved nor rationally within the embrace of *Winans*.

Finally, alluding to the Art. I right in *Adair*, the letter to Chas Vincent of December 16, 2013 also asserts that:

> The Montana Supreme Court has recognized the existence of these so called 'aboriginal' rights and their time immemorial priority dates in *Greely v. Confederated Salish and Kootenai Tribes of Flathead Reservation* [712 P.2d 754 (1985)]:
>
> > If the use for which the water was reserved is a use that did not exist prior to creation of the Indian reservation, the priority date is the date the reservation was created. A different rule applies to tribal uses that existed before creation of the reservation. Where the existence of a preexisting tribal use is confirmed by treaty, the courts characterize the priority date as 'time immemorial.'
>
> The Montana Supreme Court has also held that these rights, in the case of the CSKT, are likely to be 'pervasive.' In recognition of these legal claims, the DNRC has, since the mid 1990's, placed a disclaimer on all water rights permits issued west of the Continental Divide regarding the possible existence of senior tribal instream flow rights.

Ibid., at 3. At least the DNRC knew the geographical grasp of the Treaty of Hellgate and the extent of the possible claims. *See*, *supra*, at 2-6; *Antoine v. Washington*, 420 U.S. 194, 205 (1975) ("*Winans* involved a treaty that reserved to the Indians *in the area ceded to the United States* 'the right of taking fish at all usual and accustomed places, in common with citizens of the Territory.") (*Emphasis added*).[8]

In the letter to Chas Vincent of March 3, 2014, Melissa Hornbein cites two additional cases that address the "Article III 'in common' language [that] warrant mention." *Ibid.*, at 1. The first was *In re Snake River Basin Adjudication*, No. 39576, Subcase No. 03-10022 (Idaho Dist. Ct., November 10, 1999. After stating that the court "determined that Article III of the Nez Perce Treaty provided neither an enforceable share of the fish harvest nor a water right to sustain the fishery," Ms. Hornbein pointed out that "[t]he Tribe appealed the SRBA court's decision, but the case settled before the Idaho Supreme Court issued a decision." *Id.* She failed to fully explain what the Nez Perce Settlement provided.

Following the Senate Judiciary Committee hearing on SB 262, Rhoda Cargill, the Chairman of the Lincoln County Natural Resources

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[8] No water rights priority can be implied from a mere right of access. If a priority had to be assigned in relation to harvesting a share of the fish, it should be 1859, the date the United States created the Art. III Treaty right.

Council, who lives in Libby, asked Ms. Hornbein about two opposing state court decisions in the 9th Circuit on the subject of Art. III. Ms. Hornbein responded by first explaining *what the State of Idaho agreed to* in the Nez Perce Settlement. First, she said that the Settlement gave "50,000 acre feet out of the Clearwater River" to the Tribe." She failed to mention that the priority the CSKT are asserting – time immemorial – was rejected in the compromise, giving the Nez Perce an 1855 priority. Second, she stated that the Settlement gave "nearly 200 off-reservation instream flows for salmon habitat protection" to the Tribe. She failed to mention that the rights were not given to the Tribe, but rather to the Idaho Water Resources Board. She also failed to mention that the rights have a priority of April 20, 2004, and are subordinated in the Settlement to all existing state-based water rights and to future domestic, commercial, industrial, and municipal water uses, as well as certain future irrigation rights. Third, she said that the Nez Perce were given "a $60,000,000 water and fisheries trust fund, failing to mention the money was not state, but rather federal money. Fourth, she said that the Settlement gave the Nez Perce an "annual release of 200,000 acre feet of stored water to maintain late-season fisheries." She failed to mention that the 200,000 acre feet were the last 200,000 acre feet of 1,200,000 acre feet that the United States had prior control over. Fifth, she stated that the Settlement gave the "management of two federal fish hatcheries to the Tribes," failing to mention that the Tribes were given varying levels of management authority, not plenary authority. And sixth, Ms. Hornbein stated that the Settlement provides for "the transfer of land to the Tribes," failing to mention that the transfer of isolated parcels of federal land was given to the BIA, not the Tribe. In sum, the State of Idaho got everything it wanted, *i.e.*, the complete protection of non-Indian rights, both existing and future, and the Tribe got little more wet water (beyond the stream flow augmentation aspects of the Settlement) than some legally meaningless off-Reservation instream flows, meaningless in the sense that they can't be enforced against anybody. All of the heavy lifting was given to the United States, and the Nez Perce Settlement stands in stark contrast to the Compact negotiated with the CSKT in most every respect.

With respect to the last case that ostensibly supports the inclusion of off-Reservation instream flow rights under Art. III of the Treaty of Hellgate, Ms. Hornbein states that "[a]t the federal level, the Ninth Circuit Court of Appeals determined that the identical language in Article III of the Yakima Nation's Treaty with the United States "created a property interest that required a federal district court to order the release of water sufficient to sustain a fishery," referring to *Kittitas Reclamation Dist. v. Sunnyside Irr. Dist.*, 763 F.2d 1032 (9th Cir. 1985). Letter of March 3, 2014, at 1. The statement is unequivocally incorrect.

The issue in *Kittitas* was "whether the district court had authority to order the water released." *Id.* at 1033. The Yakima's interest was predicated on Art. III of the Treaty. The irrigators' interests derived from two Reclamation Projects built between 1909 and 1933 "and a 1945 consent decree, which specified the amounts of water to be delivered to the appellant irrigation districts during the irrigation season." *Id.* at 1033. The district court's decision to order releases of water to preserve nests of salmon eggs threatened by low, post-irrigation season flows was based on the court's retention of jurisdiction under the 1945 consent decree.

In holding that "[t]he district court did not exceed the scope of its retained jurisdiction under the consent decree," the 9th Circuit affirmed the district's courts orders and stated that "[w]e need not decide the scope of fishing rights reserved to the Yakima Nation under [Art. III of] the 1855 Treaty." *Id.* at 1034 and 1035.

Conclusion

The work product provided by counsel for the Compact Commission appears to have changed over years from impartial advice to what might be described as advocacy. Instead of neutrality and disinterest in addressing the risks of trial, the legal advisors now appear to be championing a desired conclusion.

Two things are clear, however. Notwithstanding that Tribal interests have been trying at every opportunity to expand the Art. III "in common" treaty right, the United States Supreme Court has recognized that the right is restricted to the ceded, non-Reservation area under a given treaty, making the likelihood of success on any off-Reservation instream flow claims east of the continental divide in Montana highly unlikely.[9]

Second, between 1905 and 1974, the Art. III "in common" treaty right was nothing more than a right of access over ceded lands to usual and accustomed places where tribal members had historically fished, coupled with the right to build structures for curing the fish. In light of the continuing growth of the commercial fishing industry in Washington, and the fact that commerce was rapidly impinging on the Tribes' treaty right, the nature of the right was broadened by Judge Boldt in 1974 to include a right to a share of the harvestable salmon. The decision may well have been a form of legislation, but the United States Supreme Court eventually upheld the Boldt Decision in 1979. The Court did not, however, make the quantum leap requisite to changing the conceptual nature of the Art. III right of access to include either a federal or Indian reserved water right to protect the fishery. Indeed, an examination of *Winans* demonstrates that the right was limited to a right of access. In sum, the CSKT see this "case" as their ticket to finally accomplish the transformation of the federal reserved water rights doctrine into an unquestionably expansive Indian reserved water rights doctrine, something the Tribes have been trying to do for quite some time. The 9th Circuit Court of Appeals hasn't done so, the United States Supreme Court has not allowed it to happen, and there is absolutely no reason why the Court should do so now. The Supreme Court's view of the federal reserved water rights doctrine has caused the Court to be much more inclined to limit federal reserved water rights, given the Court's recognition that the doctrine itself has the potential to take property without compensation. *See*, Brief for the State of New Mexico, Point I, pp. 10-18, *United States v. New Mexico*, 438 U.S. 696 (1978) (the recognition of federal reserved water rights can often result in "a gallon-for-gallon" reduction in water rights perfected by appropriation under regimes of state water law). *See*, also, Jennele Morris O'Hair, "The Federal Reserved Rights Doctrine and Practicably Irrigable Acreage: Past, Present, and Future," BYU Journal of Public Law, Vol. 10, 263, 289-291, (discussing Justice O'Connor's majority opinion in *Wyoming v. United States* in 1989, and noting that in "Justice

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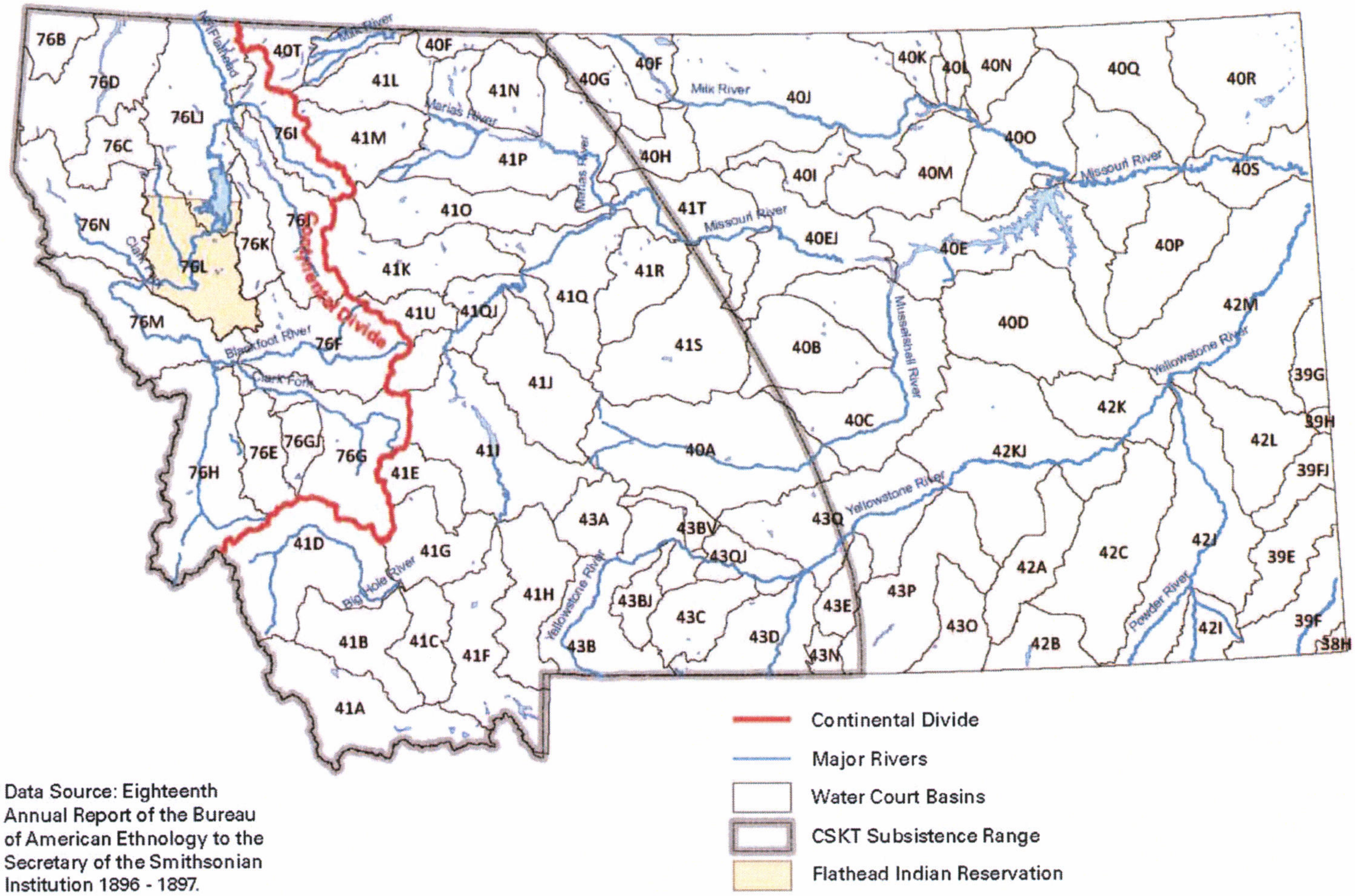
[9] It should be noted that much of the Compact's Lower Clark Fork off-Reservation instream flow is outside of the ceded area in the Treaty of Hellgate.

O'Connor's view, PIA should not be awarded for additional irrigation that either is not necessary to meet 'the realistic needs' of Indians living on their reservation or that would produce only a marginal economic return for the tribe. These limitations, coupled with the 'reasonable likelihood' test, would have radically narrowed the federal reserved rights doctrine."). *Ibid.* at 291.

Cc: Representative Nancy Ballance
Senator Jennifer Fielder
Senator Kristen Hansen
Senator Jedediah Hinkle
Representative Debra Lamm
Representative Theresa Manzella
Representative Matthew Monforton
Representative Art Wittich
Representative Keith Regier
Senator Janna Taylor

MLWA Board Members

MAP 2: Confederated Salish Kootenai Tribes Subsistence Range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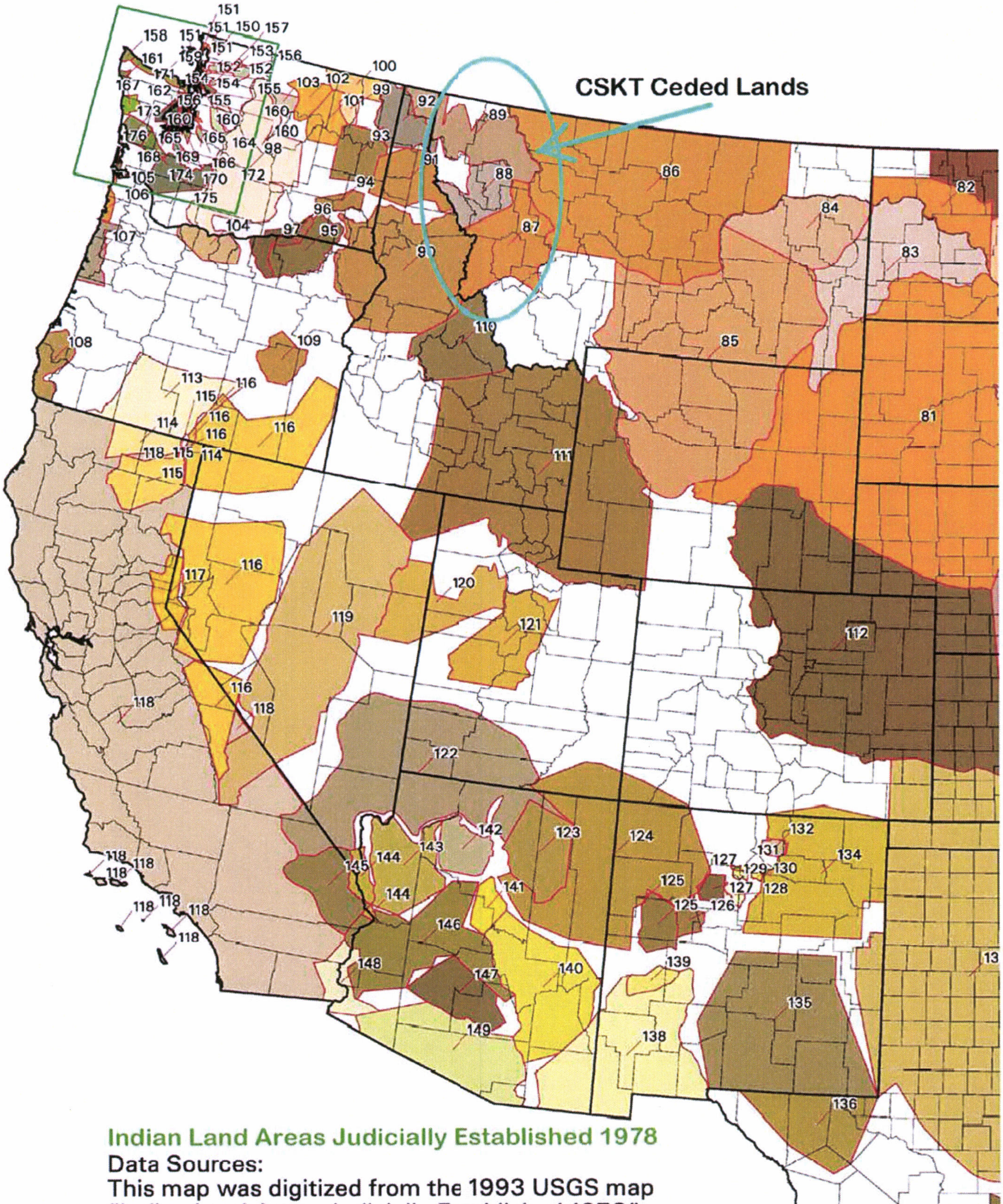
40B
40C
40A
42M
42K
42KJ
42L
42J
42C
42A
42B
42I
39G
39H
39FJ
39E
39F
38H
43A
43BV
43QJ
43Q
43BJ
43B
43C
43D
43E
43N
43P
43O
Continental Divide
Milk River
Marias River
Teton River
Missouri River
Musselshell River
Yellowstone River
Powder River
Big Hole River
Blackfoot River
Clark Fork
N.F. Flathead
Continental Divide
Major Rivers
Water Court Basins
CSKT Subsistence Range
Flathead Indian Reservation

* Data Source: Eighteenth Annual Report of the Bureau of American Ethnology to the Secretary of the Smithsonian Institution 1896 - 1897.


CSKT Ceded Lands
151
151 150 157
158 151
161 159 151 153 156
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167 162 156 155
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168 169 166
105 174 170 172
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118 127 131 134
141 129 130
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Indian Land Areas Judicially Established 1978

Data Sources:

This map was digitized from the 1993 USGS map "Indian Land Areas Judicially Established 1978" (original 1:4000000 scale ; Albers Projection).

Map Information:

Lambert Azimuthal Equal Area ; Scale 1:5845860

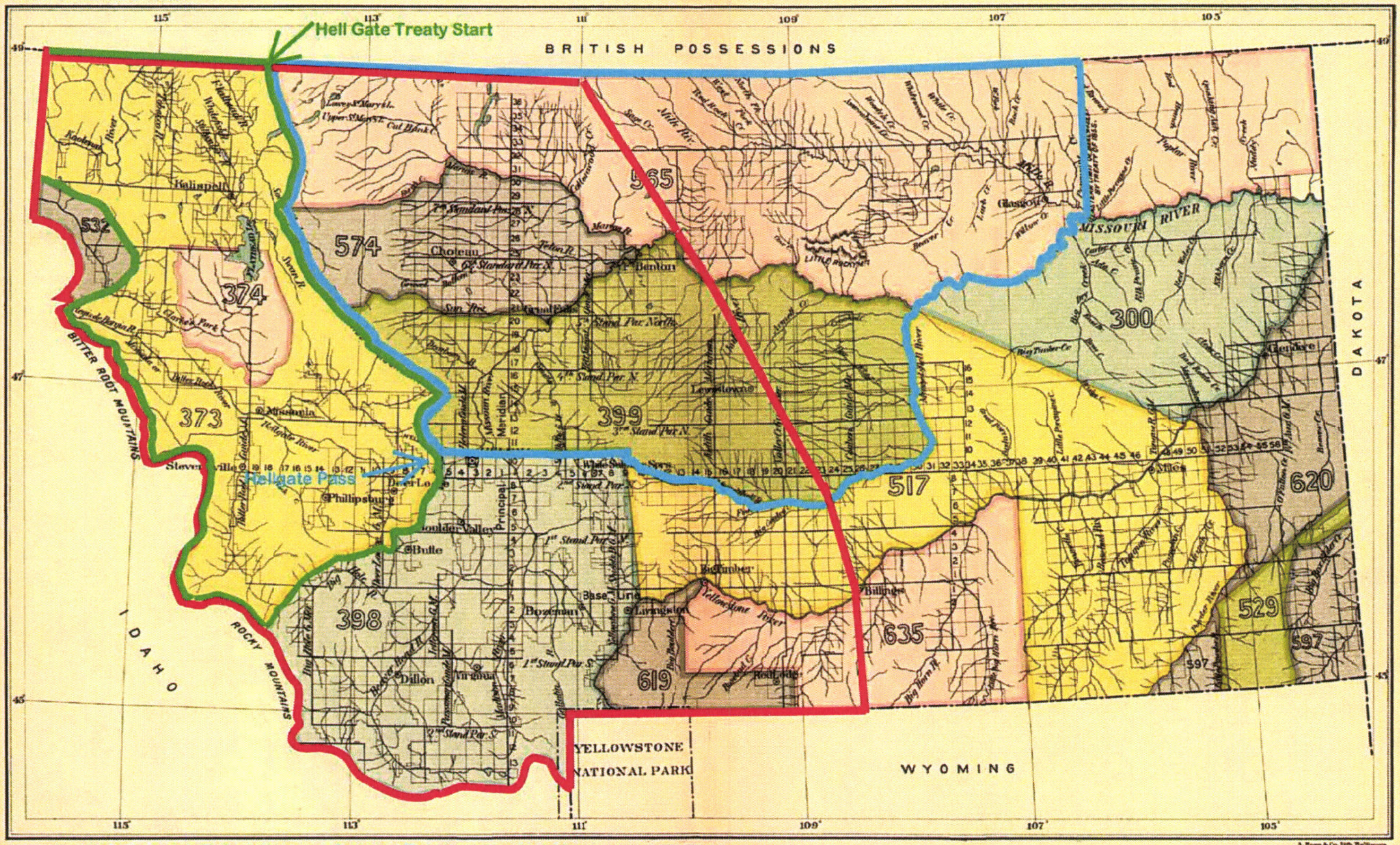
The numbers on the map represent the lands of original tribal occupancy that were judicially established through the U.S. Indian Claims Commission or the U.S. Court of Claims in 1978. Please reference these numbers with the accompanying sheets entitled "Indian Lands Judicially Established- CAST 7/97".

Source: 18th Annual Report of the Bureau of American Ethnology 1896-1897 Part 2

INDIAN LAND CESSIONS in the UNITED STATES Compiled by Charles C. Royce

BUREAU OF AMERICAN ETHNOLOGY

EIGHTEENTH ANNUAL REPORT. PL. CXLVI


Hell Gate Treaty Start
BRITISH POSSESSIONS
Hellgate Pass
565
574
374
532
373
399
300
517
620
398
619
635
529
597
Kalispell
Missoula
Stevensville
Deer Lodge
Philipsburg
Butte
Boulder Valley
Bozeman
Livingston
Dillon
Virginia
Big Timber
Billings
Red Lodge
Choteau
Benton
Great Falls
Lewistown
Glasgow
Glendive
Miles
MISSOURI RIVER
BITTER ROOT MOUNTAINS
ROCKY MOUNTAINS
IDAHO
DAKOTA
WYOMING
YELLOWSTONE NATIONAL PARK
115°
113°
111°
109°
107°
105°
49°
47°
45°

MONTANA 1
SCALE, 45 MILES TO 1 INCH

🟦 1855 Lame Bull / Judith River Treaty Boundaries

🟥 Per CSKT "Subsistence" Map

🟩 1855 Hell Gate Treaty Ceded Lands (Note a small portion of the N Idaho panhandle was ceded but is not shown on this map)

Source: 18th Annual Report of the Bureau of American Ethnology 1896-1897 Part 2
INDIAN LAND CESSIONS in the UNITED STATES Compiled by Charles C. Royce

Date	Ref	Tribes	Description	Map Area	Historical Data and Remarks
October 17,1855	Stat L., xi, 657	Blackfeet and Flathead Nations and Nez Perce Tribes	Judith River Treaty - Blackfoot nation agrees that certain territory assigned them by treaty of Fort Laramie shall be a common hunting ground.	398	Montana Article V – **The parties to this treaty, residing west of the main range of the Rocky Mountains, agree and consent that they will not enter the common hunting ground, nor any part of the Blackfoot Territory, or return home, by any pass in the main range of the Rocky Mountains to the north of the Hell Gate or Medicine Rock Passes. And they further agree that they will not hunt or otherwise disturb the game, when visiting the Blackfoot Territory for trade or social intercourse.**
			Certain Territory to belong exclusively to the Blackfoot - The territory for the Blackfeet is described as bounded by a line running eastwardly from Hell Gate or Medicine Rock Passes, to the nearest source of the Muscle Shell River; thence down the river to the Missouri; down the Missouri to the mouth of the Milk River, thence, N. to forty-ninth parallel, W. to the main range of the Rocky Mountains and southerly along that range to place of beginning.	399 565 574	Montana - A treaty was afterwards concluded, Sept 1, 1868, by which the Blackfeet relinquished a portion of this territory. This treaty was never ratified, but with the assent of the Indians, by Executive order of July 5, 1873, a reserve was set apart for the joint occupancy of the Gros Ventres, Piegan, Bloods, Blackfeet and River Crows. This new reserve was in part composed of territory assigned to the Blackfeet by treaty of 1855, part was ceded back to the United States.
July 16, 1855	Stat L. xii, 975	Flathead, Kootenay and Upper Pend d'Oreilles	Ceded tract within the following boundaries: Commencing on the main ridge of the Rocky Mountains at the forty ninth parallel of latitude; thence westwardly on that parallel to the divide between the Flat bow or Kootenay river and Clarke's Fork, thence southerly and southeasterly along said divide to 115 ° longitude, thence in a southwesterly direction to the divide between the sources of the St. Regis Borgia and Coeur d'Alene rivers; thence southeasterly and southerly along the main ridge of the Bitter Root mountains to the divide between the head waters of the Koos-koos-kee river and of the southwestern fork of the Bitter Root River; thence easterly along the divide separating the waters of the several tributaries of the Bitter Root river from the waters flowing into Salmon and Snake rivers to the main ridge of the Rocky mountains, thence northerly along said main ridge to the place of beginning.	372 373	Idaho (note a small portion of ceded lands extend into the very northern Panhandle of Idaho) Montana
			Reserve tract commencing at the source of the main branch of Jocko river; thence along the divide separating the waters into Bitter Root river from those flowing into the Jocko to a point on Clarke's fork between the Camash and Horse prairies; thence northerly to and along the divide bounding on the W. Flathead river to a point due W. from the point halfway in latitude between the northern and southern extremities of Flathead Lake; thence on a due E. course to the divide whence the Croe, the Prune, the So-ni-el-em, and Jocko Rivers take their rise, thence southerly along said divide to the place of beginning.	374	Montana This reserve is commonly known as Jocko reserve
			Reserve in Bitter Root valley to be set apart for Flathead if deemed desirable.		It was decided to be undesirable to set apart this Bitter Root valley reserved and under act of Congress June 5, 1872, the Indians were removed to the preceding reservation, known as the Jocko reserve.

Paper No. 7

April 6, 2015. Memorandum on Constitutional Violations that will Result with Compact Ratification

Prepared by Richard A. Simms

This memorandum describes the violations of the Montana Constitution that will result from ratification of the CSKT Compact and in particular, the Unitary Management Ordinance proposed as the law of administration for the Compact. Articles V (the Legislature), VII (the Judiciary) and IX (Natural Resources) are impacted.

MEMORANDUM

To: **Senator Debby Barrett, President of the Senate**
Representative Austin Knudsen, Speaker of the House

From: **Richard A. Simms, on behalf of the**
Montana Land and Water Alliance, Inc.

Subject: **Constitutional Violations by Compact Ratification**

CONSTITUTIONAL VIOLATIONS

Ratification of the Compact Would Violate Art. V (The Legislature), § 12 of the Montana Constitution.

Article V (The Legislature), § 12 of the Montana Constitution **mandates** that "[t]he legislature shall not pass a special or local act when a general act is, or can be made, applicable." A local law "is one which operates over a particular locality instead of over the whole territory of the state." Black's Law Dictionary. A special law is "[o]ne relating to particular persons or things; one made for individual cases or for particular places or districts; one operating upon a selected class rather than upon the public generally." *Id.* The Montana Water Use Act is legislatively applicable over the entire territory of the state. Ratification of the Compact would make Unitary Administration and Management Ordinance a law of the State of Montana, thus being a legislative enactment of local law vitiating the applicability of the Montana Water Use Act within the Flathead Indian Reservation.

Article 1-1-101(4) of the Unitary Administration and Management Ordinance states:

> Upon the effective Date of the Compact, this Ordinance shall govern all water rights, whether derived from tribal, state or federal law, and shall control all aspects of water use, including all permitting of new uses, changes of existing uses, enforcement of water right calls and all aspects of enforcement within the exterior boundaries of the Flathead Indian reservation. Any provision of Title 85,

> MCA, that is inconsistent with this Law of Administration is not applicable within the Reservation

Ibid. at 2. While the existing Montana Water Use Act comports with Article V, § 12 of the Montana Constitution, ratification of the Compact by the legislature would enact the Unitary Administration and Management Ordinance as a law of the State of Montana limiting its application to the Flathead Indian Reservation.

Ratification of the Compact Would Violate Article VII (The Judiciary), § 4(1) & (2) of the Montana Constitution.

Article VII (The Judiciary), § 4(1) & (2) state:

> (1) The district court has original jurisdiction in all criminal cases amounting to felony and all civil matters and cases at law and in equity. It may issue writs appropriate to its jurisdiction. It shall have the power of naturalization and such additional jurisdiction as may be delegated by the laws of the United States or the state of Montana. *Its process shall extend to all parts of the state*. (2) The district court shall hear appeals from inferior courts as trials anew unless otherwise provided by law. The legislature may provide for direct review by the district court decisions of administrative agencies.

(*Emphasis added*). To date, the legislature has complied with the mandate that district court "process shall extend to all parts of the state." Ratification of the Compact would enact the Unitary Administration and Management Ordinance as a law of the State of Montana which removes the process of the district court from the Flathead Indian Reservation insofar as Title 85, MCA, is concerned. Also, the Compact defines "a court of competent jurisdiction" as "a State or Tribal court that otherwise has jurisdiction over the matter *so long as the parties to the dispute to be submitted to that court consent to its exercise of jurisdiction*, but if no such court exists, a Federal court." (*Emphasis added*). In other words, upon Montana's ratification of the Compact, the state district court would be a court of competent jurisdiction within the Flathead Reservation only if the adverse parties in a given proceeding "consent to the exercise of jurisdiction." The Montana constitution is the organic and fundamental law of the state that describes the extent and manner of the exercise of sovereign power. The Compact's definition of "a court of competent jurisdiction" is literally unconstitutional, leaving the source of judicial power up to the consent of adverse parties.

Ratification of the Compact Would Violate Article VII (The Judiciary), § 2(4) of the Montana Constitution.

Article VII (The Judiciary), § 2(4) mandates that the Supreme Court's "process shall extend to all parts of the state." With the removal of the process of the district court from the Flathead Indian reservation, appeals from the district court to the Supreme Court are likewise taken away, subverting the statewide process of the Supreme Court.

Ratification of the Compact Would Violate Article IX (Environment and Natural Resources), § (3)4 of the Montana Constitution and Article III (General Government), § 1.

The Constitution of the State of Montana is "the written instrument agreed upon [by the people of the state] as the absolute rule of action and decision for all departments (*i.e.*, branches) and officers of the government in respect to all of the points covered by it, which must control until it shall be changed by the authority which established it (*i.e.*, by amendment), and in opposition to which any act or ordinance of any such department or officer is null and void." Black's Law Dictionary. Article IX, §(3)4 of the Montana Constitution states that "[the] legislature shall provide for the administration, control, and regulation of water rights and shall establish a system of centralized records, in addition to the present system of local records." Based on the proposition that "[n]owhere does the Constitution require that water rights administration be restricted to any particular sovereign or administrative entity," the stock response of Montana's governmental agencies to the asserted violation of Article IX, § (3)4 is that by ratifying the Compact the legislature would be doing exactly what Article IX, § (3)4 mandates, *i.e.*, providing for the administration of water rights by taking away the protection of

Montana government from 23,000 people and giving it to the plenary authority of an adverse, dependent sovereign in pending water rights litigation.[1]

Article III, § 1 of the Montana Constitution posits that: "The power of the government of this state is divided into three distinct branches of government: legislative, executive, and judicial." The Constitution speaks of one government, *i.e.*, "the government of this state." "The power of government" is not some of the power of government discussed in Article III, §1, but rather **all** of the power of government of this state. The next sentence in Article III, § 1 states that [n]o person or persons charged with the exercise of power properly belonging to one branch shall exercise any power properly belonging to either of the others, except as in this constitution expressly directed or permitted." The integrity of responsible government is thus ensured in Montana, precluding the legislature, for example, from invading the process of the judiciary. If persons charged with the exercise of power properly belonging to one branch are mandated not to exercise the power properly belonging to either of the others, they certainly are not "directed or permitted" to give a considerable chunk of the power of the executive branch to an adverse party in water rights litigation to the detriment of 23,000 people.

cc: MLWA Board
Representatives Regier, Monforton, Wittich
Senators Hinkle, Hansen, Rosendale

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[1] Letter of December 16, 2013, from Melissa Hornbein to Senator Chas Vincent at 12.

EXHIBIT 42
DATE 4/11/15
SB 262

Testimony of Catherine Vandemoer, Ph.D.

Chairman Bennett and distinguished members of the House Judiciary Committee, my name is Catherine Vandemoer. I am a Montana resident and live in St. Ignatius, MT. I am the Chairman of the Montana Land and Water Alliance. Thank you for the opportunity to speak with you today.

I am speaking with you today as one of a handful of people in the United States with decades of experience regarding the field of federal reserved water rights—their quantification, management, use, and defense in legal settings. I have worked on all sides of the issue— as a Tribal employee and consultant to many tribes across the western United States, as a federal employee at the highest levels within the Department of the Interior and the Commerce Department, and have worked with states, nonprofit Indian organizations, and environmental organizations on the same. I am relating this to you because today I will speak with you with the whole of my experience regarding the CSKT Compact. I urge you to vote "no".

You may have heard the phrase "you can do anything you want in a negotiation". However, I can assure you that with a federal reserved water rights settlement this is not the case. A compact is a creature of federal and state law, and as such, they form sideboards or a framework for and constraints to all negotiations:

> Federal: doctrine of federal reserved water rights (aka "Winters Doctrine"), where the reserved water rights arise out of a federal reservation of land (Indian and non-Indian); McCarran Amendment; Treaties—Treaty of Hellgate; the Tribes as domestic dependent sovereigns; U.S. Constitution
>
> State: state sovereignty, Constitution and laws of state; Public Law 280; MT General Stream Adjudication; case law; e.g. Montana v US;
>
> Context: includes state sovereignty and tribal sovereignty where tribal sovereignty means Indian 'self-determination'. ..Not the determination of others' future, but self determination.

This is the framework in which negotiations are held. In a negotiation, there is wide latitude WITHIN these sideboards to 'do anything you want', but if you step outside this framework, you are no longer negotiating a federal reserved water rights settlement—you are stepping beyond bounds of established law, creating new types of water rights (aka, aboriginal, tribal reserved right), providing for an unprecedented expansion of tribal control over non-members that doesn't exist anywhere in the united states, and transferring control of all water rights to one sovereign. You are creating a new creature never seen before in the United States.

The CSKT Compact could have stayed within this framework and have been resolved years ago, just like every other Compact with Tribes in Montana. Here would have been the outcomes:

1. A discrete amount of water. The federal reserved water right arises out of the federal reservation of land, and is the amount of water to fulfill the purposes of the reservation. It is located within the reservation, not outside of it. This is called "quantification". The volume of water is measured and based on standards—e.g., agriculture and fishery
2. Tribal self-determination. The ability of the Tribes to be "self-determined"---to manage their own affairs, to manage, administer, and develop their water according to their own rules via a tribal water code.
3. State sovereign prerogatives protected. The state's to maintain its role and functions regarding the ownership, administration and control of state water resources for the benefit of all its citizens (including Tribes) are protected.
4. Federal law upheld. Cannot violate or change the relationship between federal government and tribes, change the nature of a 'federal reserved water right', or ignore the standards used to quantify the federal reserved right.

This Compact went outside of all of the federal and state guidelines that normally constrain a compact, that have been followed in Montana with all the other Tribal compacts, and all the negotiations in the United States. The federal reserved water rights were not quantified, and instead a 'reverse quantification' occurred; the tribes were allowed to determine the future of everyone else, instead of being self-determined; state sovereign prerogatives were destroyed; and the relationship between the federal government and the Tribes was disrupted. All of this is unprecedented in any federal reserved water rights settlement in the United States.

I have provided as attachments to my testimony a list of all of the places in the Compact and SB 262 where these important constraints were ignored.

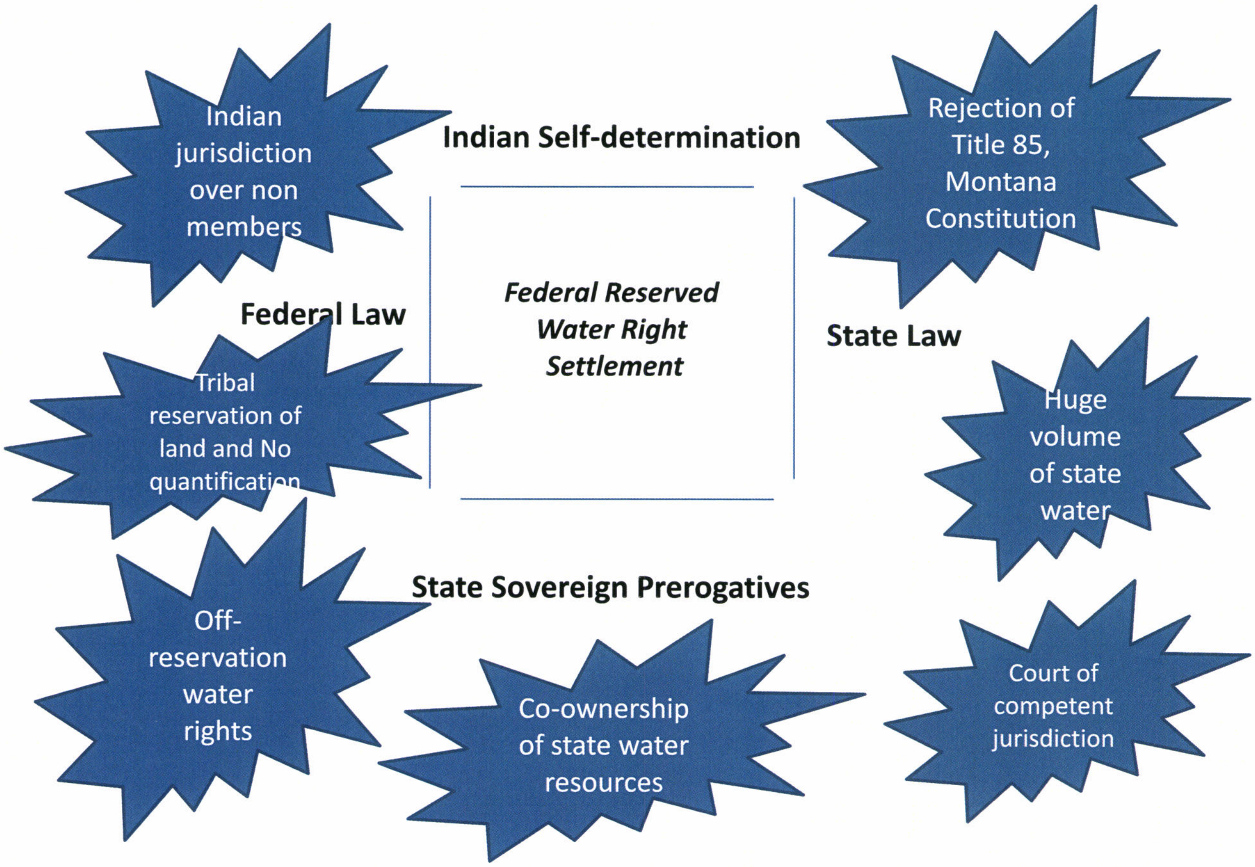
In summary, based upon my review, the three results of the CSKT Compact are:

1. The Compact returns the reservation and western Montana to a pre-1855 environmental condition
2. The Compact destroys irrigation in western Montana, with particular emphasis on the Flathead Irrigation Project. The Compact permits the federal government through the tribes to unjustifiably condemn irrigation water use.
3. Compact creates a new type of water right that has never existed in federal reserved water right proceeding

Thank you, Mr. Chairman and members of the Committee for taking my comments. I am happy to answer any further questions you may have.

This slide shows how the major components of the CSKT Compact lie outside of the well-accepted and normal practice of resolving a federal reserved water right of an Indian Reservation. None of the other compacts award the Tribe jurisdiction over non-members, all the water on the reservation, off-reservation water rights, or co-ownership of any state resource. Instead of being a 'creative' solution to resolving federal reserved rights, this is a dangerous precedent that will drag Montana and its one million citizens off a cliff and result in years of expensive litigation. Montana could be liable for the taking and inverse condemnation of property rights of its citizens, violations of the State and federal constitution, and other actions arising out of the compact, all of which will cost the state billions of dollars. This compact is an unwise investment.

HOW THE CSKT COMPACT VIOLATES FEDERAL RESERVED WATER RIGHTS SETTLEMENTS


Indian jurisdiction over non members
Indian Self-determination
Rejection of Title 85, Montana Constitution
Federal Law
Federal Reserved Water Right Settlement
State Law
Tribal reservation of land and No quantification
Huge volume of state water
State Sovereign Prerogatives
Off-reservation water rights
Co-ownership of state water resources
Court of competent jurisdiction

INDEX OF SB262 FEDERAL RESERVED WATER RIGHTS SETTLEMENT VIOLATIONS[1]

1. **Ignores Federal Reserved Rights Doctrine and Standards for Quantification**
   - Article I, Recitals 1, 2, 18 (p.1, 3); Article II, Subsections 2,5,20,23,28,30,31,32,33,38,44,45,50,51,52,56,57,58,67,71 (pp 4-10)
   - Article III Subsections A, C, E, G [Quantification] (pp 10-23)
2. **Provisions of Compact that Unjustifiably Condemn Agricultural Water Uses, converting them to Instream Flow**
   - Article I, recitals 1,2,18 (p. 1-3); Article II, subsections 2,5,20,23,28,30,31,32,33,38,44,45,50,51,52,56,57,58,67,71 (pp 4-10)
   - Article III Subsections A, C, E, G (pp 10-23); Article IV, subsections D, E, F, G (pp 3538; Article V Subsections B, C (pp 47-50); and Article VI, Subsections A, B (p. 50)
3. **Provisions that deprive the state of Montana of its constitutional and statutory authority to manage water within and outside of the reservation**
   - Article II, Subsection 45, "Law of Administration" (p.7), Appendix 4, Article IV (Implementation of Compact) (pp 26-46)
   - Article V, I (1,2,4,5,6) (pp 40-45)
4. **Provisions that eliminate certain legislative and judicial prerogatives**
   - Article III C (1) (a-l) pp 10-12; D (1-8) pp 16-33
   - Article III C(K), D (4,5,6), pp 11-23 co-ownership of state based instream flow rights
   - Article IV B (5,6); Article IV, generally, exempting Tribes from compliance with MCA 85-2-402 (pp 47-48); UMO New Sections 3-11, pp 127-139 exempting Tribes from MCA 85 provisions
   - Article III D 5 (c) p 20 requiring stakeholder participation in off reservation instream flows
5. **Provisions unjustifiably awarding a large volume of the State's water to the Tribes**
   - Appendix 9, Appendix 10 (awarding 100% of water in Flathead Lake on and off reservation)
   - Article V (1) p. 40
   - Article III, C 1 (a, c, e), pp 10-23; Appendices 5, 9, 11, 12, 13 (awarding 100% of water in the Flathead Irrigation Project to Tribes when 90% of land owned by non-Indians)
   - Article II, 2,5,20,23,28,30,31,32,33,38,44,45,50,51,52,56,57,58,67,71 (pp 4-10)
   - Appendices 18, 25-27, Article III C (7,8) awarding 40%-65% of available river flow in eight off-reservation rivers dedicated to instream flow) and
   - Appendix 17 (awarding all of the off-reservation lakes in adjacent mountain ranges)

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[1] SB262 was reviewed for compliance with the principles and practices for resolving federal reserved water rights through negotiation. Over 269 individual comments citing the bill's movement outside of the resolution of these rights are identified. The "red lined" copy of SB 262 is available upon request.

6. **Provisions that do not belong in the CSKT federal water rights settlement as they involve other federal agencies and activities**
    - Article IV H, p. 40-41 Power Provisions regarding Kerr Dam and conditioned only by FERC license
7. **Provisions that mean the CSKT Settlement is not a Final settlement**
    - Article VII, B, C p 53. Cases dismissed without prejudice
8. **Provisions that enable the immediate implementation of the Compact without federal approval**
    - Article II (5), p 4
    - Article III (5) p 19 implementation of splitting of co-owned of Milltown right
    - Article IV (4) G, p 38, Compact Implementation Technical Team
    - Appendix 3.5 (2) p 2 Implementation of Compact

Respectfully Submitted,

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P.O. Box 372
St. Ignatius, MT 59865
406-552-1357

The 10,000 Claims Threat of the CSKT is Legally, Historically, and Factually Unfounded

A Legal and Historical Overview[1]

1. The Yakima Nation Treaty and the Treaty of Hellgate are nearly identical. Art. I of each treaty describes the lands ceded by Yakima and the CSKT. Art. II describes the Reservations created in each treaty, and Art. III of each treaty secures "the right of taking fish at all usual and accustomed places, in common with the citizens of the Territory ..." ***The provisions of both treaties apply only to and are geographically limited by the respective ceded and reserved lands. The CSKT ceded and reserved lands are all west of the continental divide.***

a. Art. III of the Yakima Treaty was first construed in *United States v. Winans*, 198 U.S. 371 (1905), three years before the Supreme Court created the unrelated, federal reserved water rights doctrine. In *Winans*, the Supreme Court held that Art. III created ***a servitude of access across the lands ceded to the United States*** on the north bank of the Columbia River and that Art. III was made binding on the United States and the State of Washington when the Treaty was ratified in 1859, notwithstanding that the Winans brothers owned their land in fee and that the State of Washington had licensed the fishing wheels that the Winans had constructed where the Yakima traditionally fished.

b. Art. III of the Yakima Treaty was construed by the Supreme Court in *Seufert Brothers Company*, 249 U.S. 194 (1919), a case in which the United States sought to enjoin a commercial fishing company from interfering with the fishing rights granted to the Yakima on the south bank of the Columbia River. Based on evidence that the Yakima had traditionally fished on both the northern and southern banks of the Columbia from the time of the Treaty, and that the Walla-Walla and Wasco Tribes, whose ***ceded lands bordered the Columbia on the south*** had done the same, Art. III of the Yakima Treaty secured ***a servitude of access on both banks of the river***.

c. *Antoine et ux. V. Washington*, 420 U.S. 194, 205 (1975) (***"Winans involved a treaty that reserved to the Indians in the area ceded to the United States 'the right of taking fish at all usual and accustomed places, in common with citizens of the Territory'"***). (*Emphasis added*).

2. Article V of the Judith River Treaty (1855), to which the ***Flathead Nation was a party, provided that the Flathead (now CSKT) west of the Continental Divide agreed to remain on the western side of the divide and would not enter the common hunting ground established by the Treaty***, hunt, or disturb the game when visiting the Blackfoot Territory for trade or social intercourse. (http://leg.mt.gov/content/Committees/Interim/2013-2014/Water-Policy/Meetings/March-2014/1855-Judith_River_Treaty.pdf)

See the attached map for a description of the CSKT ceded lands, reservation, subsistence territory, and the range of the Judith River Treaty area.

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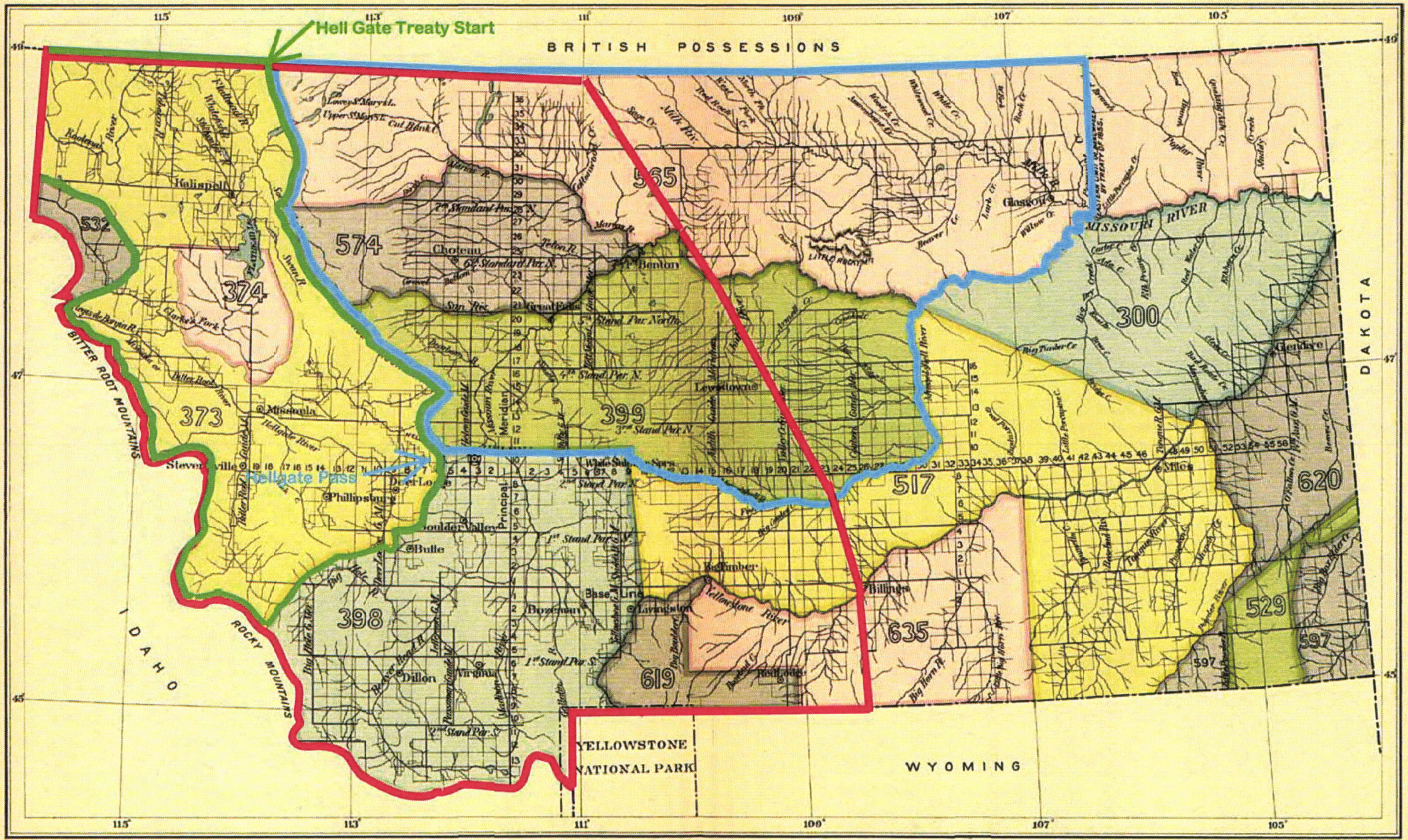
[1] ©Montana Land and Water Alliance, March 2015

Source: 18th Annual Report of the Bureau of American Ethnology 1896-1897 Part 2

INDIAN LAND CESSIONS in the UNITED STATES Compiled by Charles C. Royce

BUREAU OF AMERICAN ETHNOLOGY

EIGHTEENTH ANNUAL REPORT. PL. CXLVI


Hell Gate Treaty Start
BRITISH POSSESSIONS
DAKOTA
IDAHO
WYOMING
YELLOWSTONE NATIONAL PARK
BITTER ROOT MOUNTAINS
ROCKY MOUNTAINS
MISSOURI RIVER
Hellgate Pass
Kalispell
Missoula
Stevensville
Phillipsburg
Deer Lodge
Butte
Boulder Valley
Bozeman
Dillon
Virginia
Livingston
Big Timber
Billings
Red Lodge
Miles
Glendive
Glasgow
Lewistown
Choteau
Ft. Benton
Great Falls
Little Rocky Mts
532
574
374
373
398
399
565
300
517
619
635
620
529
597
115°
113°
111°
109°
107°
105°
49°
47°
45°
A. Hoen & Co. Lith. Baltimore.

MONTANA 1

SCALE, 45 MILES TO 1 INCH

🟦 1855 Lame Bull / Judith River Treaty Boundaries

🟥 Per CSKT "Subsistence" Map

🟩 1855 Hell Gate Treaty Ceded Lands (Note a small portion of the N Idaho panhandle was ceded but is not shown on this map)

Source: 18th Annual Report of the Bureau of American Ethnology 1896-1897 Part 2
INDIAN LAND CESSIONS in the UNITED STATES Compiled by Charles C. Royce

Date	Ref	Tribes	Description	Map Area	Historical Data and Remarks
October 17,1855	Stat L., xi, 657	Blackfeet and Flathead Nations and Nez Perce Tribes	Judith River Treaty - Blackfoot nation agrees that certain territory assigned them by treaty of Fort Laramie shall be a common hunting ground.	398	Montana Article V – **The parties to this treaty, residing west of the main range of the Rocky Mountains, agree and consent that they will not enter the common hunting ground, nor any part of the Blackfoot Territory, or return home, by any pass in the main range of the Rocky Mountains to the north of the Hell Gate or Medicine Rock Passes. And they further agree that they will not hunt or otherwise disturb the game, when visiting the Blackfoot Territory for trade or social intercourse.**
			Certain Territory to belong exclusively to the Blackfoot - The territory for the Blackfeet is described as bounded by a line running eastwardly from Hell Gate or Medicine Rock Passes, to the nearest source of the Muscle Shell River; thence down the river to the Missouri; down the Missouri to the mouth of the Milk River, thence, N. to forty-ninth parallel, W. to the main range of the Rocky Mountains and southerly along that range to place of beginning.	399 565 574	Montana - A treaty was afterwards concluded, Sept 1, 1868, by which the Blackfeet relinquished a portion of this territory. This treaty was never ratified, but with the assent of the Indians, by Executive order of July 5, 1873, a reserve was set apart for the joint occupancy of the Gros Ventres, Piegan, Bloods, Blackfeet and River Crows. This new reserve was in part composed of territory assigned to the Blackfeet by treaty of 1855, part was ceded back to the United States.
July 16, 1855	Stat L. xii, 975	Flathead, Kootenay and Upper Pend d'Oreilles	Ceded tract within the following boundaries: Commencing on the main ridge of the Rocky Mountains at the forty ninth parallel of latitude; thence westwardly on that parallel to the divide between the Flat bow or Kootenay river and Clarke's Fork, thence southerly and southeasterly along said divide to 115 ° longitude, thence in a southwesterly direction to the divide between the sources of the St. Regis Borgia and Coeur d'Alene rivers; thence southeasterly and southerly along the main ridge of the Bitter Root mountains to the divide between the head waters of the Koos-koos-kee river and of the southwestern fork of the Bitter Root River; thence easterly along the divide separating the waters of the several tributaries of the Bitter Root river from the waters flowing into Salmon and Snake rivers to the main ridge of the Rocky mountains, thence northerly along said main ridge to the place of beginning.	372 373	Idaho (note a small portion of ceded lands extend into the very northern Panhandle of Idaho) Montana
			Reserve tract commencing at the source of the main branch of Jocko river; thence along the divide separating the waters into Bitter Root river from those flowing into the Jocko to a point on Clarke's fork between the Camash and Horse prairies; thence northerly to and along the divide bounding on the W. Flathead river to a point due W. from the point halfway in latitude between the northern and southern extremities of Flathead Lake; thence on a due E. course to the divide whence the Croe, the Prune, the So-ni-el-em, and Jocko Rivers take their rise, thence southerly along said divide to the place of beginning.	374	Montana This reserve is commonly known as Jocko reserve
			Reserve in Bitter Root valley to be set apart for Flathead if deemed desirable.		It was decided to be undesirable to set apart this Bitter Root valley reserved and under act of Congress June 5, 1872, the Indians were removed to the preceding reservation, known as the Jocko reserve.

FACT SHEET

Why Indian Tribes do Not Have Jurisdiction over Non-Indians in Montana

The Compact proposes to transfer State constitutional responsibilities and statutory jurisdiction over water administration and water resources from the State of Montana to the CSKT for state law-based water resources within the boundaries of the Flathead Indian Reservation. This is done through the "Unitary Management Ordinance" or "Law of Administration". The Tribe will assume all of the jurisdictional functions and the authorities of the state for water resources, including law enforcement and future development. This expansion of Tribal jurisdiction over non-Tribal members, who vastly outnumber tribal members on this opened reservation, is prohibited by federal and state law. [1] *Tribal jurisdiction over non-Indians is inconsistent with the Tribes' status as a domestic dependent nation.*

Public Law 280. In 1963, Montana opted for state jurisdiction over any tribe that consented. Only one tribe consented — the Confederated Salish and Kootenai Tribes. In 1995, the state retroceded jurisdiction over felonies back to the federal government for the Confederated Salish and Kootenai Tribes. Criminal and civil jurisdiction of the State of Montana and its subdivisions does extend to the CSKT.

1934 Indian Reorganization Act. CSKT was the first Tribe in Montana to wholeheartedly adopt the Indian Reorganization Act. The Act consolidated remaining unallotted lands back into Tribal ownership (federal ownership in trust for the CSKT) but did not affect fee lands, townships or other state lands acquired by non-Indians as of 1934. The IRA was made inapplicable to any land within a federal irrigation project within a reservation. The CSKT was organized as a corporation with a Constitution that required it to uphold the laws and Constitution of the United States. Corporations do not have jurisdiction over non-corporate members. The IRA requires that every ordinance regarding the management of natural resources be approved by the Secretary of the Interior. A state cannot substitute its judgment or approval for such natural resource policies for federal approval.

Montana v. U.S. (450 U.S. 544) Involving Crow Tribe, used to assess other tribes' jurisdiction. (a) The Tribe's "inherent sovereignty" does not support its regulation of non-Indian hunting and fishing on non-Indian lands within the reservation (b) Exercise of tribal power beyond what [450 U.S. 544, 546] is necessary to protect tribal self-government or to control internal relations is inconsistent with the dependent status of the tribes, and so cannot survive without express congressional delegation (c) exercise of tribal jurisdiction over non-members may be applicable if three tests are met: (1) the non-member activity must impact the political or (2) economic security of the tribe, and (3) the relationship between tribe and non-member must be consensual.

Montana Constitution. Article I, Montana Constitution "all lands owned or held by any Indian or Indian tribes shall remain under the absolute jurisdiction and control of the congress of the United States"

Flathead Indian Reservation Definition under CSKT Compact vs. Montana Definition of "Indian Reservation". Compact adopts the definition of "*Indian Country*" as defined in U.S. Code Title 18—CRIMES AND CRIMINAL PROCEDURES, instead of "Indian Reservation". Montana defines an Indian Reservation as (1) all land within the limits of an Indian reservation under the jurisdiction of the United States government; (2) all dependent Indian communities, such as the New Mexico Pueblos; and (3) all Indian allotments still in trust, whether they are located within reservations or not.

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[1] Tribal jurisdiction over Montana's water resources is also expanded off-reservation via control over the Hungry Horse water allocation within the Compact, where the Unitary Management Board will determine who gets to lease the water; the ownership of and ability to call off-reservation instream flows; and the co-ownership of state water resources permitted to Montana's Fish, Wildlife, and Parks division. The latter will eliminate state legislative and judicial prerogatives to manage state water resources.

References:

1. Goldberg, Carole, Champagne, Duane, 2007, *Final Report: Law Enforcement and Criminal Justice under Public Law 280*; Submitted to the U.S. Department of Justice by the National Institute of Justice, UCLA.
2. Montana Legislature Committee on Indian Affairs, 1985, "*The Tribal Nations of Montana: A Handbook for Legislators*". "The proclamation states: "By the power vested in me, as Governor of the State of Montana, I, Tim Babcock, hereby proclaim that criminal and civil jurisdiction of the State of Montana and its subdivisions does extend to The Confederated Salish and Kootenai Tribes as expressed in their approved Ordinance No. 40-A (Revised), and I further declare that sixty days from the date of October 8, 1965, such criminal and civil jurisdiction as previously described shall be in full force and effect."
3. Cohen, Felix, 1982 ed., *Handbook of Federal Indian Law*, Charlottesville, VA., The Michie Company.
4. Montana v. United States, 1981, 450 U.S. 544, United States Supreme Court
5. U.S. Code Title 18 §1151 http://www.gpo.gov/fdsys/pkg/USCODE-2012-title18/pdf/USCODE-2012-title18-partI-chap53-sec1151.pdf

EXHIBIT 43
DATE 4/11/15
SB 262

Hes Quex Peseya, good morning to all, my name is Jocko Shane Hendrickson. I am a direct descendant to Chief Charlot, head chief of the Bitterroot Salish, the horse people. Charlot and Koostata were the last two head chiefs, they were replaced by our constitution. If they could see how their people are being treated today they would be ashamed. How their people are being treated by tribal council. I oppose Senit Bill 262 ~~this water compact~~ because Kerr Dam runs off of water, We the membership have an ongoing patitions , We are close to our goal of signatures that we need to put the dam to a vote, (1/3 of eligible voters.) This is our constitutional right to have our tribal council that has to repesent us not rule over us.

The Hellgate treaty of 1855 gives me the right to oppose this water compact, But both sides have said how much they have given in this water compact but it seems both sides have already gotten what they wanted and are so pleased with them selves they are repersenting the bill, So what is on the buffalo robe for the rest of us indians now that we are finilly becoming farmers, ranchers, and irrigaters that live on the reservation. We have tribal members that have lost their leases , water rights because they oppose this water compact, now there afraid to speak out in fear of loosing more of their leases , land, homes, childern, friends, family, should we need to say more , even though this has been going on for years the time is now for everyone to be told the real story

It takes heart, honesty, integrity and truth to lead our people to greatness. Our tribal leaders should keep their people informed on such things as great as Kerr Dam. This water compact , They talk about how great it will be, the first tribe to own and run a hydroelectric dam. A landmark deal for the tribe. Why not let it be a landmark deal for the people? This is why I oppose this water compact. Let the people vote on it. we will have to sacrifice as tribal members there just not really telling us why.

We as Tribal members are being threatened when we stand up, as I oppose this water compact, leases are being canceled, water will not be delivered, members will no longer be able to bid on timber for logging sales Or put there names in for housing, jobs, this list of reasons could go on an on as to why I or others oppose this water compact along with this is a spritial battle govern by forces divide and conquer , As tribal members we have rights to freedom of speech , freedom of the press , and do processes of the law , but when you stand up and fight weather its with words or as we stand here in a war over water on the cskt reservation that is as long and as big as MONTANA , you all think this is just a water battle it is more than that . It has put long time friends on different sides that are now called Indian or White, people that never new there was really a line around the reservation or that theres communitys of indian haters or tribal members that hate white people in montana, and this being ONE of a few of the biggest dissensions that need to be made right now by this tribe and the water compact is in your hands I hope you all dont throw us to the wolfs over money, 12 *Saturday* Jul 2014

Bruce Tutvedt_ CSKT Lobbyist or Legislator?

Posted by icthe4est in (Ir)responsible Republicans, Dark Money, Elections, jurisdiction, Legislature, Litigation, Proposed CSKT Compact, so-called Responsible Republicans, State law

≈ **17 Comments**

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- Is it possible that a state senator from the Flathead is representing a foreign, sovereign government entity over the best interests of his constituents and the state of Montana?
- What role does Dan Salomon play in all of this?
- Where should people draw the line when their elected representatives get in bed with an organization that claims all the land and water owned by private citizens within reservation boundaries as evidenced by their February 2014 lawsuit, or is attempting to take control of significant amounts of off reservation water in western Montana through the proposed water compact?
- At what point does a legislator cross the line and actually become a "lobbyist" for an entity as opposed to representing the best interests of their constituents?

Here are some short excerpts transcribed from recent copies of the CSKT Tribal Council Minutes printed and distributed by the Char-Koosta News:

TRIBAL COUNCIL MINUTES FOR MAY 22, 2014:

"Vern Clairmont, Financial Management, has three contributions from businesses. Funds would need to be appropriated for the PAC payment in the amount of $22,000. The Legal Department can provide $10,000; S&K Electronics contributed $2,000 as a dividend payment; S&K Technologies and S&K Gaming each contributed $5,000 as a dividend payment. It is to help get republican support on the ballot for the water compact. The money will be used for mail outs for the primary election. Information would be published to educate the membership on why the Tribes are doing this.

MOTION by Leonard Gray to authorize the payment of $22,000 into the PAC to help get republican support on the ballot for the water compact. Seconded by Carole Lankford. Carried, 5 for (Leonard Gray, Carole Lankford, Terry Pitts, Shelly Fyant, and Ron Trahan); 4 opposed (Patty Stevens, Vernon Finley, Leonard Two-Teeth and Lloyd Irvine); 1 abstention (Bing Matt).

Leonard TwoTeeth, *for the record, "I strongly oppose."*

Patty Stevens, *for the record, "Since there was a motion made and it carried and it is a decision of the council I want something to explain to the membership what we just did."*

Carole Lankford, *for the record, " I appreciate the strength of the people that were able to step up and take on a challenged and battle that could cost us up to a billion dollars over the years. If we can do something now, why not?"*

Sandy Welch and Bruce Tutvedt, Republican Senator from Senate District 3; discussed the PAC – Republicans for Responsible Government. They thanked the tribal council for providing funding to cover some of the costs of the upcoming campaign. **Senator Tutvedt** stated for the record, *I've written in the newspaper that I'm for the water compact. I am solidly one of the*

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a. The passage of an Act of Congress ratifying the Compact and authorizing appropriations for monetary settlement to the Tribes;

b. Approval by the Tribes of the Compact and the Act described in Article VII.D.2.a.

c. Issuance by the Montana Water Court of a final water right decree or decrees incorporating the water rights quantified pursuant to this Compact; and

d. All portions of the final Water Court decree or decrees survive exhaustion of all avenues of appeal.

Upon occurrence of these events, the waiver described in Article VII.D.3 shall be accomplished.

3. In consideration of the water rights and other benefits confirmed to the Tribes, Tribal members, and Allottees in this Compact, and of performance by the State and the United States of all actions required by this Compact, and on entry of a final order issuing the decree of the Tribal Water Right held in trust by the United States as quantified in this Compact and displayed in Appendix 38 and occurrence of the events set forth in Article VII.D.2, the Tribes and the United States as trustee for the Tribes, Tribal members, and Allottees shall waive, release, and relinquish any and all claims to water rights or to the use of water existing on the Effective Date.

E. Settlement of Tribal Claims Against the United States. Waiver of claims against the United States by the Tribes, their members and Allottees shall be as provided by Congress.

F. Binding Effect. After the Effective Date and the entry of a final decree by the Montana Water Court of the water rights quantified by this Compact, or if necessary the Federal court in *Abell*, the Compact's terms shall be binding on:

1. The State and any Person using, claiming or in any manner asserting any right under the authority of the State to the use of water in the State; provided that, the validity of consent, ratification, or authorization by the State is to be determined by State law;

2. The Tribes and any Person using, claiming or in any manner asserting any right to the use of the Tribal Water Right, or any right arising under any doctrine of reserved or aboriginal water rights for the Tribes, Tribal members, and Allottees, or any rights arising under Tribal law; provided that, the validity of consent, ratification or

a. the United States, the Tribes, and the State shall execute and file joint motions pursuant to Rule 41(a), Fed.R.Civ.P., to dismiss without prejudice any and all claims of the Tribes, Tribal members, and Allottees and any and all claims made by the United States for the benefit of the Tribes, Tribal members, and Allottees in *United States v. Abell*, No. CIV-79-33-M (filed April 5, 1979). The case may only be resumed if either the State or the Tribes exercise the rights each holds under Article VII.A;

b. the Tribes and the State shall execute and file joint motions to dismiss without prejudice the case entitled *Confederated Salish and Kootenai Tribes v. Bud Clinch, Director, Montana Department of Natural Resources and Conservation, and the Montana Department of Natural Resources and Conservation*, Montana First Judicial Court, County of Lewis and Clark, Cause No. BDV-2001-253, Montana First Judicial District Court, Lewis and Clark County, Montana; and

c. The Decree shall be filed by the Parties as a consent decree in *Abell*, or in Federal court as a new proceeding after the dismissal of *Abell* conditional on agreement by the Parties to seek the necessary State, Tribal, and Federal ratification of the Compact, if it is finally determined in a judgment binding on the State that the State courts lack jurisdiction over, or that the State court proceedings are inadequate to adjudicate some or all of the water rights asserted in *Abell*.

D. Settlement of Water Rights Claims.

1. The water rights and other benefits confirmed to the Tribes in this Compact are in full and final satisfaction of and are intended to be in replacement of and substitution for all claims to water or to the use of water by the Tribes, Tribal members, and Allottees and the United States on behalf of the Tribes, Tribal members, and Allottees existing on the Effective Date, except for any Appropriation Rights or Water Rights Arising Under State Law held by the Tribes, their members, or Allottees as of the Effective Date or acquired thereafter, which shall be satisfied pursuant to their own terms.

2. The Tribes and United States will file all of their claims to water on and off of the Flathead Indian Reservation on or before July 1, 2015, pursuant to 85-2-702(3), MCA. Upon filing, the Tribes and United States will request that the Montana Department of Natural Resources and Conservation stay any action on such claims pending the occurrence of the following events:

EXHIBIT 44
DATE 4/11/15
SB 262

Rhoda Cargill Testimony

Chairman Bennett and members of the House Judiciary Committee. My name is Rhoda Cargill. I live in Troy, Montana, located in Lincoln County. My family resided in the "Territories" prior to 1889. I thank you in advance for the opportunity to testify concerning SB 262.

SB 262 will remove citizens from the protection of state law through the definition for "Flathead Reservation" contained within SB 262 according to the United States Supreme Court.

The definition of "Flathead Reservation" contained in SB 262, by United States Supreme Court decision, will remove non-Indian *and* Indian patent fee land owners within the exterior boundaries of the reservation from the protection of state law. The definition is:

> "*Flathead Reservation*" – "means all land within the exterior boundaries of the Indian Reservation established under the July 16, 1855 Treaty of Hellgate (12 Stat. 975), notwithstanding the issuance of any patent, and including rights-of-way running through the Reservation. (Page 6, Lines 22-24) [Emphasis added]

The word "notwithstanding" means "in spite of"; the above could well be re-written "all land within the exterior boundaries of the Indian Reservation [ ] in spite of issuance of any patent….", plainer, it states all lands are reservation land and a patent or deeded lands are reservation lands.

To understand the significance of the underlined phrase and its impact to non-Indian and Indian fee land owners on the Reservation, an understanding of MONTANA v UNITED STATES is necessary. [1]

The Crow Tribe attempted to deny hunting and fishing rights of non-members on the non-members fee lands contained within the exterior boundaries of their Reservation. The Treaty conferred authority to the Tribe that "can only extend to land on which the Tribe exercises ***'absolute and undisturbed use and occupation' and cannot apply to subsequently alienated lands held in fee by non-Indians"***. "Nor does the federal trespass statute, 18 U.S.C. 1165, which prohibits trespassing to hunt or fish, 'augment' the Tribe's regulatory powers over non-Indian lands. That statute is limited to lands owned by Indians, held in trust by the United States for Indians, or reserved for use by Indians, and ***Congress deliberately excluded fee patented lands from its scope"*** [Emphasis added]

The Supreme Court reasoned that:

> "If Congress had wished to extend tribal jurisdiction to lands owned by non-Indians, it could easily have done so by incorporating in 1165(U.S.C) the definition of "Indian

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[1] MONTANA v UNITED STATES;
http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=450&invol=544

> country" in 18 U.S.C. 1151: "all land within the limits of any Indian reservation under the jurisdiction of the United States Government, **notwithstanding the issuance of any patent, and including rights-of-way running through the reservation."** [Emphasis added]

This language has been incorporated into SB 262 under definition of "Flathead Indian Reservation".

This language was necessary to give the Tribe power to assert water rights over all waters within the exterior of the reservation. It will also give to the Tribe power to regulate use of fee lands held within the reservation even if those regulations are in direct conflict with state law; such as, hunting and fishing rights and land use law. This definition will effectively remove citizens from the protection of state laws and, by policy making, determine that the Flathead Reservation was not diminished by the Allotment Act; *the latter has very real implications.*

In all other Compacts, the RWRCC went out of their way to exclude fee patented lands from the definition of the Reservation:

> **FORT PECK-MONTANA COMPACT – 1985** - "Reservation" means the Fort Peck Indian Reservation as established in the agreement of December 28 and December 31, 1886, and confirmed by the Act of May 1, 1888, (excludes fee patent lands) (85-20-201)
>
> **Northern Cheyenne-Montana compact – 1991** - "Reservation" means the Northern Cheyenne Reservation as established by Executive Orders of November 26, 1884 (excluded fee patent lands) and March 19, 1900. (E.O. excluded fee patent lands) (85-20-301)
>
> **Chippewa Cree Tribe-Montana compact – 1997** - "Reservation" means the Rocky Boy's Reservation and includes all lands and interests in lands which are held in trust by the United States for the Chippewa Cree Tribe, including future additions to the Reservation. (85-20-601)
>
> **Crow Tribe-Montana compact – 1999** - "Reservation" means the Crow Indian Reservation consisting of the area as presently set apart for the Crow Tribe pursuant to the following Treaty and laws: Article 2 of the Fort Laramie Treaty of May 7, 1868 (15 Stat. 649); the Act of April 11, 1882 (excludes fee patent lands) (85-20-901)
>
> **Fort Belknap-Montana compact – 2001** - "Reservation" means the Fort Belknap Reservation and includes all lands and interests in lands which are now and in the future held in trust by the United States for the Gros Ventre and Assiniboine Tribes which compose the Fort Belknap Indian Community of the Fort Belknap Reservation within the boundary established by the Treaty ratified by Congress on May 1, 1888. (85-20-1001)

> **Blackfeet Tribe Compact – (Not Ratified)** - "Reservation" means the Blackfeet Indian Reservation of Montana as established by the Treaty of October 17, 1855, 11 Stat. 657, and as the Reservation was modified by Executive Order of July 5, 1873, I Kappler 855; the Act of April 15, 1874, 18 Stat. 28;(excludes fee patent lands) (85-20-1501)

All prior Compacts have protected fee patent land owners by listing the Act that modified Reservation lands or narrowly defined Reservation as those lands held in trust by the United States for the exclusive use of the Tribe. Why is the definition of the CSKT Reservation different from all other Compacts?

"Our primary goal is to own the entire reservation"

In "*Restoring Sacred Waters: A guide to Protecting Tribal Non-Consumptive Water Uses in the Colorado River Basin*", a case study of the proposed Compact with the CSKT is found.[2] It contains footnotes that state the main reason for CSKT non-consumptive water rights is to regain all lands lost to the Tribe through the Allotment Act; this means fee patent lands, both Indian and non-Indian owners.

> **"Fragmentation of the reservation hindered the Tribes' ability to regulate reservation resources. "We have this saying- 'Get the reservation green.' Our primary goal is to own the entire reservation." Discussion with the CSKT Natural Resources Department, Polson, Montana (Mar. 22, 2014) (notes on file with author).**[3] [Emphasis added]

How will the Tribe accomplish owning "the entire reservation"?

> **"Protecting the river's riparian corridor has been a priority in the efforts to 'turn the reservation green,' that is, to acquire as much reservation lands as possible. Discussion with the CSKT Natural Resources Department (Mar. 22, 2014) (notes on file with author)."**[4] [Emphasis added]

With the definition for "Flathead Reservation" contained in SB 262, the CSKT will have the power to exert its authority to enforce Tribal Water Codes over patent fee land owners, Indian and non-Indian alike. The CSKT can change water classification of streams given to them by this Compact that would make irrigation practicably impossible.

Water quality issues will be used by the CSKT to require permits to up-grade systems and to perform normal maintenance on irrigation systems; these permits will be cumbersome to acquire and will cost the property owner thousands of dollars to hire professional engineers and others to gather the necessary "proof" that what they are requesting will not affect water quality. As with any permitting system, even with expensive proof of no damage, there is no guarantee that the permit will be issued; proving a negative is impossible.

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[2] http://www.waterpolicy.info/docs/Restoring_Sacred_Waters_Nania_Guarino2014.pdf; Pg 61

[3] Ibid.; page 62, first Footnote.

[4] Ibid.; page 62, Footnote 226

Patent fee land owners, Indian and non-Indian alike, will need to apply to the CSKT Department of Natural Resources for these permits; the CSKT DNR has stated, "**Our primary goal is to own the entire reservation".** The CSKT Water Codes will eventually make it impossible for ranchers and farmers on patented land to be economically viable due to cost and/or denial of permits. This is how "willing sellers" are made.

Ranch or farm lands without water have lost their value. Who will buy thousands of acres of such land? The CSKT has been given millions of dollars ear marked for buying back land through the Cobell decision. The US Government can buy back lands for the Tribes. It will take many years to accomplish, but through this process, the CSKT will **"own the entire reservation".**

The only legal route the CSKT has to gain the power to accomplish this is by an Act of Congress, an Executive Order by the President of the United States of America, or by policy making through the passage of SB 262.

The state does not have the authority to remove its citizens from protections of state law, and yet, that is exactly what SB 262 is asking legislators to do by voting for passage of SB 262. In a letter, dated August 22, 2014, Legislative Service stated, "**The state of Montana does not have authority to remove its citizens from protections provided by law**."[5]

I urge you to vote no on SB 262.

Thank you, Mr. Chairman and members of the Committee for taking my comments on SB 262. I will be happy to answer any questions you may have concerning this testimony.

Sincerely,

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[5] http://www.dnrc.mt.gov/rwrcc/Compacts/CSKT/wpic/cskt-thigpen_review.pdf

EXHIBIT 46
DATE 4/11/15
SB 262

THE CSKT COMPACT IS ABOUT CONTROL OF WATER

The 1500 page CSKT Compact written by lawyers and hydrologist has been crafted to the benefit of the federal government and CSKT. Since the federal government built the Flathead Irrigation project and Kerr Dam to irrigate all of the land that was practical to irrigate, there is adequate water to meet the purposes of the CSKT Reservation which is agriculture according to the Hell Gate Treaty. The water given in the compact is all of the available water in Flathead Lake, Flathead River as well as all of the state based water rights on the Reservation. The Compact gives CSKT the authority to sell the water which is not a purpose of the Reservation.

The big picture of the CSKT Compact is that it transfers the management of water from 11 counties from Montana to the Federal Government. Off Reservation water rights abstracts are made out to the Federal Government in trust to the CSKT. Chris Tweeten chair of the compact commission said that it was the state that offered up the off Reservation water rights. Duane Mecham, the federal representative on the compact commission threatened opponents of the Compact that the Federal Government was going to increase in-stream flows for fish if Montana if they did not approve the compact.

The Tribe claims to be an independent sovereign nation, but they are dependent on receiving millions each year from the Federal Government. Without success, the Federal Government has tried for years through Congress to take back the management of non- navigable water which was transferred to the states in the early 1900s. If the CSKT Compact is approved it sets a precedent for other tribes in Montana and other western states to use the precedent to take control of the water on behalf of the Federal Government. The Tribe will be rewarded for being the vehicle to transfer the control of the water to the Federal Government.

The Tribe will eventually end up with most of the land in western Montana. Since the Compact transfers the state based water rights of private land owners and management of the water on the Reservation to the CSKT, the next step could be to start the destruction of the Flathead Irrigation Project by controlling the amount of water allocated to the irrigators. Without adequate water, the land is not productive and the value drops dramatically. As the financially stressed irrigators have to sell their land, CSKT buys the land for pennies on the dollar and leaves it idle which they have already been doing both on and off the Reservation. **The option to destroy the Irrigation Project was in the original appendix of the Compact project as revealed by Richard Simms: "in the event the annual payments described in 39(e), above, are no longer needed, such as in the event the FIIP is decommissioned, all invested funds shall be dispersed for FIIP removal and landscape rehabilitation." In other words, the Compact authorizes the CSKT to use the remainder of the $55 million from Montana to pay for the removal of the Project. Simms's letter attached.**

Individual studies by Barry Dutton, Richard Simms, and Dr. Vandemoer have revealed that the Compact cuts the amount of water to the project by 50 to 70% in the first year. Dr.Vandemoer's figures were confirmed by the amount of water that was diverted into 102 in-stream flows. The Tribe and the Federal Government know the exact amount of the cut because they have the actual records of the historical use which they have refused to make available

Off Reservation irrigators in 11 counties will be ordered to stop using water during droughts when they need water the most and will go out of business as the Federal Government raisers the minimum flows on the rivers to enhance fish habitat. This impacts almost all of the land west of the Continental Divide. The uncertainty of having adequate water will dramatically reduce the value of this land, bankrupting most of the irrigators.

The same plan can be carried out by the Blackfeet Tribe. The Hell Gate and Judith River Treaties are the only "Stevens Treaties" in Montana. No settlement, litigation or case law has been able to stretch this language into an off reservation water right. The CSKT Compact would be the first and if successful the Blackfeet Tribe would likely be next. Their area of hunting and fishing is in the Judith River Treaty and covers about 8 million acres in eastern Montana, starting at the main divide of the Rocky Mountains and stretching to the Muscle Shell River. Their Compact has not had final approval because it has been withdrawn from congressional consideration at the Tribe's request.

Good morning house judiciary committee and chairman Bennett. I am Verdell Jackson from Kalispell, former legislator for 16 years. I opposed the CSKT Compact and will just list a few of the reasons. My analysis is based the Compact and the authority it gives to the Tribe and federal government. A Compact is similar to a contract.

1. First of all, if it does not work you cannot ever fix it.

2. The water given in the compact is all of the available water for apprppriation in Flathead Lake and Flathead River as well as all of the state based water rights on the Reservation.

3. The Compact gives CSKT the authority to sell the water which is not a purpose of the Reservation according to the Hell Gate Treaty.

4. The 1500 pages of the Compact have been crafted by lawyers and hydroglists to give maximum benefits to the federal government and Tribe. Although the Compact is not part of bill, if there is a conflict the Compact trumps the bill as well as state law. Your freedom is at risk.

5. The Federal government would control the water in 11 counties.

6. Irrigators on the Reservation will lose between 50 and 70% of their irrigation water. The analysis of increased in-stream flow shows that the cut is closer to 70%.

7. Allows dismantling of the Flathead Irrigation Project.

8. We pay the Tribe $55 million after giving them all of the available water for appropriation out of Flathead Lake and the Flathead River. We may get the privilege of buying some water back.

9. Passing the Compact is going to be the beginning of litigation not the end of it. The Blackfeet Tribe will use their Judith River "Stevens" Treaty to get water rights in their hunting and fishing area which is over 8 million acres in eastern Montana.

10. All Montana citizens who live on the Reservation would go to the politically appointed CSKT controlled board for all of their water needs. This violates Article IX of the Montana constitution.

11. The Compact breaches the sovereignty of the state of Montana by turning over management of non-navigable to the federal government.

12. The Tribe gets all surface and ground water on the Reservation.

13. The 10,000 tribal claims may be filed, but the Montana Water Court will sort and manage them based on their degree of validity. Most, if not all of them, will not have a legal basis and will be dismissed.

14. The State of Montana takes no responsibility in the Compact to defend the state based water rights, property rights, unequal treatment, retaliation or other personal or property damage caused by implementation of the Compact.

15. This Compact is not fair and equitable as required by law and does not meet the purpose for which the Compact was established.

16. Legislators were denied the opportunity to make critical changes to the Compact. It is a take it as is or vote against it.

17. The Compact requires the State to limit its legal authority of water management off the reservation by sharing that authority with the CSKT. Violates equal treatment of Citizens.

18. The Compact gives the Tribe complete immunity from compliance with important aspects of Montana water law and environmental laws.

19. The Compact remains unchanged—the documented existing inequalities, damage to property rights, constitutional violations, and usurpation of state sovereign prerogatives continue in the so called new Compact.

20. Senator Debby Barrett a member of the Compact Commission and president of the Senate stated in her article: CSKT WATER COMPACT THROWS THOUSANDS OF MONTANANS UNDER THE BUS, "This compact is not just poor policy, sacrificing the rights of thousands of Montanans to protect the rest of the state is the worst policy possible."

EXHIBIT 47
DATE 4/11/15
SB 262

Summary of Snake River Basin Adjudication Information and Nez Perce Instream Flow Claims

1. The State of Idaho's General Stream adjudication addressed all of the federal reserved water rights being claimed by the United States on behalf of Indian Tribes as well as non-Indian federal lands. Numerous claims of federal reserved water rights for instream flow purposes were made.
2. A total of 5,970 federal reserved water rights for instream flow were filed, and only 7 were approved.
3. Of the 2,190 the instream flow claims by Nez Perce, Shoshone-Bannock, and Shoshone Paiute Tribes that were filed in the general stream adjudication, NONE were granted. The Nez Perce tribe claimed instream flows with a time immemorial priority date on lands that comprised their original reservation, but all were dismissed.
4. The Nez Perce Tribe approached the State of Idaho to negotiate for off-reservation instream flow claims.
    a. The Nez Perce Tribe Treaty of 1848 contains a clause reserving springs and fountains for the Tribe on their original reservation, which had been diminished.
    b. The Treaty of Hellgate for the CSKT does not contain any similar language reserving any water off the Flathead Indian Reservation.
5. A settlement was reached between the State of Idaho and the Nez Perce Tribe:
    a. Minimum instream flows were negotiated for 200 streams with a priority date of 2004.
    b. The instream flows are junior to all existing water rights and some future uses
    c. The bare legal title of the instream flows is held by the Idaho Department of Water Resources, not the Nez Perce Tribe or BIA

SUMMARY OF FEDERAL RESERVED INSTREAM FLOW CLAIMS
IDAHO SNAKE RIVER BASIN ADJUDICATION

Agency/Tribe	Type of Claim	No. of Original Claims Filed	Claims Allowed/Awarded	Disallowed or Dismissed	Status
Forest Service	Organic Act	1,359	0	1,359	Final Settlement
	MUSYSA	2,839	0	2,389	Final Decision
	Wilderness	7	0	7	Final Decision
	Wild & Scenic	8	6	2	Final Decree
	Sawtooth NRA	5	0	5	Final Decision
	Hells Canyon NRA	1	1	0	Final Settlement
Fish & Wildlife Service	Deer Flat Refuge	4	0	4	Final Decision
Nez Perce/BIA	Tribal Instream Flow	1,133	0	1,133	SRBA Decree Entered
Northwestern Band of Shoshone	Tribal Instream Flow	27	0	27	Final Decision
Shoshone Bannock Tribes	Tribal Instream Flow	1,030	0	1,030	Dismissed with prejudice
Shoshone Paiute Tribes	Tribal Instream Flow	7	0	7	Final Settlement
Total Instream Flow Claims		**5,970**	**7**	**5,963**	

Source of information: http://www.leg.state.nv.us/73rd/Interim/Studies/Water/exhibits/18850H.pdf

Bill's Copy

EXHIBIT 48
DATE 4/11/15
SB ~~4/11/15~~ 262

EXCERPT OF COMPACT COMMISSION HEARING

Friday - January 9, 2015

LEADER - Chris Tweeten, Attorney
Chairman, Reserved Water Rights Compact Commission

SPEAKER - Bill Myers

MR. MYERS: I'd also finally point out something that really troubles me greatly about this and it's a fundamental violation of the Constitution of the United States, of the State of Montana, and of other laws of our country.

And I've mentioned this in October of 2012, right here in Ronan, a couple hundred yards away at the other building. I asked the Tribes then, and I ask again, an~~d I'm going to ask some questions here. But I'm going to ask five of them in a section~~.

I asked if I could join the Tribe, I was told no. Rhonda Swaney didn't have a quote, but Ruthie Ann Swaney gave it orally. But I found it, it took me a year and half to two years of research. And the relevant passage is from the Constitution and By-Laws of the Salish and Kootenai Tribes, Amendment II, dated 5/5/1960, according to my research. And the relevant passage says:

That you must be and possess one-fourth or more Salish/Kootenai blood to be a member of the Tribe.

That's the requirement, that's the qualification. Therefore, even though my rights are at stake here, and to be ruled by this UMO or, by final ability to put a call against my water upstream off the Reservation. . .This is being decided by: one-quarter racial, blood purity, of lineage. In this country today, after we fought a Civil War a hundred and fifty or sixty years ago, and after the Civil Rights Movement of 50 years ago, and after all the current discussion on racial relations in this country, it is fundamentally a violation of the US, Montana Constitutions and the Civil Rights Act, and I claim, right here and now, my civil rights are being violated by this.

And so I ask this Commission these questions right now, and I'd like an answer:

➳ Do you know of any other group, entity or corporation in this country or state – and the Tribe is a corporation, they were incorporated in 1934-'35 as you well know – do you know of any other group, entity or corporation, that if they had a requirement, that their requirement for membership, to be given control of a federally controlled power dam, water rights on and off a reservation, for hundreds of thousands of people, that the sole requirement of their membership that they be 25% White?

➳ Do you know of any other entity that would require of that?

MR. TWEETEN: Well, I'll answer your question. And then I'll – then I want – want the opportunity to explain briefly.

The answer is no. And the reason that this –

MR. MYERS: Just let me ask the –

MR. TWEETEN: Now, Mr. Myers, let me finish. The answer is no, but the reason that that's not a consequential issue, is because the United States Supreme Court has explicitly ruled that determinations there are based on Tribal membership versus non-Tribal membership, are not racial, but are rather political affiliation determinations.

And whether you agree with that or not, that's what the Supreme Court has said, so your attempt to make an equal protection argument based on a racial distinction between you and a Tribal member fails. And the US Supreme Court has explicitly addressed that issue, and told you, and everybody else, that those arguments don't hold water under the protection laws.

MR. MYERS: That is your interpretation as a lawyer, and when it goes to the Supreme Court, I – I'm preserving a right here because I think this will be referred on this issue.

But the second question is:

➳ Do you know of any organization in this country that would require that you be 25% Black to be a member and be given all these water rights?

MR. TWEETEN: Well, the answer here is no, but it's irrelevant for the same reasons.

MR. MYERS: Then the – the next question is:

➼ Do you know of any organization, corporation or entity in this country that would require that you be 25% Hispanic or Latino to get the water rights?

MR. TWEETEN: Well, you know the answer. I mean, these are rhetorical questions and – and –

MR. MYERS: And –

MR. TWEETEN: – if you want to ask about Whites or any other racial (inaudible), that would be the same.

MR. MYERS: The final one:

➼ Do you know of any other organization, corporation or entity in this country, anywhere, that would require any 25% Asian-American or Lithuanian, or any other entity, to be given other people's water rights?

MR. TWEETEN: Well, not specifically with respect to water, but I suspect that the Ku Klux Klan were requiring it be White. I mean, there are organizations out there that make distinctions based on race.

MR. MYERS: I don't –

MR. TWEETEN: But – but –

MR. MYERS: (Inaudible) given water rights.

MR. TWEETEN: – as I said, the point's irrelevant, but the answer is no. I don't know of any such organization.

MR. MYERS: Well, I'm – I'm here, again – I'm concluding now by saying I think this is a violation of the Constitution of the United States, State of Montana, and my civil rights and those of many other people in Montana, to give over our rights based on one qualification.

(Loud clapping from audience.)

MR. TWEETEN: Okay. Let me – let me respond to that, please.

I can tell you that the Supreme Court receives several thousand cases every year and it gives full consideration to about 80. The – the chances of the Supreme Court taking this case is specifically quite small, especially in light of the fact that your argument is based on an ar – on assertion that the court has already thoroughly considered and rejected. So let me make that point, first of all.

incorrect — S/B Judith River

Now, second, with respect to the Omaha Treaty, the distinction between water rights ownership on one hand and the navigational servitude on the other, is well established in law, and the fact that – that you may have been guaranteed the right of navigation on navigable waters within Indian Country has nothing whatsoever to do with the question of the nature and extent of the Tribe's water rights. So that's in – that's a second observation.

Navigation
Water
Rights

Third, the Compact contains a provision under which the Tribes have a – have – would receive a right to maintaining Flathead Lake level at the level that existed in 1855. I believe it's 2,883 feet, if I remember correctly. So – so that the assertion that the Compact is going to allow for the – the reduction of the level of Flathead Lake below – below what existed in 1855, it's false on that basis.

Low
Pool
That's
only
guarantee
2883.
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It's secondly false because the Lake levels are managed according to the per – permit for Kerr Dam, which has a – has a very extensive public participation program with respect to the management of the level of the Lake by Kerr Dam. And the suggestion that somehow the Compact is going to supersede that, I think is just flat wrong.

Kerr
Dam
FERC/MOU
at risk
b/c
compact

Now, with respect to the Omaha Treaty, the – ah – ah – you know, we – your suggestion that – that you've made that known to the – at least the Compact Commission – I can't speak for the Tribes, or the United States, but to the Compact Commission, and then – and then the – the Commission ignored the issue, is just false.

I've read that provision, I've studied it. I've compared with a – to the – ah – ah – Hellgate Treaty. I've listened to the arguments that you've made with respect to the – the Omaha Treaty. I've listened to the arguments that the Tribes have made with respect to the Omaha Treaty, don't think we (inaudible) ignore your issue. In fact, the people may not agree with your legal conclusions arising from the Omaha Compact. It doesn't mean that nobody listened to you. It means they didn't agree with you. And those are two very different things.

We've studied the Omaha Treaty, we've looked at it in – in the context of the arguments that you've made. We don't think your arguments hold water. That doesn't mean we haven't listened to you, it doesn't mean we have ignored you. It doesn't mean we treated you rudely. It just means we didn't agree with your – your assertions as a matter of law, and that's still the case.

I respect you, certainly, for – for bringing these issues up and I'm actually glad you brought the Omaha Treaty to our attention, so we had the opportunity to look at it. But, having looked at it, *we don't conclude that it carries the legal force that you assert that it does*. So if you want to, you know, pick out (inaudible) ultimately achieves approval by the – by the Legislature and by Congress, and if folks want to file a lawsuit, and you specifically want to file one and raise this issue, the courts will sort it out. If – maybe we were wrong. We don't think we were but we might be. You know, courts have a habit of – of having their own minds with respect to things that are alleged in lawsuits, but until the court rules, what's in your complaint can be nothing more than an unsupported assertion, and the court's going to have to rule on it to determine whether it's – it's correct or not, as a matter of law. And I will fully acknowledge the possibility that – that however we vote, that – that we may be wrong, we make it right, that our study of the issue then produced an incorrect conclusion. But that doesn't mean that we behaved in bad faith, doesn't mean that we treated you rudely, it doesn't mean that we've ignored your question. Just means that we don't agree with you, and – I think we certainly have had the – the authority to study those issues and – and reach our conclusions and advise our clients accordingly. Just as you do. And, you know, it just turns out that we disagree on that. And if you choose to – to bring it to the attention of the court and ask the court to decide it, I'm sure the Attorney General will go to court within the Compact and – and the court will ultimately make its decision –

UNIDENTIFIED FEMALE: Next.

MR. TWEETEN: – against (inaudible) and the Supreme Court will take the question up and – and devote its limited attention to it. But – but that's all –

UNIDENTIFIED FEMALE: Next.

MR. TWEETEN: – substantially down the road from where we are now.

MR. MYERS: A couple of points of information, so it's clear what I was saying. And you – you weren't quite accurate on the Lake level.

In your own document, it talks about preserving the Lake level at the minimum of 2883, not 93, which is the current full pool. There's a ten-foot difference, that's quite normal. Whether SCOTUS, the Supreme Court of the United States, reviews this, we both know it'll be their decision. So your – your analysis for the last 10 minutes is speculative. Just as what I'm preserving is a right to appeal.

As for the – my comments on things I've submitted being ignored, the fact is: ↠ Fact! I submitted a hundred and some pages of treaties compiled by the s/Binder. Tribe to you and to your lawyer, in October of 2012, as you would well know, that was supposed to be put in the record. Your own attorney, Melissa Hornbein, called me when she took over, asking how to find them. It wasn't even logged into your own record of 2012. That is a fact, sir, that I know you did not put it in the record.

I also question whether the documents I submitted to you in my three-minute comment in Polson have been put on the record. Do you have an answer to that? Is – is all of the data and information I submitted at Polson part of the record?

MR. TWEETEN: I don't keep the Compact Commission's files. I guess I'd ask Melissa and even Stan.

MR. MYERS: My understanding is that it's not on the Internet site.

MR. TWEETEN: No.

MR. MYERS: Melissa, do you have an answer to that at this time?

MR. TWEETEN: Stan?

MS. HORNBEIN: We – we don't put all of the information we receive from the public or all of the information we generate online. There is simply too much over 35 years of negotiations. I did ask for help finding the treaty you had submitted because I was not the Commission's attorney at that time. We did find, in the files, the treaty you submitted, and you and I had well over an hour phone call discussion about it. It's still in our files, it will remain there and the information that you gave us, I – at the Polson meeting is also in our files, and we had a couple conversations about that. You also had a conversation with Stan about that – that information after the meeting. It is part of the public record, we are simply not able to post everything on our website.

MR. MYERS: My final comment on that is: If somebody submits something for the record, and much of your Commission is not even here, and many people looking at these documents are not here, and this could go to court, could be tied up for 30 years of court. My contention is: when somebody submits something significant to the record, it should be part of the record. And, therefore, on your Internet site – and I will make a slight correction to Melissa. We were assured at the last go-around in 2012, that everything submitted to the Commission, would be part of the Internet site and posted. That did not happen. That's a fact.

MR. TWEETEN: Thanks for your time, (inaudible).

(Clapping from the audience.)

CERTIFICATE

I, Rita K. Hanson, Notary Public in and for the State of Montana, residing in Whitefish, Montana, do hereby certify:

That I did transcribe the foregoing recording and format to this transcript;

That the foregoing is a true and correct transcription of a digital audio recording as provided to me by William G. Myers, Jr.;

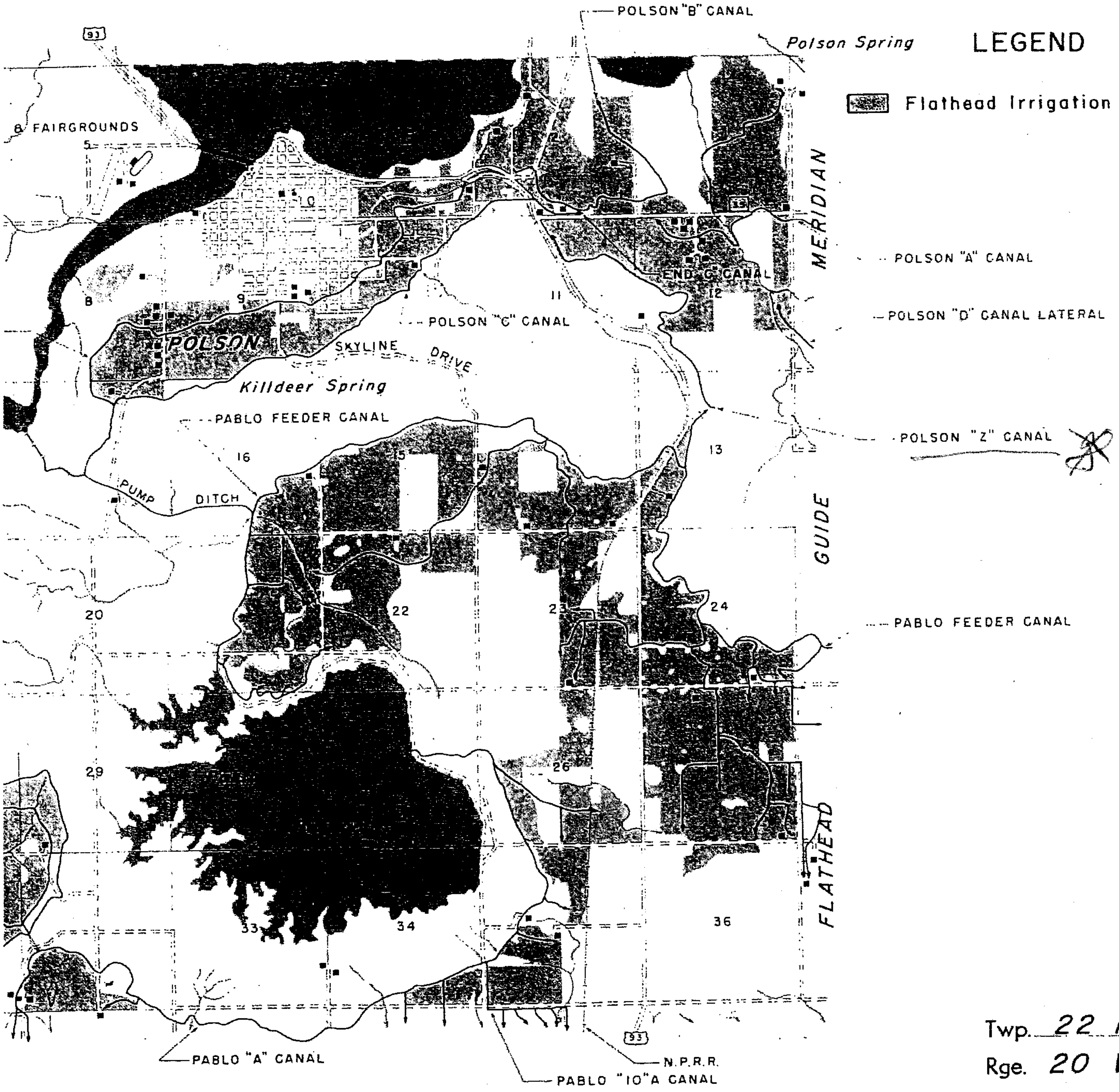
I further certify that I am not counsel, attorney nor relative of any party, nor otherwise interested in the event of this suit.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal of office this 4th day of February, 2015.

RITA K. HANSON
NOTARY PUBLIC for the
State of Montana
Residing at Whitefish, Montana
My Commission Expires
September 9, 2015

Rita K Hanson

Rita K. Hanson, Notary Public, State of Montana
Residing at Whitefish, Montana 59937
My Commission Expires 9/09/2015


POLSON "B" CANAL
Polson Spring
LEGEND
▨ Flathead Irrigation District
93
FAIRGROUNDS
8
5
10
9
8
11
12
POLSON
SKYLINE DRIVE
Killdeer Spring
POLSON "C" CANAL
END G CANAL
POLSON "A" CANAL
POLSON "D" CANAL LATERAL
MERIDIAN
PABLO FEEDER CANAL
POLSON "Z" CANAL
16
15
13
PUMP DITCH
GUIDE
20
22
23
24
PABLO FEEDER CANAL
29
26
33
34
36
FLATHEAD
PABLO "A" CANAL
93
N.P.R.R.
PABLO "10"A CANAL

Twp. 22 North
Rge. 20 West

WATER STORAGE IN FLATHEAD LAKE

ELEVATION	SEC. FT. DAYS.	A. FEET.
2883.0	~~22840x~~	xxxxxxxx
83.5	29850	59103
84.0	58700	118206
84.5	89800	177804
85.0	119900	237402
85.5	150200	297396
86.0	180500	357390
86.5	200000	417780
87.0	241500	478170
87.5	272150	538857
88.0	302800	599544
88.5	333600	660328
89.0	364400	721512
89.5	395350	782793
90.0	426300	844074
90.5	457450	905757
91.0	488600	967428
91.5	520000	1029600
92.0	551400	1091772
92.5	583050	1154439
2893.0	614700	1217106

WATER FLOW FORMULA

1 sec. ft. day --1.983 A. ft.
Sec. ft. days x 1.983 -- A. feet.
Lb. per. sq. in. --.434 x head in feet.
Head in feet -- 2.31 x Lb. psi.

FLATHEAD LAKE

Capacity of natural outlet,
1932 1932 records compiled by Geo. Ellis

2880.9	1000
2881.9	2400
82.4	3500
82.9	4800
83.4	6200
83.9	7800
84.4	9500
84.9	11500
85.9	15500
86.9	20000
87.9	25000
88.9	31000
89.9	37000
90.9	44000
91.9	50000
92.9	57000
93.9	65000
94.9	74000
95.9	81000

KERR MITIGATION AND MANAGEMENT PLAN

PER FERC ORDER

ISSUED JUNE 25, 1997

OPERATIONAL REQUIREMENTS

Article 55: The licensee shall operate the Kerr Project as a base-load facility, which precludes the load-following or peak power generation (releases and power generation are not changed within a day).

Article 56: The licensee shall maintain releases at or above the following instantaneous minimum flow, in cubic feet per second (cfs) on a continuous basis as measured at the U.S. Geological Survey Polson gage, provided that the passage of minimum flows from Flathead Lake downstream is not limited by the natural channel capacity immediately upstream of the Kerr Dam. The licensee shall manage the project in a manner that limits the occurrence of such channel capacity limitations.

MINIMUM FLOW REQUIREMENTS

DATES	MINIMUM FLOW
August 1 to April 15	Continuous at 3,200 cfs
April 16 to April 30	Increased from 3,200 cfs to 5,000 cfs at 120 cfs per day
May 1 to May 15	Increased from 5,000 cfs to 12,700 cfs at 510 cfs per day
May 16 to June 30	Continuous at 12,700 cfs
July 1 to July 15	Reduced from 12,700 cfs to 6,400 cfs at 420 cfs per day
July 16 to July 31	Reduced from 6,400 cfs to 3,200 cfs at 200 cfs per day

The minimum instream flows may be temporarily modified by operating emergencies beyond the control of the licensee, or for short periods upon prior written approval from the Secretary of the Interior.

ARTICLE 57: The licensee shall operate the Kerr Project in accordance with the following between-day restrictions on flow variations as measured at the U.S. Geological Survey Polson gage, except as necessary to meet flood control requirements imposed by the U.S. Army Corps of Engineers under the Memorandum of Understanding with Montana Power Company (as amended in 1965), or as may be further amended by the U.S. Corps of Engineers subsequent to approval of the Secretary of the Interior.

MAXIMUM BETWEEN-DAY FLOW CHANGES

MEAN FLOW	MAXIMUM CHANGE IN FLOW
Less than 5,000	500
Between 5,000 and 10,000	1,000
Between 10,000 and 20,000	2,500
Between 20,000 and 40,000	5,000
Between 40,000 and 60,000	10,000

The between-day restrictions on flow variations may be temporarily modified if required by operating emergencies beyond the control of the licensee, or for short periods upon prior written approval from the Secretary of the Interior.

ARTICLE 58: The licensee shall operate the Kerr Project in accordance with the following hourly maximum allowable ramping rates, except as necessary to meet flood control requirements imposed by the U.S. Army Corps of Engineers under the Memorandum of Understanding with Montana Power Company (as amended in 1965), or as may be further amended by the U.S. Corps of Engineers subsequent to approval of the Secretary of the Interior.

MAXIMUM ALLOWABLE RAMPING RATES

Mean flow cfs 24 hr average — Ramping Rate

[illegible]	[illegible]
Between 3,200 and 7,500	**250 cfs/hour**
7,500 or greater	**1,000 cfs/hour**

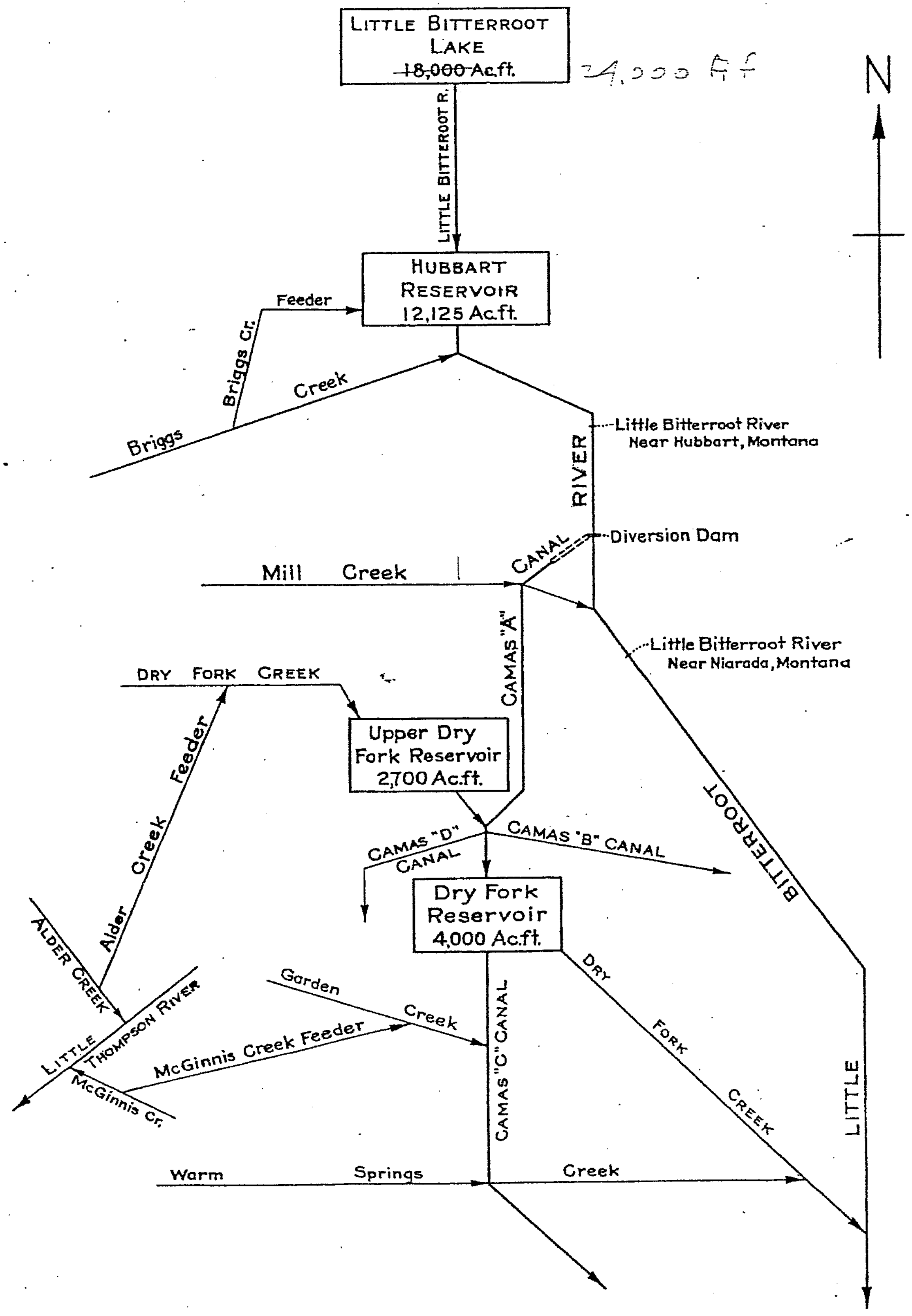
The hourly ramping rates may be temporarily modified if required by operating emergencies beyond the control of the licensee, or for short periods upon prior written approval from the Secretary of the Interior.

Post-it® Fax Note 7671

		Date	# of pages ▶ 2
To Dax [illegible]		From Denty	
Co./Dept.		Co.	
Phone #		Phone #	
Fax # 61-235		Fax #	

WTR/sv

Diagram No. III, Showing Camas Division Water Supply and Distribution Features, Flathead Irrigation Project, Montana


LITTLE BITTERROOT LAKE
~~18,000 Ac.ft.~~
24,000 AF
N
LITTLE BITTERROOT R.
HUBBART RESERVOIR 12,125 Ac.ft.
Feeder
Briggs Cr.
Briggs Creek
Little Bitterroot River Near Hubbart, Montana
RIVER
Diversion Dam
CANAL
Mill Creek
CAMAS "A"
Little Bitterroot River Near Niarada, Montana
DRY FORK CREEK
Upper Dry Fork Reservoir 2,700 Ac.ft.
Alder Creek Feeder
CAMAS "D" CANAL
CAMAS "B" CANAL
BITTERROOT
Dry Fork Reservoir 4,000 Ac.ft.
ALDER CREEK
LITTLE THOMPSON RIVER
Garden Creek
McGinnis Creek Feeder
McGinnis Cr.
CAMAS "C" CANAL
DRY FORK CREEK
LITTLE
Warm Springs Creek

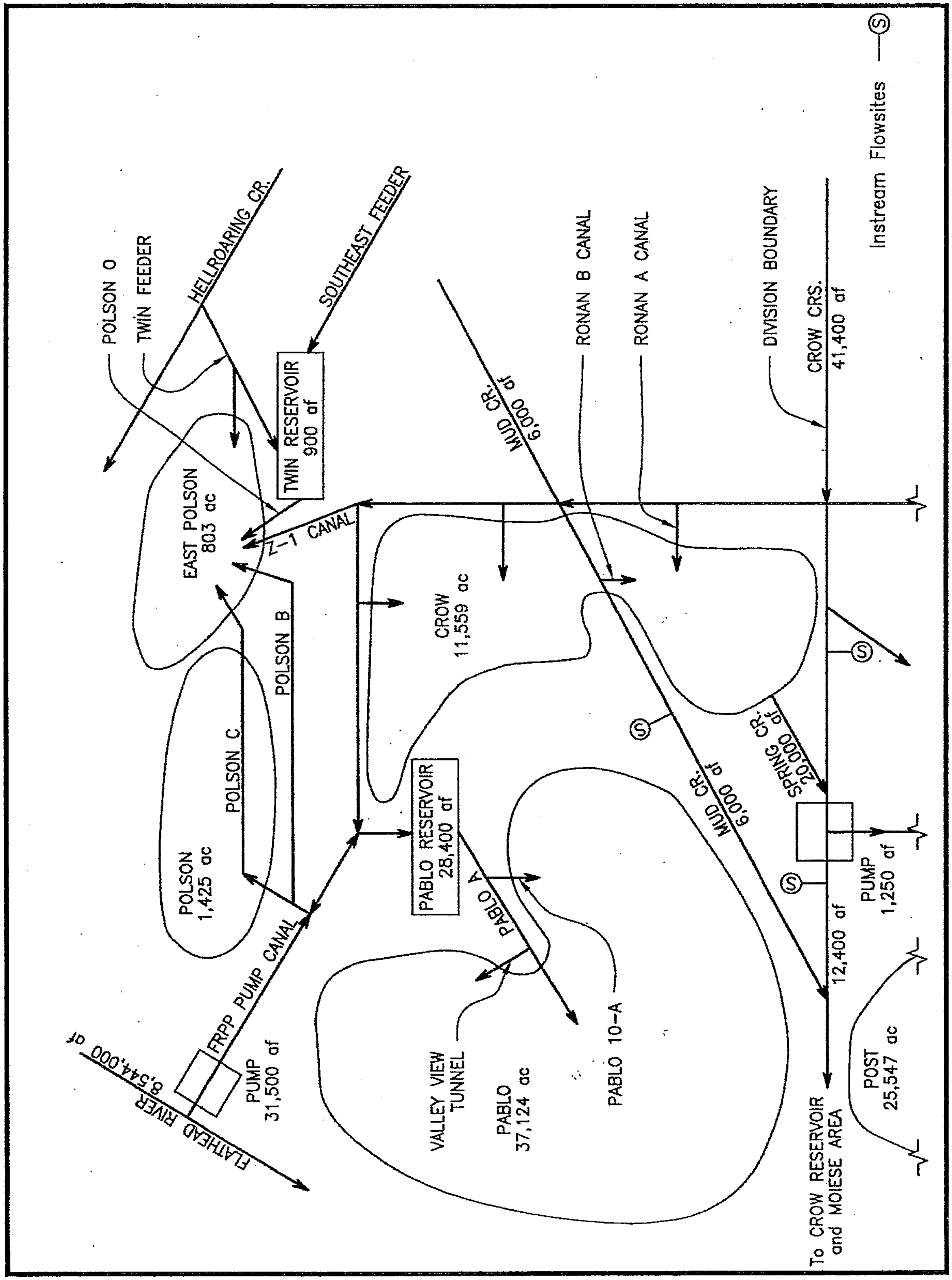

POLSON O
TWIN FEEDER
HELLROARING CR.
SOUTHEAST FEEDER
TWIN RESERVOIR 900 af
EAST POLSON 803 ac
Z-1 CANAL
POLSON B
POLSON C
POLSON 1,425 ac
FRPP PUMP CANAL
PUMP 31,500 af
FLATHEAD RIVER 8,544,000 af
VALLEY VIEW TUNNEL
PABLO 37,124 ac
PABLO 10-A
PABLO A
PABLO RESERVOIR 28,400 af
CROW 11,559 ac
MUD CR. 6,000 af
MUD CR. 6,000 af
RONAN B CANAL
RONAN A CANAL
DIVISION BOUNDARY
CROW CRS. 41,400 af
SPRING CR. 20,000 af
PUMP 1,250 af
12,400 af
POST 25,547 ac
To CROW RESERVOIR and MOIESE AREA
S
S
S
S
Instream Flowsites — S

Figure 2-2. North Division schematic.

Diagram No. I, Showing Jocko Valley Water Supply and Distribution Features
Flathead Irrigation Project, Montana

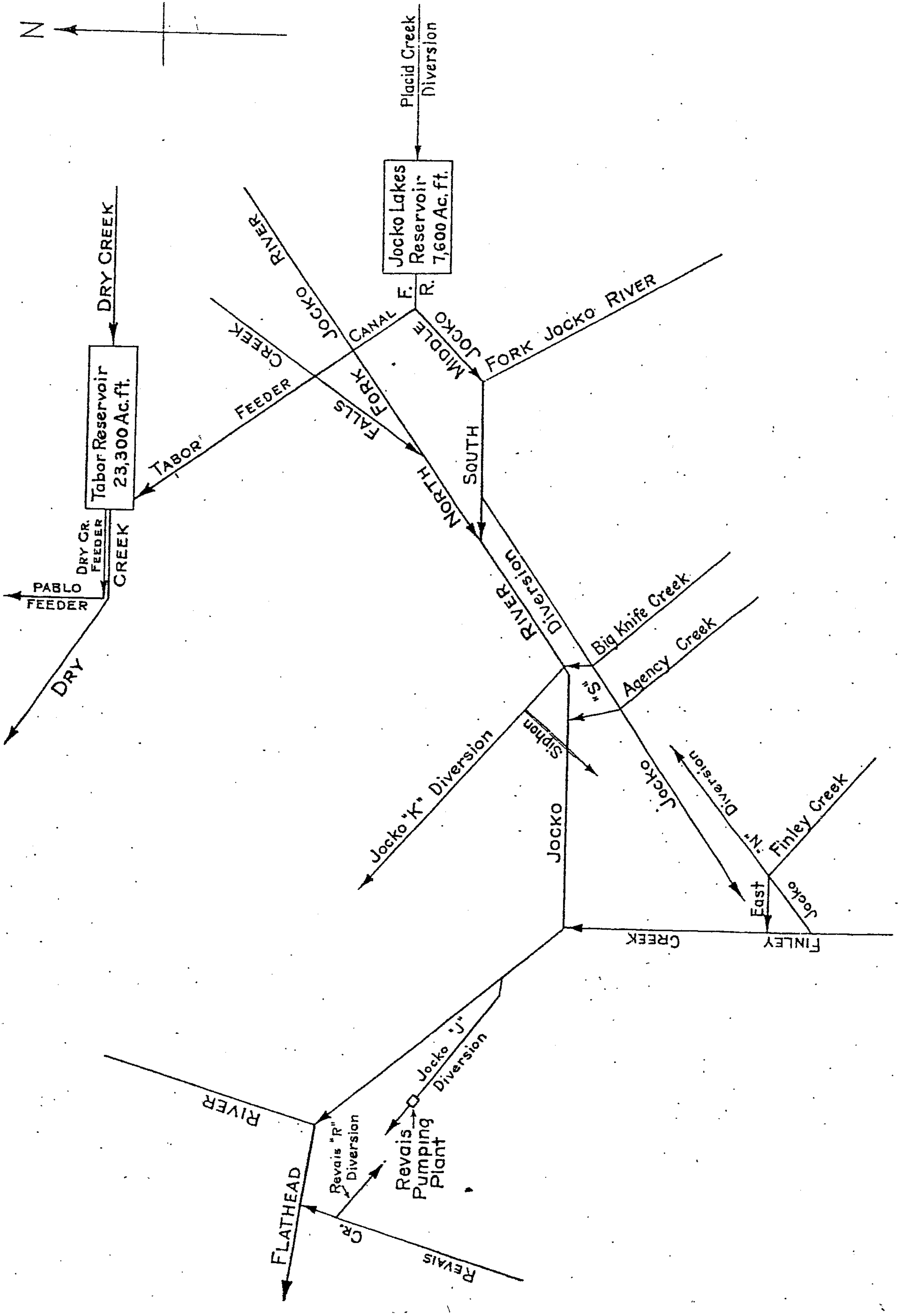
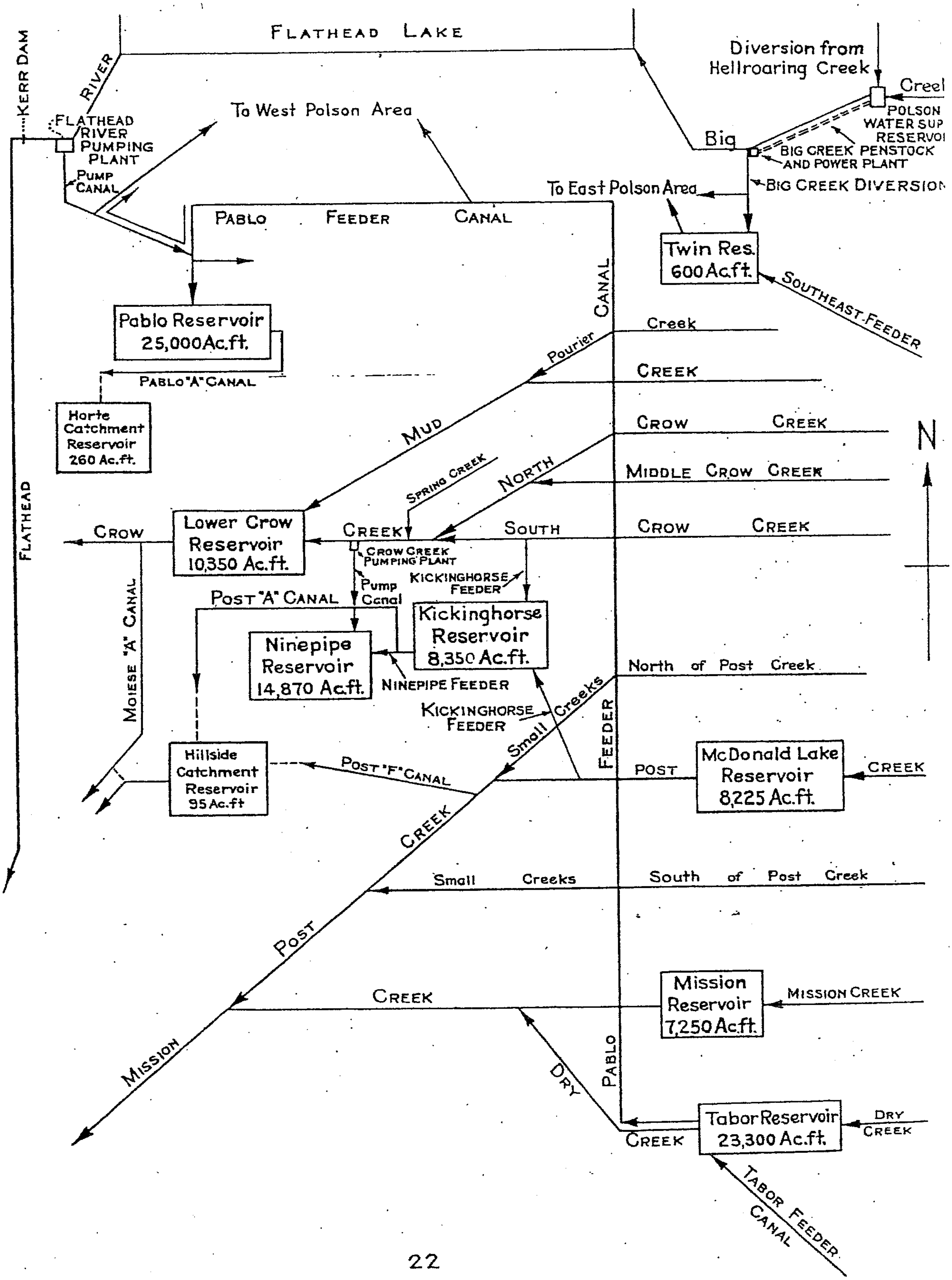

N
Placid Creek Diversion
Jocko Lakes Reservoir 7,600 Ac. ft.
F. R.
DRY CREEK
Tabor Reservoir 23,300 Ac. ft.
RIVER
JOCKO
CANAL
MIDDLE JOCKO FORK JOCKO RIVER
CREEK
FALLS
FORK
NORTH
SOUTH
TABOR FEEDER
DRY CR. FEEDER
CREEK
PABLO FEEDER
DRY
RIVER
Diversion
Big Knife Creek
Agency Creek
"S"
Siphon
Jocko "K" Diversion
Jocko
Jocko
"N" Diversion
Finley Creek
East
Jocko
FINLEY
CREEK
Jocko "J" Diversion
Revais Pumping Plant
Revais "R" Diversion
RIVER
FLATHEAD
REVAIS
CR.

Diagram No. II, Showing Mission Valley Water Supply and Distribution Features, Flathead Irrigation Project, Montana


FLATHEAD LAKE
Diversion from Hellroaring Creek
Creel
POLSON WATER SUP RESERVOI
BIG CREEK PENSTOCK AND POWER PLANT
Big
BIG CREEK DIVERSIO
To East Polson Area
Twin Res. 600 Ac.ft.
SOUTHEAST FEEDER
KERR DAM
RIVER
FLATHEAD RIVER PUMPING PLANT
PUMP CANAL
To West Polson Area
PABLO FEEDER CANAL
Pablo Reservoir 25,000 Ac.ft.
PABLO "A" CANAL
Horte Catchment Reservoir 260 Ac.ft.
FLATHEAD
Pourier Creek
CREEK
MUD
CROW CREEK
NORTH
MIDDLE CROW CREEK
SPRING CREEK
SOUTH CROW CREEK
N
CROW
Lower Crow Reservoir 10,350 Ac.ft.
CREEK
CROW CREEK PUMPING PLANT
Pump Canal
KICKINGHORSE FEEDER
POST "A" CANAL
Kickinghorse Reservoir 8,350 Ac.ft.
Ninepipe Reservoir 14,870 Ac.ft.
NINEPIPE FEEDER
MOIESE "A" CANAL
KICKINGHORSE FEEDER
Small Creeks
North of Post Creek
FEEDER
Hillside Catchment Reservoir 95 Ac.ft
POST "F" CANAL
POST
McDonald Lake Reservoir 8,225 Ac.ft.
CREEK
CREEK
Small Creeks South of Post Creek
POST
Mission Reservoir 7,250 Ac.ft.
MISSION CREEK
CREEK
MISSION
DRY
PABLO
Tabor Reservoir 23,300 Ac.ft.
DRY CREEK
CREEK
TABOR FEEDER CANAL

fied as irrigable in 1930, and covered by construction charges, differed from the irrigable acreage as proposed following the reclassification of 1943-1944, and in many cases both of these figures differing from the acreage actually assessed for operation and maintenance charges, made it necessary to write many follow-up letters and to call on many of the landowners living on the project to explain the details of the adjustments proposed.

About 85 per cent of all landowners contacted agreed substantially with the results of the analysis made by the Agricultural Economics Unit and signed agreements to adjust their irrigable acreage to conform to the 1943-1944 land classification survey. Inasmuch as the total of class 1, class 2 and class 3 land within a farm unit was used as the base in making adjustments in irrigable acreage, it was the desire of about 10 per cent of the landowners contacted to retain the acreage so classified in 1930 as the irrigable area as now determined. Approximately 5 per cent of the landowners either refused to sign the agreements submitted to adjust their irrigable acreage or did not reply to the letters that were sent them with agreements enclosed. In these instances, the 1931 acreage was allowed to stand as the irrigable acreage as now determined except in cases where errors were made in the 1930 classification or where lands for highway or canal right-of-way have been taken since the 1930 classification was completed. Based upon results thus obtained, the irrigable acreage of the project has been determined and is shown in Appendix "A" of this report for every 1/16 part of a section and the tabulations contained therein are based on agreements or letters contained in Appendix "B" of this report.

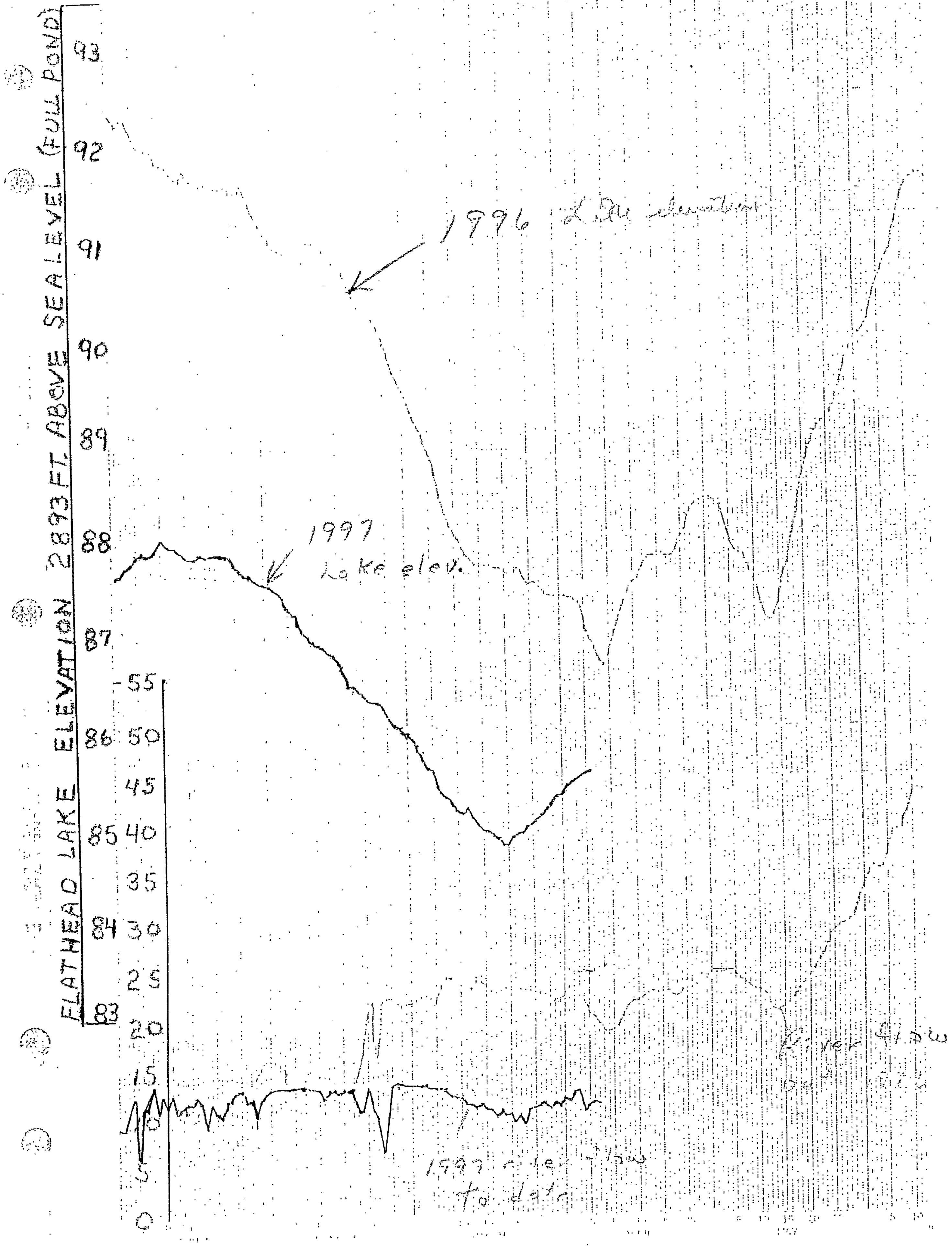
Table 27 has been prepared to show the irrigable area of the Flathead Irrigation Project. The figures represent the results of the land classification completed in 1943-1944 as agreed to by the landowners of the Flathead Irrigation Project.

Table 27 - Irrigable Area of the Project by Divisions, Subdivisions and Parts as Determined by the Agricultural Economics Unit, 1945-1946.
Flathead Irrigation Project, Montana

Division	Total	Irrigable Acreage	
		Non-Indian	Indian 1/
Total	116,359.36	91,980.50	24,378.86
Camas	11,219.22	11,030.16	189.06
Jocko	11,017.04	6,446.33	4,570.71
Mission Valley	94,123.10	74,504.01	19,619.09
Mission South of Post Creek	19,897.02	13,044.69	6,852.33
Mission North of Post Creek	74,226.08	61,459.32	12,766.76
Post	24,744.92	20,380.69	4,364.23
Moiese	5,863.21	5,389.36	473.85
Pablo	19,309.33	14,772.45	4,536.88
Round Butte	13,636.35	12,176.40	1,459.95
Valley View	8,286.95	6,868.10	1,418.85
Polson	2,385.32	1,872.32	513.00

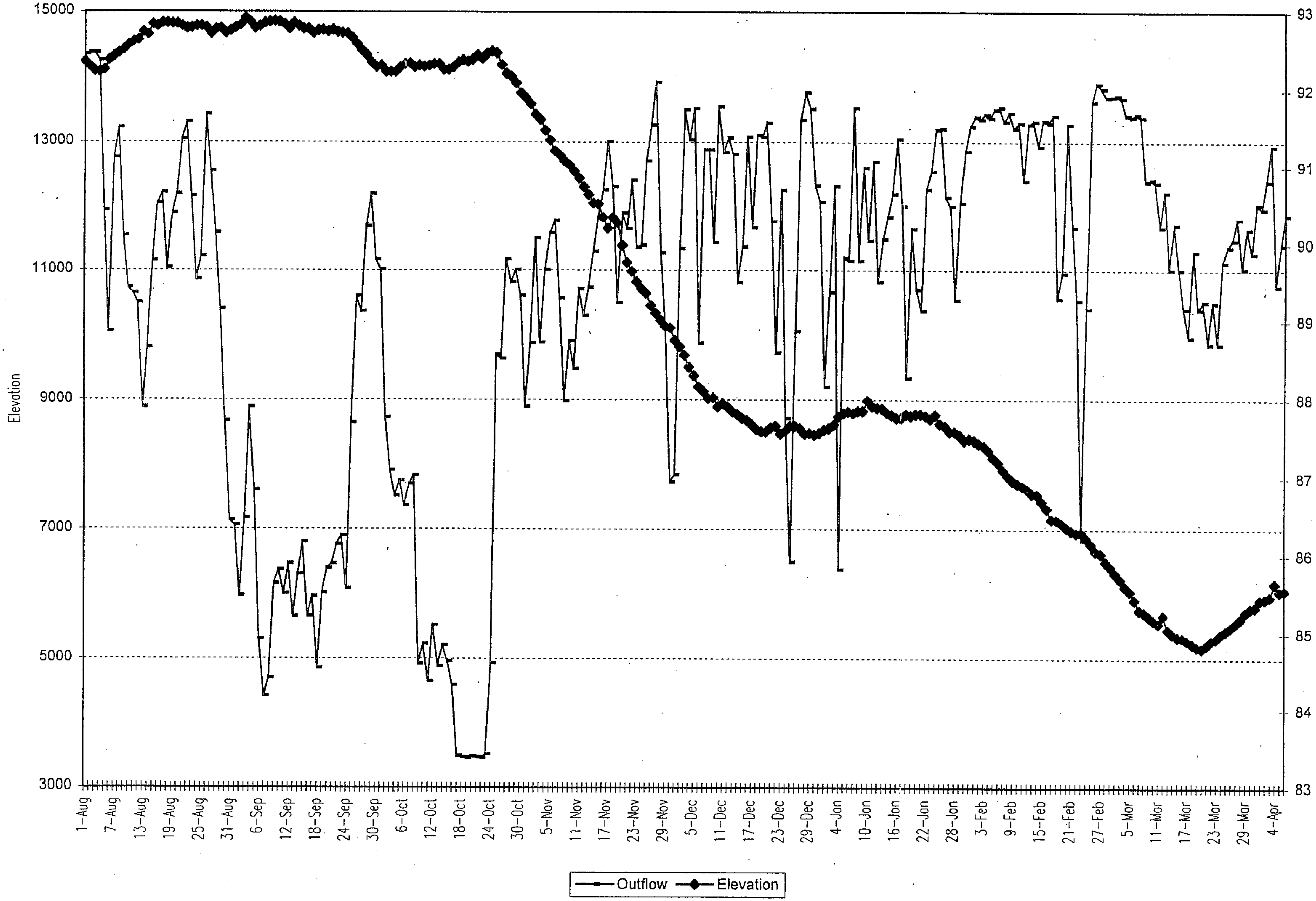
1/ Government-owned land included with Indian.

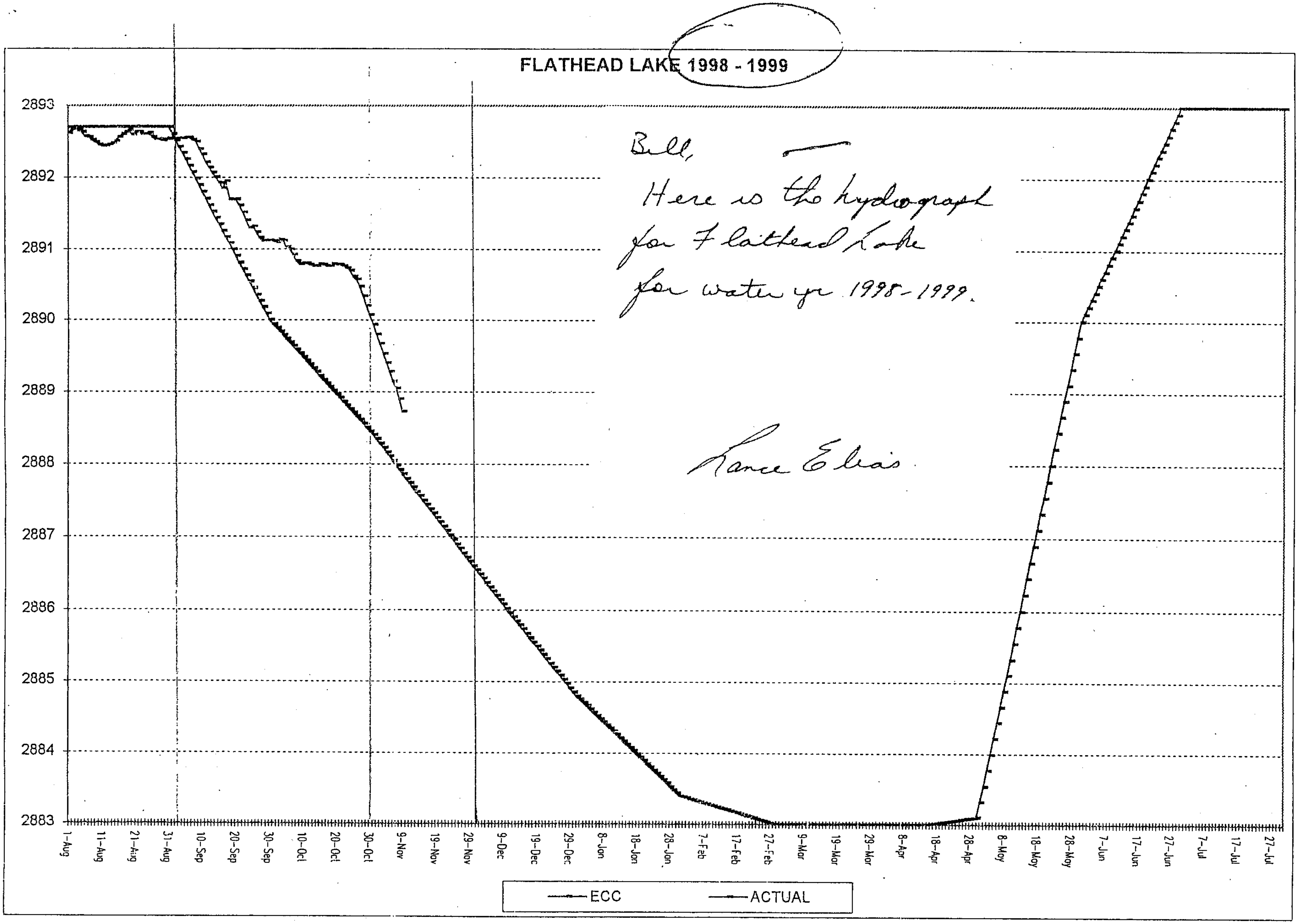
FLATHEAD LAKE PROJECTED DRAWDOWN AND F



April 8, 1997

Kerr Elevation and Outflow - 1996-97





Bill,

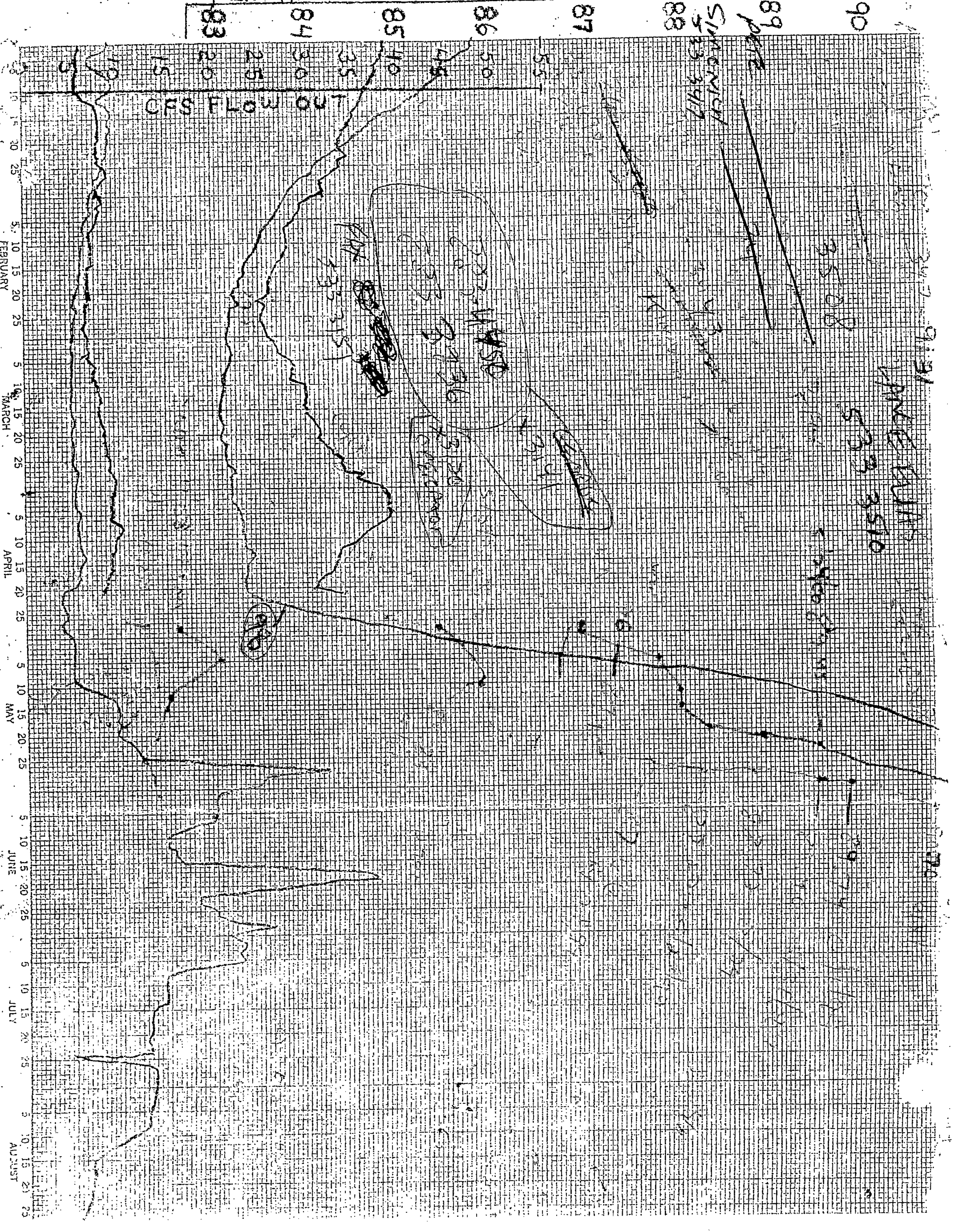
Here is the hydrograph for Flathead Lake for water yr 1998-1999.

Lance Elias

K+E 1 YEAR BY DAYS x 250 DIVISIONS
KEUFFEL & ESSER CO. MADE IN U.S.A.

47 2893

FLATHEAD LAKE ELEVATION 2893 FT ABOVE SEA



Daily [illegible] expect from our [illegible]

96

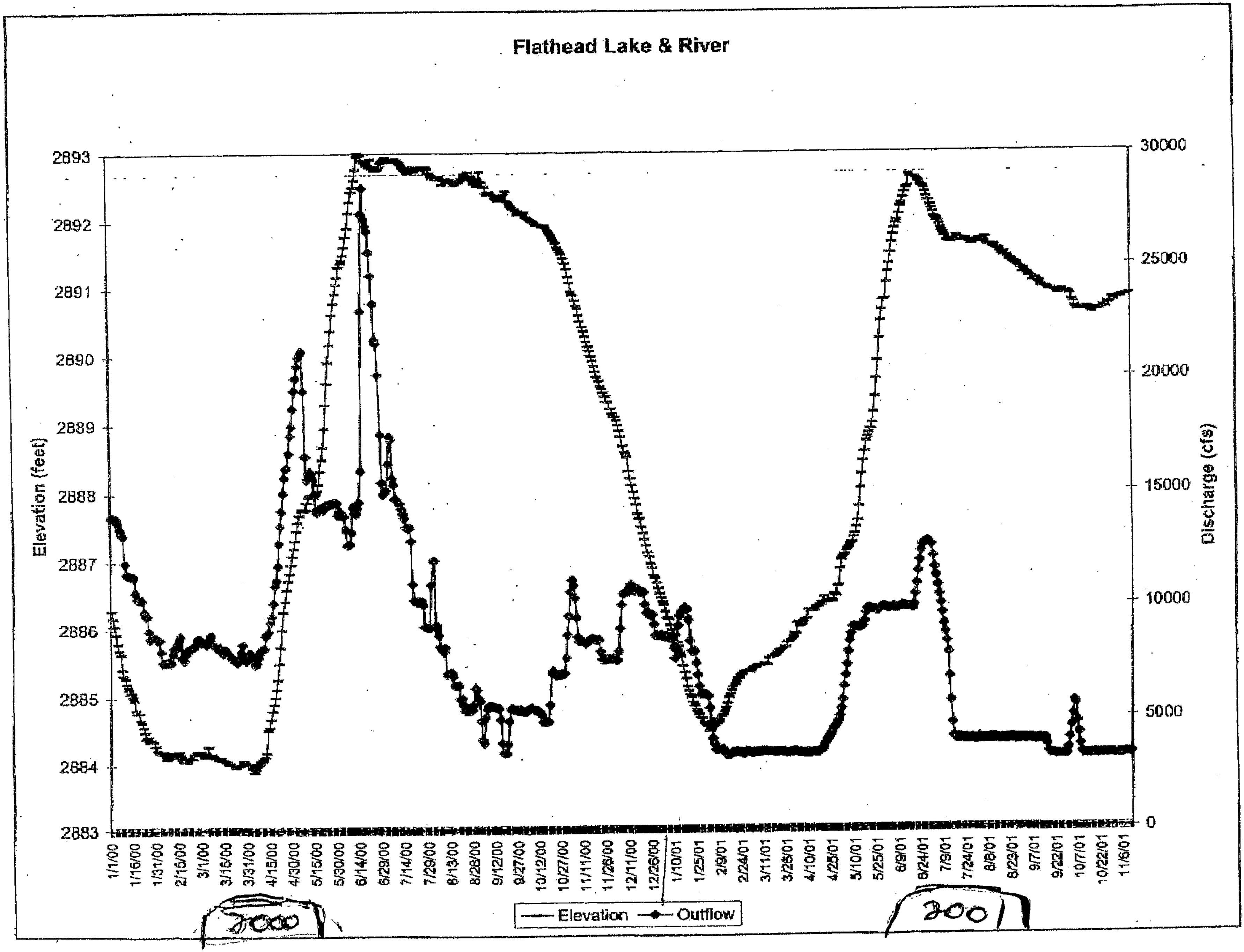
97

2800.00

Date	Elev	In	Out
Jan 1	87.62	11652	9200
2	87.64	11886	10660
3	.69	15375	12310
4	.79	12520	6390
5	.83	13650	11200
6	.85	12376	11150
7	.83	12304	13530
8	.86	12990	11150
9	.86	12590	12590
10	.99	19430	11460
11	.92	8400	12690
12	.90	9590	11820
13	.89	10870	11480
14	.84	8760	11830
15	.81	10350	12190
16	.77	10600	13050
17	.77	12000	12000
18	.82	12405	9340
19	.80	10414	11640
20	.82	11926	10990
21	.82	10370	10370
22	.80	11034	12260
23	.76	10078	12530
24	.81	16265	13200
25	.70	6477	13220
26	.67	10300	12140
27	.60	7709	12000
28	.60	10540	10540
29	.56	9600	12050
30	.52	8570	12860
31	.51	14480	13250
Feb 1	.49	12170	13400
2	.45	10910	13360
3	.42	11600	13440
4	.36	9700	13380
5	.27	7993	13510
6	.21	9862	13540
7	.11	7200	13330
8	.03	8556	13460
9	86.97	9551	13220
10	.93	10860	13300
11	.90	10560	12390
12	.86	10840	13280

Date	Elev	In	Out
Feb 13	86.80	9670	13300
14	.79	12320	12930
15	.70	7850	13340
16	.61	7810	13300
17	.47	4880	13420
18	.46	9950	10560
19	.42	8510	10950
20	.36	9620	13280
21	.33	9220	11660
22	.29	8700	10530
23	.30	7450	6840
24	.23	6130	10400
25	.15	8750	13630
26	.06	8420	13910
27	.03	12000	13830
28	85.93	7628	13700
Mar 1	.86	9468	13710
2	.78	8872	13720
3	.70	8832	13680
4	.61	7966	13420
5	.55	9754	13390
6	.44	6774	13440
7	.31	5512	13390
8	.28	10562	12380
9	.23	9380	12410
10	.18	9330	12360
11	.14	9240	11660
12	.24	18270	12210
13	.06	100	11010
14	.00	8060	11700
15	84.96	8590	11000
16	.95	9790	10400
17	.91	7550	9950
18	.87	8880	11290
19	.83	7982	10390
20	.81	9306	10510
21	.85	12260	9850
22	.91	14100	10490
23	.94	11660	9850
24	85.00	14730	11120
25	.04	13780	11360
26	.09	14490	11460
27	.14	14820	11790

result of wind


Flathead Lake & River
Elevation (feet)
Discharge (cfs)
2893
2892
2891
2890
2889
2888
2887
2886
2885
2884
2883
30000
25000
20000
15000
10000
5000
0
1/1/00
1/16/00
1/31/00
2/15/00
3/1/00
3/16/00
3/31/00
4/15/00
4/30/00
5/15/00
5/30/00
6/14/00
6/29/00
7/14/00
7/29/00
8/13/00
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11/11/00
11/26/00
12/11/00
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2/24/01
3/11/01
3/26/01
4/10/01
4/25/01
5/10/01
5/25/01
6/9/01
6/24/01
7/9/01
7/24/01
8/8/01
8/23/01
9/7/01
9/22/01
10/7/01
10/22/01
11/6/01
Elevation
Outflow
2000
2001

NW TECH. MANAGEMENT Team

TONY MORRISH
RECLAMATION
503 872 - ~~[illegible]~~
2802

Summer flow ends end of Sep.

RIVER CONTROL PORTION 18 DAYS → CORPS OF ENGIN.
503 808-3942

CATHY
HLEBECHUK LEEBACHUCK

503
222
9480

James Litchfield works for MT State advocacy CONSULTANT

BPA DROVE ↓ Flow

BRIAN
MAROTZ
ST FWP
FISHERIES
BIOLOGIST

FILLED THE GAP
4700 ALL summer

NEED TO
PROTECT RIVER

3500

BRUCE MEASURE
(H) 756 - 3437
(O) 752 6373/755 7975

~~[illegible]~~

NW POWER & PLANNING council

~~[illegible]~~ x1 406 444
3952

~~[illegible]~~ x2

STAFF KARI BERG x4

April 7, 2004 SERVING THE FLATHEAD SINCE 1888 ••• www.dailyinterlake.com

More drought could hurt lake refill

By JIM MANN
The Daily Inter Lake

An early and rapid snowmelt, combined with a deep winter draw-down of Flathead Lake, have created a shaky outlook for maintaining the lake at full pool this summer.

When it comes to water in the Flathead Basin, there are deficits all around.

The Flathead basin's snowpack is at 79 percent of its 30-year average, and it is 9 percent behind last year's April 1 measurements, according to a recent report from the Natural Resources Conservation Service in Bozeman.

The snowpack declined 13 percent in March due to a lack of precipitation and an early snowmelt.

But that snowmelt has not translated to runoff that reaches the Flathead River, and Flathead Lake is nearly 10 feet below full pool.

"Right now, we're saying yes, we can refill," said Lance Elias, a resource coordinator with PPL Montana, the power company that operates Kerr Dam at the foot of Flathead Lake. "But to maintain the refill is something different."

Starting in mid-April, Kerr Dam will release minimum flows that are required under the dam's license conditions. Outflows will ramp up from 3,200 to 5,000 cubic feet per second by

NO

See REFILL on Page A3

PPL DISCHARGE
WAS STILL OVER
6,650 ON
3/30/04
THEN THEY REDUCED
OUTFLOW BEGIN.
3/31/04

Lake ringed with docks, marinas that require a full pool

REFILL/From A1

the end of April, and then up to 12,700 cfs from mid-May through June.

Elias said if flows into the lake were to decline severely, that could make it difficult to maintain the lake at its full-pool elevation of 2,893 feet above sea level.

"Once we get the lake full, it's kind of a different situation that says can you keep it full," he said. "It depends on what the sustained inflows will be."

PPL Montana is required to have the lake at full pool by June 15 and maintain it at that elevation for the bulk of the summer.

Flathead Lake is ringed with fixed docks and marina facilities that require the lake to be at or near full pool.

Lakefront property and business owners were outraged three years ago when the lake never reached full pool and the summer passed with many docks and shore stations well above the waterline.

The situation revealed a conflict between minimum flow requirements in the Flathead River below Kerr Dam and the full pool requirement, and it led to an effort to establish a drought management plan for Flathead Lake.

That effort, which is led by the U.S. Department of Interior, is still under way.

The Natural Resources Conservation Service has issued a streamflow forecast for April 1 through July 31 predicting a basinwide runoff of 67 percent to 75 percent of average.

But that forecast is based on "near normal" spring precipitation and runoff.

Roy Kaiser, water supply specialist with the Natural Resources Conservation Service, said that if April weather is similar to the relatively warm, dry days of March, the basinwide streamflow forecast could drop off "to somewhere around 54 percent of average."

And that would make it even more difficult to maintain Flathead Lake at full pool.

Kaiser said soils depleted of moisture after years of drought are definitely hindering stream runoff.

"Most of the snowmelt we've seen so far has not turned into runoff," he said. "It's going into the soil, because we have this long-running soil moisture deficit."

Kaiser noted that the Kraft Creek automated snow monitoring station at 4,750 feet in the Swan River basin has already "zeroed out" weeks before it normally does.

Elias conceded that refilling the lake and maintaining it at full pool could be difficult if extreme dry weather continues.

"We saw the month of March change very dramatically," he said. "Maybe it will rain 6 or 7 inches in April. But if it continues to be dry, I could say that it absolutely will not fill. It's a moving target."

Bill Myers, a Flathead Lake tour boat operator who closely monitors the lake and Kerr Dam operations, contends that PPL Montana drew the lake down too far over the winter.

"We've had five or six years of drought and the ground is very dry right now. The groundwater is down," he said. "I think it would have been prudent for them to leave more water on the lake."

Elias said "strong forecasts" for the basin's snowpack in January, February and March played a big part in dropping the lake level.

Based on those forecasts, he said, the U.S. Army Corps of Engineers wanted the lake lower for flood control purposes.

Reporter Jim Mann may be reached at 758-4407 or by e-mail at jmann@dailyinterlake.com

INTERLAKE 3/4/05

Flathead snowpack hits a record low

By JIM MANN
The Daily Inter Lake

Driven by the driest February in 100 years, the Flathead River Basin now has a record low snowpack.

And there is no relief in sight, according to National Weather Service officials.

As of the end of February, snowpack measurements at more than a dozen sites above the Flathead Basin show snow levels at 51 percent of the 30-year average.

And those measurements averaged out are 2 inches below earlier record lows set at the end of February 2001.

The basin has the lowest

See SNOWPACK on Page A3

> *'We're really kind of in uncharted territory considering the drought we've had for the last six years.'*
>
> **■ Roy Kaiser**
> Natural Resources Conservation Servi

FROM PAGE ONE

Snowpack at record low: 'We're in uncharted territory'

SNOWPACK/From A1

snow levels since reliable measurements started in 1961, according to Roy Kaiser, water supply specialist for the Natural Resources Conservation Service, the agency in charge of monitoring snowpack and streamflows.

The Kootenai River Basin, meanwhile, has a snowpack that's at 50 percent of the 30-year average, with average measurements that are barely above record lows set in 1977.

"When we talk about these record lows, we're really kind of in uncharted territory considering the drought we've had for the last six years," Kaiser said. "We've really not been here before in terms of the number of drought years strung together, and now we get record lows."

Kaiser said the cumulative effects could be profound in terms of streamflows and groundwater supplies.

Kaiser's streamflow forecasts, which assume there will be normal precipitation from March through June, project dismal flows for many Northwest Montana rivers.

Projected flows are 61-67 percent of average on the North Fork Flathead; 53-57 percent of normal on the Middle Fork Flathead; 30-35 percent of average on the Stillwater River near Whitefish; 42-47 percent of average on the Whitefish River near Kalispell; and 22-26 percent of average on Ashley Creek south of Kalispell.

The Ashley Creek forecast "really reflects the lack of snow at low elevations," Kaiser said.

National Weather Service officials said Thursday that most of Western Montana requires precipitation at 200 percent above average over the next three months to ensure normal streamflows.

Several automated snow measuring sites at middle or low elevations are recording record low measurements. The Kraft Creek station near Condon (at an elevation of 4,750 feet) has 4.2 inches of snow water content, well below the March 1 record low of 5.4 inches set in 1951.

A 3.9-inch measurement at Hand Creek, located near Star Meadows at 5,035 feet, is below the record low of 5.7 inches set in 1984.

In Glacier National Park, the Many Glacier site is recording 3.1 inches, far below a 1977 record low of 7.9 inches.

Despite the extremely dry conditions in Northwest Montana, it is not the driest part of the state.

That distinction goes to the Sun, Teton and Marias river basins, where snowpack is 42 percent of the 30-year average.

Peter Felsch, a meteorologist with the National Weather Service in Missoula, said immediate and long-term forecasts show no change in weather patterns that have left Montana dry with mostly blue skies over the last several weeks.

The Flathead Valley received just .03 inches of precipitation during February, compared to the previous record low of .06 inches in 1934. This February was the driest the Flathead has experienced since record keeping started more than 100 years ago.

A normal February has 1.15 inches of precipitation.

Since January, a high-pressure ridge has persisted over the region, with Pacific moisture going across the southwes ern United States or northern British Columbia, driven by a split jet stream.

"The last real trough we had in the Northern Rockies was in early January," Felsch said. "This is really unprecedented t have a ridge pattern persist for two months.

"I would say that there is some hope, maybe by the middle of the month, maybe after, that we would see some change in the weather we have right now," he said.

Reporter Jim Mann may be reached at 758-4407 or by e-mail at jmann@dailyinterlake.com

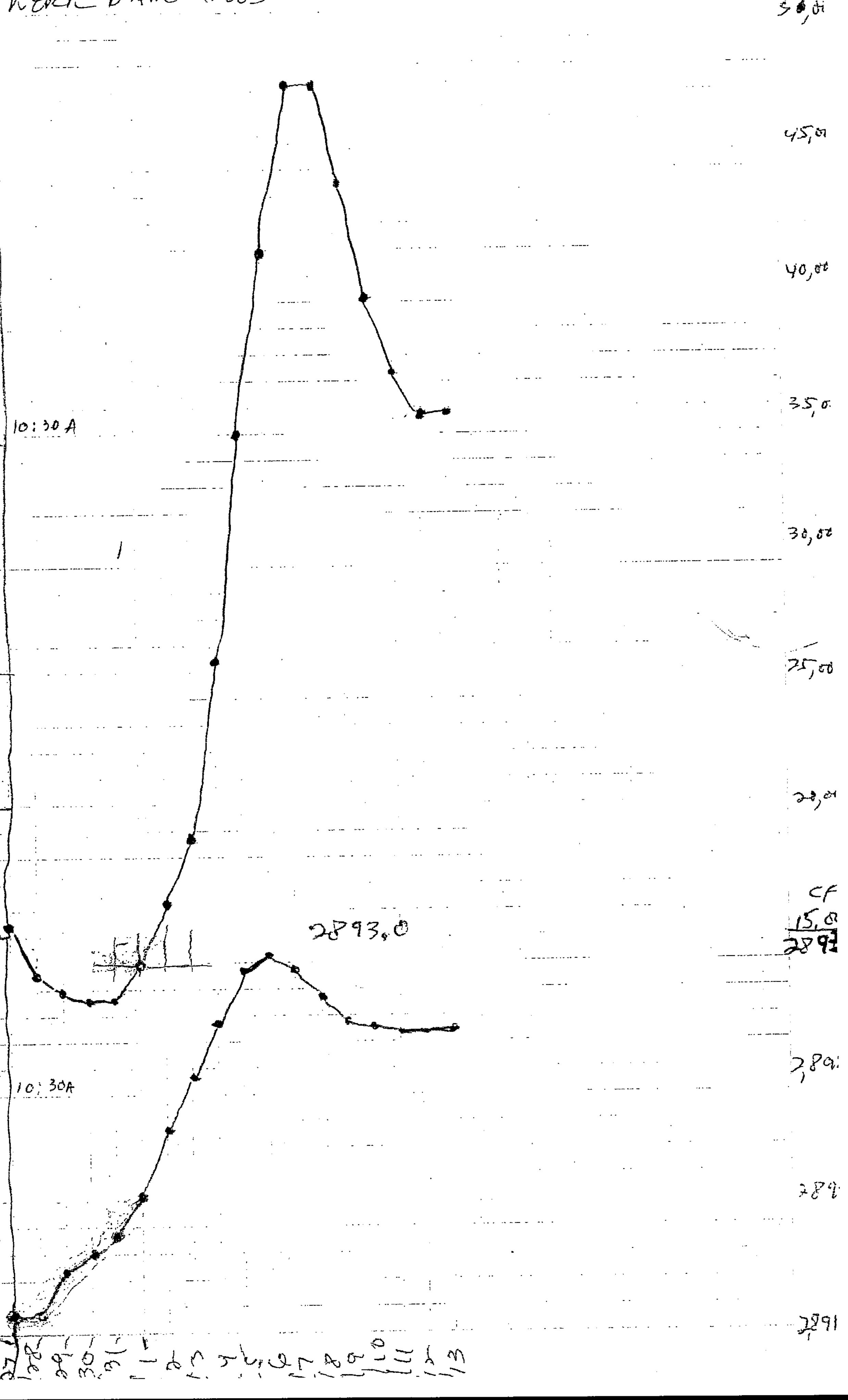
PPL: KERR DAM 2005

DISCHARGE

6/15	
6/14	
6/13	34,900
6/12	34,800
6/11	36,192
6/10	39,000
6/9	43,575
6/8	47,362
6/7	47,380
6/6	41,040
6/5	34,060
6/4	25,440
6/3	18,740
6/2	16,340
6/1	14,110
5/31	12,775
5/30	
5/29	12,771
5/28	12,908
	13,483
5/27	15,225

LAKE LEVEL

6/15	
6/14	
6/13	92.63
6/12	92.63
6/11	92.63
6/10	92.65
6/9	92.69
6/8	92.77
6/7	92.87
6/6	92.91
6/5	92.87
6/4	92.68
6/3	92.47
6/2	92.27
1	92.02
5/31	91.88
5/30	91.88



	2007 CFS	2007 Elev.	2008 CFS	2008 Elev.
1-Jan	9782	89.32	11500	87.82
2-Jan	9781	89.25	11160	87.7
3-Jan	9782	89.18	11200	87.6
4-Jan	9783	89.07	10590	87.49
5-Jan	9779	88.99	10200	87.4
6-Jan	9782	88.81	10160	87.32
7-Jan	9769	88.83	10260	87.23
8-Jan	9770	88.77	9529	87.16
9-Jan	9760	88.71	9250	87.12
10-Jan	9780	88.53	9201	87.02
11-Jan	9760	88.67	8595	86.92
12-Jan	9750	88.48	8248	86.89
13-Jan	9750	88.4	7994	86.83
14-Jan	9750	88.36	7834	86.78
15-Jan	9750	88.2	7796	86.74
16-Jan	9750	88.13	7811	86.68
17-Jan	9750	88.05	7742	86.61
18-Jan	9748	87.97	7828	86.65
19-Jan	9749	87.91	7790	86.56
20-Jan	9751	87.88	7798	86.63
21-Jan	9750	87.76	7825	86.5
22-Jan	9751	87.67	7900	86.4
23-Jan	9750	87.65	7880	86.34
24-Jan	9780	87.6	7960	86.3
25-Jan	9778	87.52	7980	86.23
26-Jan	9780	87.42	8000	86.18
27-Jan	9780	87.37	8000	86.06
28-Jan	9780	87.3	7940	86.16
29-Jan	9780	87.2	7961	86.06
30-Jan	9780	87.16	7975	85.99
31-Jan	9780	87.02	8023	85.86
1-Feb	9750	87	8150	85.88
2-Feb	9750	86.89	8090	85.79
3-Feb	9740	86.81	8060	85.78
4-Feb	9740	86.73	8073	85.71
5-Feb	9730	86.65	7945	85.64
6-Feb	9726	86.6	7932	85.55
7-Feb	9730	86.51	7933	85.51
8-Feb	9100	86.46	7775	85.44
9-Feb	8720	86.4	7746	85.44
10-Feb	8760	86.34	7655	85.39
11-Feb	8730	86.31	7784	85.34
12-Feb	8799	86.32	7790	85.3
13-Feb	8800	86.21	7920	85.23
14-Feb	8800	86.15	8010	85.23
15-Feb	8850	86.07	8060	85.17
16-Feb	8858	85.99	8080	85.13
17-Feb	8901	85.96	8100	85.1
18-Feb	8933	85.84	8060	85.05

19-Feb	9015	85.79	8073	85
20-Feb	9540	85.69	8078	84.94
21-Feb	10550	85.7	8513	84.86
22-Feb	10250	85.63	9323	84.73
23-Feb	9830	85.55	9540	84.7
24-Feb	9780	85.45	9632	84.65
25-Feb	9780	85.42	9630	84.54
26-Feb	9780	85.3	9570	84.46
27-Feb	9780	85.26	9544	84.38
28-Feb	9771	85.1	9492	84.34
1-Mar	9708	85.04	8978	84.18
2-Mar	9680	84.99	8521	84.08
3-Mar	9680	84.91	8065	84.05
4-Mar	9680	84.82	8070	84.02
5-Mar	9680	84.75	8290	83.96
6-Mar	9676	84.67	8300	83.93
7-Mar	9660	84.61	8170	83.88
8-Mar	9630	84.41	7830	83.82
9-Mar	9620	84.45	7570	83.79
10-Mar	8980	84.36	7410	83.75
11-Mar	8740	84.31	7186	83.59
12-Mar	8640	84.23	6917	83.7
13-Mar	8610	84.2	7032	83.6
14-Mar	9220	84.28	6472	83.59
15-Mar	9550	84.35	6881	83.56
16-Mar	9550	84.37	6753	83.53
17-Mar	9570	84.4	6493	83.52
18-Mar	9580	84.34	6390	83.47
19-Mar	9590	84.42	6410	83.47
20-Mar	9592	84.42	6430	83.45
21-Mar	9612	84.54	6450	83.42
22-Mar	9661	84.66	6440	83.41
23-Mar	9311	84.77	6440	83.36
24-Mar	9716	84.83	6240	83.34
25-Mar	9789	84.85	5920	83.32
26-Mar	9701	85.02	5920	83.31
27-Mar	9504	85.29	5980	83.28
28-Mar	11208	85.48	5990	83.27
29-Mar	14262	85.62	5920	83.27
30-Mar	14892	85.71	6010	83.28
31-Mar	14700	85.68	5995	83.22
1-Apr	14904	85.77	5817	83.21
2-Apr	15358	85.79	5700	83.22
3-Apr	15240	85.81	5645	83.21
4-Apr	15600	85.9	5713	83.15
5-Apr	15600	85.87	5665	83.18
6-Apr	15600	85.86	5387	83.17
7-Apr	15440	85.85	5249	83.12
8-Apr	15400	85.8	5640	83.14
9-Apr	15090	85.77	5890	83.11
10-Apr	14842	85.69	5720	83.14

11-Apr	15196	85.74	5500	83.15
12-Apr	15233	85.79	5410	83.18
13-Apr	14988	85.73	5660	83.2
14-Apr	14783	85.72	5970	83.22
15-Apr	14708	85.68	5940	83.24
16-Apr	14808	85.66	5860	83.29
17-Apr	14721	85.66	6110	83.37
18-Apr	14700	85.62	6370	83.48
19-Apr	14612	85.61	6690	83.58
20-Apr	14629	85.62	6890	83.53
21-Apr	14604	85.65	6670	83.56
22-Apr	14562	85.6	6686	83.61
23-Apr	14462	85.58	6920	83.68
24-Apr	14230	85.56	7026	83.62
25-Apr	14090	85.53	7108	83.66
26-Apr	14120	85.51	7106	83.66
27-Apr	14240	85.54	7110	83.66
28-Apr	14360	85.58	7420	83.78
29-Apr	14600	85.62	7850	83.84
30-Apr	15108	85.7	8040	83.85
1-May	15400	85.81	8010	83.99
2-May	15538	85.93	8020	84.07
3-May	15654	86.19	8310	84.14
4-May	15012	86.42	8970	84.21
5-May	15300	86.73	9450	84.31
6-May	15108	86.95	9630	84.47
7-May	15258	87.13	10030	84.58
8-May	15212	87.31	10820	84.82
9-May	14867	87.43	11710	85.03
10-May	15233	87.65	12530	85.19
11-May	15275	88	12750	85.32
12-May	15275	88.3	13350	85.47
13-May	15158	88.71	14133	85.6
14-May	16396	89	14579	85.72
15-May	18740	89.36	15192	85.82
16-May	21430	89.56	15433	85.95
17-May	23590	89.7	15600	86.14
18-May	25150	89.83	15729	86.44
19-May	25180	89.98	15596	87.02
20-May	25100	90.15	16942	87.79
21-May	25020	90.31	19983	88.43
22-May	25129	90.45	19983	88.43
23-May	24400	90.51	22858	89
24-May	20346	90.58	25875	89.38
25-May	15942	90.76	32896	90.03
26-May	14808	90.85	35325	90.28
27-May	14496	90.99	37450	90.48
28-May	14512	91.09	38880	90.59
29-May	14579	91.27	38870	90.64
30-May	14475	91.45	39260	90.72
31-May	14483	91.6	39550	90.78

1-Jun	14362	91.76	39900	90.91
2-Jun	16779	91.92	40530	90.97
3-Jun	19183	92.12	38682	91.03
4-Jun	20150	92.2	37890	91.16
5-Jun	24780	92.45	36089	91.2
6-Jun	30100	92.55	31850	91.18
7-Jun	32480	92.59	28800	91.42
8-Jun	30040	92.56	29288	91.59
9-Jun	24630	92.59	32504	91.63
10-Jun	21500	92.62	35041	91.66
11-Jun	21630	92.65	38962	91.66
12-Jun	21625	92.68	37550	91.55
13-Jun	20946	92.72	38200	91.48
14-Jun	18758	92.71	39340	91.45
15-Jun	15438	92.79	39400	91.47
16-Jun	14604	92.86	37250	91.51
17-Jun	14575	92.85	33990	91.58
18-Jun	16038	92.9	30580	91.68
19-Jun	18221	92.94	27750	91.86
20-Jun	20446	92.96	30330	91.99
21-Jun	20025	92.92	33940	92.02
22-Jun	19254	92.89	35280	92.01
23-Jun	18929	92.85	37670	92.03
24-Jun	17979	92.85	37708	92.05
25-Jun	17708	92.86	36638	92.04
26-Jun	15090	92.81	36000	92.06
27-Jun	14160	92.96	32167	92.08
28-Jun	13890	92.86	27783	92.21
29-Jun	13810	92.88	23467	92.39
30-Jun	13840	92.83	22000	92.6
1-Jul	13980	92.89	24517	92.92
2-Jul	13920	92.86	33146	92.94
3-Jul	13600	92.82	41800	92.86
4-Jul	13317	92.82	38150	92.83
5-Jul	13158	92.83	34470	92.85
6-Jul	12729	92.8	32930	92.86
7-Jul	11879	92.78	32330	92.8
8-Jul	11167	92.77	28350	92.76
9-Jul	10971	92.77	23090	92.77
10-Jul	10925	92.77	19990	92.78
11-Jul	10954	92.81	19010	92.79
12-Jul	11012	92.79	18470	92.83
13-Jul	10692	92.79	17700	92.82
14-Jul	10419	92.78	15650	92.85
15-Jul	10193	92.75	18540	92.86
16-Jul	9370	92.73	15962	92.9
17-Jul	8850	92.76	16579	92.9
18-Jul	8550	92.85	16654	92.89
19-Jul	9110	92.9	16200	92.85
20-Jul	9310	92.86	15080	92.88
21-Jul	9410	92.86	14520	92.84

22-Jul	9420	92.85	14430	92.85
23-Jul	9370	92.84	14380	92.88
24-Jul	9337	92.8	14421	92.89
25-Jul	9235	92.8	14312	92.88
26-Jul	9229	92.79	14242	92.84
27-Jul	9135	92.76	14200	92.82
28-Jul	8188	92.76	13980	92.78
29-Jul	8112	92.76	13480	92.78
30-Jul	8197	92.72	12920	92.72
31-Jul	7692	92.69	12340	92.71
1-Aug	6878	92.73	11630	92.7
2-Aug	6687	92.71	10570	92.7
3-Aug	6639	92.68	10260	92.75
4-Aug	6135	92.66	10180	92.76
5-Aug	5802	92.72	9980	92.81
6-Aug	5760	92.68	9031	92.8
7-Aug	5810	92.66	9813	92.82
8-Aug	5810	92.66	8489	92.84
9-Aug	5810	92.68	8573	92.88
10-Aug	5830	92.69	8882	92.92
11-Aug	5840	92.73	9220	92.9
12-Aug	5840	92.72	9193	92.92
13-Aug	5820	92.7	9294	92.93
14-Aug	5802	92.75	10017	92.96
15-Aug	5762	92.73	10662	92.91
16-Aug	5742	92.71	10788	92.89
17-Aug	5742	92.74	10660	92.88
18-Aug	5825	92.75	10600	92.86
19-Aug	5813	92.7	10370	92.83
20-Aug	5835	92.66	9980	92.84
21-Aug	5859	92.65	9810	92.82
22-Aug	5891	92.69	9690	92.87
23-Aug	5892	92.71	9650	92.86
24-Aug	5908	92.7	9690	92.84
25-Aug	5918	92.68	9730	92.84
26-Aug	5894	92.63	9700	92.81
27-Aug	5895	92.65	9710	92.8
28-Aug	5780	92.72	9796	92.81
29-Aug	6020	92.67	9769	92.82
30-Aug	6000	92.67	9739	92.83
31-Aug	6010	92.64	9741	92.86
1-Sep	5980	92.65	9180	92.82
2-Sep	6000	92.66	8860	92.79
3-Sep	6020	92.66	8880	92.8
4-Sep	6185	92.64	8910	92.75
5-Sep	6335	92.59	8910	92.7
6-Sep	6335	92.53	8930	92.69
7-Sep	6212	92.49	8900	92.64
8-Sep	6145	92.47	8860	92.6
9-Sep	6150	92.42	8300	92.58
10-Sep	6093	92.37	7480	92.57

11-Sep	6087	92.35	6890	92.55
12-Sep	6078	92.31	6730	92.58
13-Sep	6101	92.27	6680	92.56
14-Sep	6129	92.26	6670	92.54
15-Sep	6135	92.19	6720	92.53
16-Sep	6138	92.15	6786	92.53
17-Sep	6139	92.08	6789	92.52
18-Sep	6180	92.02	6845	92.5
19-Sep	6200	92	7344	92.49
20-Sep	6270	91.99	7596	92.46
21-Sep	6300	91.93	7605	92.44
22-Sep	6280	91.88	7571	92.42
23-Sep	6320	91.9	7520	92.42
24-Sep	6650	91.88	7200	92.39
25-Sep	7272	91.8	7700	92.4
26-Sep	7585	91.76	8040	92.42
27-Sep	7576	91.73	8700	92.39
28-Sep	7682	91.69	8050	92.35
29-Sep	7671	91.6	7590	92.32
30-Sep	7619	91.56	7560	92.29
1-Oct	7589	91.55	7560	92.26
2-Oct	7560	91.38	7660	92.21
3-Oct	7577	91.34	7740	92.17
4-Oct	7659	91.36	7780	92.12
5-Oct	7510	91.34	7700	92.08
6-Oct	6787	91.25	7730	92.05
7-Oct	6417	91.18	7741	91.92
8-Oct	5608	91.16	7610	91.96
9-Oct	4810	91.19	7638	92
10-Oct	4620	91.17	7617	91.92
11-Oct	4620	91.13	7628	91.88
12-Oct	4660	91.16	7621	91.76
13-Oct	4650	91.18	7655	91.66
14-Oct	4670	91.17	7604	91.62
15-Oct	4660	91.16	7646	91.61
16-Oct	4673	91.15	7810	91.57
17-Oct	4668	91.12	7810	91.52
18-Oct	4677	91.14	7820	91.46
19-Oct	4658	91.14	7800	91.45
20-Oct	4652	91.13	7680	91.37
21-Oct	4718	91.12	7620	91.35
22-Oct	4705	91.12	7640	91.32
23-Oct	4730	91.09	7570	91.3
24-Oct	4698	91.12	7590	91.19
25-Oct	4677	91.1	7620	91.2
26-Oct	4693	91.09	7659	91.14
27-Oct	4728	91.11	7699	91.11
28-Oct	4747	91.09	7710	91.08
29-Oct	4735	91.09	7530	91.03
30-Oct	4720	91.11	7008	90.94
31-Oct	4740	91.07	6343	90.97

1-Nov	4740	91.07	6099	90.91
2-Nov	4740	91.06	5952	90.94
3-Nov	4730	91.01	5363	90.93
4-Nov	4720	90.98	5029	90.94
5-Nov	4720	91.05	4987	90.99
6-Nov	4744	91.03	4973	91
7-Nov	4661	91.01	4973	91.02
8-Nov	4573	91.01	4968	91.05
9-Nov	4573	91.01	5110	91.01
10-Nov	4550	91.02	4970	91
11-Nov	4547	91.03	4970	91.02
12-Nov	4396	90.98	4980	90.99
13-Nov	4340	90.98	4970	91.05
14-Nov	4361	90.99	5110	91.1
15-Nov	4393	91.02	5220	91.13
16-Nov	4424	91.01	5340	91.13
17-Nov	4382	91	5580	91.14
18-Nov	4329	91.03	6010	91.14
19-Nov	4354	91.07	6170	91.15
20-Nov	4370	91.12	6254	91.06
21-Nov	4720	91.07	6460	91.12
22-Nov	4910	91.06	6220	91.05
23-Nov	4950	91.04	6200	91.07
24-Nov	4970	91.02	6245	91.02
25-Nov	4950	91.01	6204	90.99
26-Nov	5180	90.97	6202	91.03
27-Nov	5705	90.96	6153	90.98
28-Nov	6460	90.96	6112	90.94
29-Nov	6879	90.98	6150	90.94
30-Nov	7252	90.97	6080	90.92
1-Dec	7644	90.86	6590	90.86
2-Dec	7650	90.71	7510	90.87
3-Dec	7543	90.66	8725	90.86
4-Dec	8020	90.74	9100	90.73
5-Dec	8512	90.66	9180	90.66
6-Dec	8558	90.61	9250	90.54
7-Dec	9216	90.62	9220	90.53
8-Dec	9597	90.59	9880	90.43
9-Dec	9624	90.46	10360	90.34
10-Dec	10252	90.34	10408	90.2
11-Dec	10750	90.24	10429	90.17
12-Dec	11020	90.08	10604	90.14
13-Dec	11090	90.04	10821	90.03
14-Dec	11770	89.93	10925	89.86
15-Dec	12130	89.82	11012	89.76
16-Dec	12150	89.68	10983	89.69
17-Dec	12010	89.6	10862	89.67
18-Dec	12138	89.47	11170	89.61
19-Dec	12133	89.38	11670	89.41
20-Dec	12083	89.21	11740	89.25
21-Dec	12046	89.14	11730	89.09

22-Dec	12017	88.99	11780	89
23-Dec	12008	88.86	11810	88.9
24-Dec	12075	88.66	11870	88.79
25-Dec	12096	88.64	11950	88.7
26-Dec	12088	88.46	11940	88.56
27-Dec	12079	88.4	11910	88.46
28-Dec	12117	88.28	11960	88.37
29-Dec	12083	88.2	11904	88.23
30-Dec	12104	88.02	11892	88.16
31-Dec	12096	87.87	11888	87.99

November 5, 2014

To: "Compact Commission"
CSKT
St. of MT.
From: Bill Myers
Re: A New Approach

No waste of shared water:

Capture and utilize spill and water downstream from Kerr Dam. This water in Western Montana should be shared by all of us together. This water is a great gift from our almighty Creator Father God and needs to be appreciated as a shared blessing and inheritance for all of us. We should not be fighting over our abundant water! Based on this premise I propose:

1. The possible need for a cooling off period to rebuild trust and friendship, especially before any implementation.
2. Any proposal should have a phase-in, with opportunity for further modifications/refinements. Forever is a long time and does not allow for correction and change.
3. A radical change in the compact proposal to create a win/win/win for three major groups that are currently clashing: the CSKT, the FIP irrigators, and the off reservation groups (i.e. Flathead Valley and supporters of Flathead Lake full pool).

I believe I have uncovered a way to meet the needs of the three groups, and hopefully avoid the ugliness of approximately 30 years of protracted litigation that appears on the horizon. To that end I have included a smattering from the boxes of information and data I have collected. Especially important is the datum from Kerr Dam operations from approximately 1990-2014, including both lake levels and river flows at Kerr in CFS. Also included are the Kerr re-licensing articles numbers 55-58, June 26, 1997, spelling out clearly the minimum flow regimes and ramping rates, which were agreed to by all parties, including the CSKT. Also included are documents showing schematics of the Mission Valley irrigation system, with acre feet capacity for: Tabor, Mission, McDonald, Lower Crow, Kicking Horse, Ninepipe, Pablo and other reservoirs (including the Jocko and Camas divisions). Finally the misc. articles on droughts and projected droughts and historic documents provided by Don Kude, the Kerr Project Manager for MT. Power Co. who retired I the late 1990's. I have much more that is available to facilitate a peaceful and mutually beneficial solution for all parties.

The Compromise Proposal

I. Remove all off reservation claims to water. This includes the potential to make call on Flathead River and Swan River, off reservation. The 90,000 ac. Ft. leased water disappears, and Flathead Basin above lake remains open to and through regular DNRC/State of Montana permitting. However, the tribe will have access to call for water releases from Hungry Horse to mitigate in drought for irrigation on FIP and to maintain Flathead Lake at full pool. This amount will be original 100,000 Ac. Ft. per discussions of Northwest Power Planning Council and Clerk Fork Task Force.

II. Re-tool the UMO concept, eliminating UMO with: Dual administration, with expanded Board to resolve conflicts (per other Compacts). Unresolved issues would be taken to State or Federal Court per WPIC recommendation #2. I would suggest expansion of the Board to include possibly:

3 CSKT
3 Federal (one @ Congessional or from BIA)
3 State (DNRC, FWP, Water Court)
3 Lake County
  a. Commissioner
  b. Conservation District
  c. Elected
2 Flathead County:
  a. Commissioner
  b. Conserv. Dist.
1 Each other affected county, but at least Missoula & Sanders
3 From Flathead Joint Board, i.e., elected from irrigators.

This would give a balance of interests and assure no one group would be in total or majority control.

III. Make more water available to tribes to mitigate against drought and allow for full historic delivery of FIP water to all parties. This would replace the previously listed total of 229,000 Ac. Ft. from upstream. This water would be made available for pumping up-hill to Pablo Reservoir and beyond! The increased amount of water would be available from reducing or eliminating need to spill over Kerr Dam by increased capacity and authority to pump at the Flathead pumping station and other locations downstream from Kerr. To facilitate this, Pablo Reservoir likely would have capacity increased. In addition, options:

A. Create a series of pumps with large capacity pipe to be run uphill via the Pablo feeder canal to the main North/South feeder canal at base of Mission Mountains.
B. Install a series of pumps i.e., below Lower Crow Reservoir and other trunk lines to pump water uphill from the Flathead River to augment irrigation water coming gravity from feeder canal.
C. Build 1-4 additional dams at locations originally evaluated in the 1920's, to capture and retain water on tribal/trust land for pumping, and generate additional electricity and revenues for the tribe.

*** The key breakthrough idea that might make pumping uphill possible is what the business world calls a two-fer...that is doing two things essentially for one cost. We have all heard, and I believe agreed, that the current gravity canal system needs improvement and likely complete replacement in many areas, especially to increase efficiency. So when that is taking place, all the elements are in place to install a pumping pipeline flowing uphill in same location. The right of way/property is already acquired and in place, the excavator is needed to replace current ditch with upgrades, so it would relatively easy to dig out a slightly deeper or wider ditch to have 2 pipelines: one sealed for pumping uphill to storage or to be used to supplement flows in the irrigation line, by staggered release into the irrigation line from the pump line tube.

This would supplement the normal flow mechanism from waters flowing down from the Mission Mountains to the feeder line and those from the Tabor feeder canal/reservoir. Thus, the water from the Flathead River and Swan River above Flathead Lake would be available in large quantities, especially during times of spill, for capture and use in the FIP project. It would no longer be necessary to quantify water depletion/diversion from the lake or rivers upstream because the take of the water is left to the FIP to take the excess water before spilled at Kerr via an increased Pablo pump canal line or after Kerr at small below dam pumping sites or dams, or best of all: both.

This concept has the additional economic benefit of keeping Flathead Lake at recreational full pool even during drought! WIN/WIN/WIN!

See enclosed documents

Bill Myers

NOV. 5, 2014

TO: "COMPACT COMMISSION"
CSKT
ST. OF MT.
FROM: BILL MYERS
RE: A NEW APPROACH

NO WASTE OF SHARED WATER:

CAPTURE & UTILIZE SPILL & WATER DOWN STREAM FROM KERR DAM. THIS WATER IN WESTERN MONTANA SHOULD BE SHARED BY ALL OF US TOGETHER. THIS WATER IS A GREAT GIFT FROM OUR ALMIGHTY CREATOR FATHER GOD AND NEEDS TO BE APPRECIATED AS A SHARED BLESSING AND INHERITANCE FOR ALL OF US. WE SHOULD NOT BE FIGHTING OVER OUR ABUNDANT WATER! BASED ON THIS PREMISE I PROPOSE:

① THE POSSIBLE NEED FOR A COOLING OFF PERIOD TO REBUILD TRUST & FRIENDSHIP, ESPECIALLY BEFORE FOR ANY IMPLEMENTATION.

② ANY PROPOSAL SHOULD HAVE A PHASE-IN, WITH OPPORTUNITY FOR FURTHER MODIFICATIONS/REFINEMENTS. FOREVER IS A LONG TIME AND DOES NOT ALLOW FOR CORRECTION & CHANGE.

③ A RADICAL CHANGE IN THE COMPACT PROPOSAL TO CREATE A WIN/WIN/WIN FOR THREE MAJOR GROUPS THAT ARE CURRENTLY CLASHING: THE CSKT, THE FIP IRRIGATORS, AND THE OFF RESERVATION GROUPS (i.e. FLATHEAD VALLEY & SUPPORTERS OF FLATHEAD LAKE FULL POOL,).

I BELIEVE I HAVE UNCOVERED A WAY TO MEET THE NEEDS OF THE THREE GROUPS, AND HOPEFULLY AVOID THE UGLYNESS OF @ 30 YEARS OF PROTRACTED LITIGATION THAT APPEARS ON THE

NV. 5, 2014

MYERS TO "COMPACT COMMISSION"

HORIZON. TO THAT END I HAVE INCLUDED A SMATTERING FROM THE BOXES OF INFORMATION + DATA I HAVE COLLECTED. ESPECIALLY IMPORTANT IS THE DATUM FROM KERR DAM OPERATIONS FROM @ 1990 - 2014, INCLUDING BOTH LAKE LEVELS AND RIVER FLOWS @ KERR IN CFS. ALSO INCLUDED ARE THE KERR RELICENSING ART. # 55-58, JUNE 26, 1997, SPELLING OUT CLEARLY THE MINIMUM FLOW REGIMES + RAMPING RATES, WHICH WERE AGREED TO BY ALL PARTIES, INCLUDING THE CSKT. ALSO INCLUDED ARE DOCUMENTS SHOWING SCHEMATICS OF THE MISSION VALLEY IRRIGATION SYSTEM, WITH ACRE FEET CAPACITY FOR: TABOR, MISSION, McDONALD, LOWER CROW, KICKING HORSE, NINEPIPE, PABLO AND OTHER RESERVOIRS (INCLUDING THE JOCKO + CAMAS DIVISIONS). FINALLY, THE MISC. ARTICLES ON DROUGHTS + PROJECTED DROUGHTS + HISTORIC DOCUMENTS PROVIDED BY DON KUDE, THE KERR PROJECT MGR. FOR MT. POWER CO. WHO RETIRED @ IN THE LATE 1990'S. I HAVE MUCH MORE THAT IS AVAILABLE TO FACILITATE A PEACEFUL AND MUTUALLY BENEFICIAL SOLUTION FOR ALL PARTIES.

THE COMPROMISE PROPOSAL

I REMOVE ALL OFF RESERVATION CLAIMS TO WATER. THIS INCLUDES THE POTENTIAL TO MAKE CALL ON FLATHEAD RIVER AND SWAN RIVER, OFF RESERVATION. THE 90,000 AC. FT. LEASED WATER DISAPPEARS, AND FLATHEAD BASIN ABOVE LAKE REMAINS OPEN TO + THROUGH REGULAR DNRC/STATE OF MONTANA PERMITTING. HOWEVER, THE TRIBE WILL HAVE ACCESS TO CALL FOR WATER RELEASES FROM

V. 5, 2014

WERS TO "COMPACT COMMISSION"

HUNGRY HORSE TO MITIGATE IN DROUGHT FOR IRRIGATION ON FIP AND TO MAINTAIN FLATHEAD LAKE @ FULL POOL. THIS AMOUNT WILL BE ORIGINAL 100,000 AC.FT., PER DISCUSSIONS OF NORTHWEST POWER PLANNING COUNCIL + CLARK FORK TASK FORCE.

II RE-TOOL THE UMO CONCEPT, ELIMINATING UMO WITH: DUAL ADMINISTRATION, WITH EXPANDED BOARD TO RESOLVE CONFLICTS (PER OTHER COMPACTS). UNRESOLVED ISSUES WOULD BE TAKEN TO STATE OR FEDERAL COURT PER WPIC RECOMMENDATION #2. I WOULD SUGGEST EXPANSION OF THE BOARD TO INCLUDE POSSIBLY:

③ CSKT
③ FEDERAL (ONE @ CONGRESSIONAL OR FROM BIA)
③ STATE i.e DNRC FWP WATER COURT
③ LAKE COUNTY Ⓐ COMMISSIONER Ⓑ CONSERV. DIST Ⓒ ELECTED
② FLATHEAD COUNTY Ⓐ COMMISSIONER Ⓑ CONSERV. DIST.
① @ OTHER AFFECTED COUNTY, BUT AT LEAST MISSOULA + SANDERS,
③ FROM FLATHEAD JOINT BOARD i.e ELECTED FROM IRRIGATORS

THIS WOULD GIVE A BALANCE OF INTERESTS AND ASSURE NO ONE GROUP WOULD BE IN TOTAL OR MAJORITY CONTROL.

III MAKE MORE WATER AVAILABLE TO TRIBES TO MITIGATE AGAINST DROUGHT AND ALLOW FOR FULL HISTORIC DELIVERY OF FIP WATER TO ALL PARTIES. THIS WOULD REPLACE THE PREVIOUSLY LISTED TOTAL OF 229,000 AC FT FROM UPSTREAM. THIS WATER WOULD BE MADE AVAILABLE FOR PUMPING UP-HILL TO PABLO

NOV 5, 2014

WYERS TO "COMPACT COMMISSION"

RESERVOIR AND BEYOND! THE INCREASED AMOUNT OF WATER WOULD BE AVAILABLE FROM REDUCING OR ELIMINATING NEED TO SPILL OVER KERR DAM BY INCREASED CAPACITY AND AUTHORITY TO PUMP @ THE FLATHEAD PUMPING STATION AND OTHER LOCATIONS DOWNSTREAM FROM KERR. TO FACILITATE THIS, PABLO RESERVOIR LIKELY WOULD HAVE CAPACITY INCREASED. IN ADDITION, OPTIONS:

Ⓐ CREATE A SERIES OF PUMPS W/ LARGE CAPACITY PIPE TO BE RUN UPHILL VIA THE PABLO FEEDER CANAL TO THE MAIN NORTH/SOUTH FEEDER CANAL @ BASE OF MISSION MOUNTAINS.

Ⓑ INSTALL A SERIES OF PUMPS i.e. BELOW LOWER CROW RESERVOIR AND OTHER TRUNK LINES TO PUMP WATER UPHILL FROM THE FLATHEAD RIVER TO AUGMENT IRRIGATION WATER COMING GRAVITY FROM FEEDER CANAL

Ⓒ BUILD 1-4 ADDITIONAL DAMS @ LOCATIONS ORIGINALLY EVALUATED IN THE 1970'S, TO CAPTURE + RETAIN WATER ON TRIBAL/TRUST LAND FOR PUMPING, AND GENERATE ADDITIONAL ELECTRICITY + REVENUES FOR THE TRIBE.

*** THE KEY BREAKTHROUGH IDEA THAT MIGHT MAKE PUMPING UPHILL POSSIBLE IS WHAT THE BUSINESS WORLD CALLS A TWO-FER... THAT IS DOING TWO THINGS ESSENTIALLY FOR ONE COST. WE HAVE ALL HEARD, AND I BELIEVE AGREED, THAT THE CURRENT GRAVITY CANAL SYSTEM NEEDS IMPROVEMENT + LIKELY COMPLETE REPLACEMENT IN MANY AREAS, ESPECIALLY TO INCREASE EFFICIENCY. SO WHEN THAT IS TAKING PLACE, ALL THE

v. 5, 2014

FERS TO "COMPACT COMMISSION"

ELEMENTS ARE IN PLACE TO INSTALL A PUMPING PIPELINE FLOWING UPHILL IN SAME LOCATION. THE RIGHT OF WAY/PROPERTY IS ALREADY ACQUIRED & IN PLACE, THE EXCAVATOR IS NEEDED TO REPLACE CURRENT DITCH W/UPGRADES, SO IT WOULD RELATIVELY EASY TO DIG OUT A SLIGHTLY DEEPER OR WIDER DITCH TO HAVE 2 PIPELINES: ONE SEALED FOR PUMPING UPHILL TO STORAGE OR TO BE USED TO SUPPLEMENT FLOWS IN THE IRRIGATION LINE, BY STAGGERED RELEASE INTO THE IRREGATION LINE FROM THE PUMPLINE TUBE.

THIS WOULD SUPPLEMENT THE NORMAL FLOW MECHANISM FROM WATERS FLOWING DOWN FROM THE MISSION MOUNTAINS TO THE FEEDER LINE & THOSE FROM THE TABOR FEEDER CANAL/RESERVOIR. THUS, THE WATER FROM THE FLATHEAD RIVER & SWAN RIVER ABOVE FLATHEAD LAKE WOULD BE AVAILABLE IN LARGE QUANTITIES, ESPECIALLY DURING TIMES OF SPILL, FOR CAPTURE AND USE IN THE FIP PROJECT. IT WOULD NO LONGER BE NECESSARY TO QUANTIFY WATER DEPLETION/DIVERSION FROM THE LAKE OR RIVERS UPSTREAM BECAUSE THE TAKE OF THE WATER IS LEFT TO THE FIP TO TAKE THE EXCESS WATER BEFORE SPILLED AT KERR VIA AN INCREASED PABLO PUMP CANAL LINE OR AFTER KERR AT SMALLER BELOW DAM PUMPING SITES OR DAMS, OR BEST OF ALL: BOTH.

THIS CONCEPT HAS THE ADDITIONAL ECONOMIC BENEFIT OF KEEPING FLATHEAD LAKE AT RECREATIONAL FULL POOL EVEN DURING DROUGHT! WIN/WIN/WIN!

→ SEE ENCLOSED DOCUMENTS

Bill Myers

Walter W McDonald
to be returned to Tribal office
Dec. 31, 1961

Copy No. 86

COMPILATION

of

TREATIES AND STATUTES
(vols. 1-68, Statutes at Large of the U.S.)

and Executive Orders, Proclamations,
the Constitution and By-Laws, and
the Corporate Charter

pertaining to

THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD RESERVATION, MONTANA

Property of the Confederated Tribes
Dixon, Montana

- 1955 -

THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION, MONTANA

TREATIES AND STATUTES

Treaty of Hell Gate, July 16, 1855
Treaty of Upper Missouri, October 17, 1855
Special Statutes Affecting Flathead
Private Statutes Affecting Flathead
Appropriation Acts Naming Flathead

(Does not contain statutes generally applicable to all Indians, including Flathead Tribes, for which see Title 25, United States Code.)

TOGETHER with

Executive Orders
Proclamations
Constitution and Bylaws of the Tribes
Corporate Charter of the Tribes

This is Copy No.

This Volume is the property of the Confederated Salish and Kootenai Tribes of the Flathead Reservation. It is loaned to persons having particular business for the Tribes, on a temporary basis only, may be recalled by the Tribes at any time, and must be delivered without further demand when the particular office or assignment is completed.

1955

Compiled by Wilkinson, Cragun, Barker & Hawkins, 744 Jackson Place, N.W., Washington 6, D. C., General Counsel for the Tribes.

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TREATIES

Treaties

[Treaty of July 16, 1855, 12 Stat. 975]

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a treaty was made and concluded at the treaty ground, at Hell Gate, in the Bitter Root Valley, on the sixteenth day of July, eighteen hundred and fifty-five, between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, on the part of the United States, and the hereinafter named chiefs, headmen, and delegates of the confederated tribes of the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, on behalf of and acting for said confederated tribes and duly authorized thereto, by them, which treaty is in the words and figures following, to wit:

Articles of agreement and convention made and concluded at the treaty ground at Hell Gate, in the Bitter Root Valley, this sixteenth day of July, in the year one thousand eight hundred and fifty-five, by and between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the confederated tribes of the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, on behalf of and acting for said confederated tribes, and being duly authorized thereto by them. It being understood and agreed that the said confederated tribes do hereby constitute a nation, under the name of the Flathead nation, with Victor the head chief of the Flathead tribe, as the head chief of the said nation, and that the several chiefs, headmen, and delegates, whose names are signed to this treaty, do hereby, in behalf of their respective tribes, recognise Victor as said head chief.

ARTICLE I. The said confederated tribes of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the country occupied or claimed by them, bounded and described as follows, to wit:

Commencing on the main ridge of the Rocky Mountains at the forty-ninth (49th) parallel of latitude, thence westwardly on that parallel to the divide between the Flat-bow or Kootenay River and Clarke's Fork; thence southerly and southeasterly along said divide to the one hundred and fifteenth degree of longitude, (115°,) thence in a southwesterly direction to the divide between the sources of the St. Regis Borgia and the Coeur d'Alene Rivers, thence southeasterly and southerly along the main ridge of the Bitter Root Mountains to the divide between the head waters of the Koos-koos-kee River and of the southwestern fork of the Bitter Root River, thence easterly along the divide separating the waters of the several tributaries of the Bitter Root River from the waters flowing into the Salmon and Snake Rivers to the main ridge of the Rocky Mountains, and thence northerly along said main ridge to the place of beginning.

ARTICLE II. There is, however, reserved from the lands above ceded, for the use and occupation of the said confederated tribes, and as a general Indian reservation upon which may be placed other friendly tribes and bands of Indians of the Territory of Washington who may agree to be consolidated with the tribes parties to this treaty, under the common designation of the Flathead nation, with Victor, head chief of the Flathead tribe, as the head chief of the nation, the tract of land included within the following boundaries, to wit:

Commencing at the source of the main branch of the Jocko River; thence along the divide separating the waters flowing into the Bitter Root River from those flowing into the Jocko to a point on Clarke's Fork between the Camash and Horse prairies; thence northerly to, and along the divide bounding on the west the Flathead River, to a point due west from the point half way in latitude between the northern and southern extremities of the Flathead Lake; thence on a due east course to the divide whence the Crow, the Prune, the So-ni-el-em and the Jocko Rivers take their rise, and thence southerly along said divide to the place of beginning.

All which tract shall be set apart, and, so far as necessary, surveyed and marked out for the exclusive use and benefit of said confederated tribes as an Indian reservation. Nor shall any white man, excepting those in the employment of the Indian department, be permitted to reside upon the said reservation without permission of the confederated tribes, and the superintendent and agent. And the said said confederated tribes agree to remove to and settle upon the same within one year after the ratification of this treaty. In the meantime it shall be lawful for them to reside upon any ground not in the actual claim and occupation of citizens of the United States, and upon any ground claimed or occupied if with the permission of the owner or claimant.

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Guaranteeing however the right to all citizens of the United States to enter upon and occupy as settlers any lands not actually occupied and cultivated by said Indians at this time, and not included in the reservation above named. And provided, That any substantial improvements heretofore made by any Indian, such as fields enclosed and cultivated and houses erected upon the lands hereby ceded, and which he may be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President of the United States, and payment made therefor in money, or improvements of an equal value be made for said Indian upon the reservation; and no Indian will be required to abandon the improvements aforesaid, now occupied by him, until their value in money or improvements of an equal value shall be furnished him as aforesaid.

ARTICLE III. And provided, That if necessary for the public convenience roads may be run through the said reservation; and, on the other hand, the right of way with free access from the same to the nearest public highway is secured to them; as also the right in common with citizens of the United States to travel upon all public highways.

The exclusive right of taking fish in all the streams running through or bordering said reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed places, in common with citizens of the Territory, and of erecting temporary buildings for curing; together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land.

ARTICLE IV. In consideration of the above cession, the United States agree to pay to the said confederated tribes of Indians, in addition to the goods and provisions distributed to them at the time of signing this treaty the sum of one hundred and twenty thousand dollars in the following manner--that is to say: For the first year after the ratification hereof, thirty-six thousand dollars, to be expended under the direction of the President in providing for their removal to the reservation, breaking up and fencing farms, building houses for them, and for such other objects as he may deem necessary. For the next four years, six thousand dollars each year; for the next five years, five thousand dollars each year; for the next five years, four thousand dollars each year; and for the next five years, three thousand dollars each year.

All which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may from time to time determine, at his discretion, upon what beneficial objects to expend the same for them, and the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto.

ARTICLE V. The United States further agree to establish at suitable points within said reservation, within one year after the ratification hereof, an agricultural and industrial school, erecting the necessary buildings, keeping the same in repair, and providing it with furniture, books and stationery, to be located at the agency, and to be free to the children of the said tribes, and to employ a suitable instructor or instructors. To furnish one blacksmith shop, to which shall be attached a tin and gun shop; one carpenter's shop; one wagon and ploughmaker's shop; and to keep the same in repair, and furnished with the necessary tools. To employ two farmers, one blacksmith, one tinner, one gunsmith, one carpenter, one wagon and plough maker, for the instruction of the Indians in trades, and to assist them in the same. To erect one saw-mill and one flouring-mill, keeping the same in repair and furnished with the necessary tools and fixtures, and to employ two millers. To erect a hospital, keeping the same in repair, and provided with the necessary medicines and furniture, and to employ a physician; and to erect, keep in repair, and provide with the necessary furniture the buildings required for the accommodation of the said employees. The said buildings and establishments to be maintained and kept in repair as aforesaid, and the employees to be kept in service for the period of twenty years.

And in view of the fact that the head chiefs of the said confederated tribes of Indians are expected and will be called upon to perform many services of a public character, occupying much of their time, the United States further agree to pay to each of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes five hundred dollars per year, for the term of twenty years after the ratification hereof, as a salary for such persons as the said confederated tribes may select to be their head chiefs, and to build for them at suitable points on the reservation a comfortable house, and properly furnish the same, and to plough and fence for each of them ten acres of land. The salary to be paid to, and the said houses to be occupied by, such head chiefs so long as they may be elected to that position by their tribes, and no longer.

And all the expenditures and expenses contemplated in this article of this treaty shall be defrayed by the United States, and shall not be deducted from the annuities agreed to be paid to said tribes. Nor shall the cost of transporting the goods for the annuity payments be a charge upon the annuities, but shall be defrayed by the United States.

ARTICLE VI. The President may from time to time, at his discretion, cause the whole, or such portion of such reservation as he may think proper, to be surveyed into lots, and assign the same to such individuals or families of the said confederated tribes as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable.

ARTICLE VII. The annuities of the aforesaid confederated tribes of Indians shall not be taken to pay the debts of individuals.

ARTICLE VIII. The aforesaid confederated tribes of Indians acknowledge their dependence upon the government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations upon the property of such citizens. And should any one or more of them violate this pledge, and the fact be satisfactorily proved before the agent, the property taken sahll be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of the annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and other Indians to the government of the United States, or its agent, for decision, and abide thereby. And if any of the said Indians commit any depredations on any other Indians within the jurisdiction of the United States, the same rule shall prevail as that prescribed in this article, in case of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE IX. The said confederated tribes desire to exclude from their reservation the use of ardent spirits, and to prevent their people from drinking the same; and therefore it is provided that any Indian belonging to said confederated tribes of Indians who is guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE X. The United States further agree to guaranty the exclusive use of the reservation provided for in this treaty, as against any claims which may be urged by the Hudson Bay Company under the provisions of the treaty between the United States and Great Britain of the fifteenth of June, eighteen hundred and forty-six, in consequence of the occupation of a trading post on the Pru-in River by the servants of that company.

ARTICLE XI. It is, moreover, provided that the Bitter Root Valley, above the Loo-lo fork, shall be carefully surveyed and examined, and if it shall prove, in the judgment of the President, to be better adapted to the wants of the Flathead tribe than the general reservation provided for in this treaty, then such portions of it as may be necessary shall be set apart as a separate reservation for the said tribe. No portion of the Bitter Root Valley, above the Loo-lo fork, shall be opened to settlement until such examination is had and the decision of the President made known.

ARTICLE XII. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and the undersigned head chiefs, chiefs and principal men of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

ISAAC I. STEVENS, Governor and Superintendent Indian Affairs W.T.		[L.S.]
VICTOR, Head Chief of the Flathead Nation,	his x mark.	[L.S.]
ALEXANDER, Chief of the Upper Pend d'Oreilles,	his x mark.	[L.S.]
MICHELLE, Chief of the Kootenays,	his x mark.	[L.S.]
AMBROSE,	his x mark.	[L.S.]
PAH-SOH,	his x mark.	[L.S.]
BEAR TRACK,	his x mark.	[L.S.]
ADOLPHE	his x mark.	[L.S.]
THUNDER,	his x mark.	[L.S.]
BIG CANOE,	his x mark.	[L.S.]
KOOTEL CHAH,	his x mark.	[L.S.]
PAUL,	his x mark.	[L.S.]
ANDREW,	his x mark.	[L.S.]
MICHELLE,	his x mark.	[L.S.]
BATTISTE,	his x mark.	[L.S.]

Kootenays

GUN FLINT,	his x mark.	[L.S.]
LITTLE MICHELLE,	his x mark.	[L.S.]
PAUL SEE,	his x mark.	[L.S.]
MOSES,	his x mark.	[L.S.]

James Doty, Secretary.
R. H. Lansdale, Indian Agent
W. H. Tappan, Sub Indian Agent.
Henry R. Crosire,
Gustavus Sohon, Flathead Interpreter.
A. J. Hoecken, Sp. Mis.
William Craig.

And, whereas, the said treaty having been submitted to the Senate of the United States for their constitutional action thereon, the Senate did, on the eighth day of March, eighteen hundred and fifty-nine, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:

"In Executive Session,
"Senate of the United States, March 8,
1859.

"Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of treaty between the United States and Chiefs, Headmen and Delegates of the confederate tribes of the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, who are constituted a nation under the name of the Flathead Nation, signed 16th day of July, 1855.

"Attest: "ASBURY DICKINS, Secretary."

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighth of March, one thousand eight hundred and fifty-nine, accept, ratify, and confirm the said treaty.

In testimony whereof, I have hereunto caused the seal of the United States to be affixed, and have signed the same with my hand.

Done at the city of Washington, this eighteenth day of April, in the year of our Lord one thousand eight hundred and fifty-nine, and of the Independence of the United States, the eighty-third.

[Seal.]

JAMES BUCHANAN.

By the President:
LEWIS CASS, Secretary of State.

[October 17, 1855, 11 Stat. 657]

FRANKLIN PIERCE

PRESIDENT OF THE UNITED STATES OF AMERICA

To all persons to whom these presents shall come, greeting:

WHEREAS, a treaty was made and concluded at the council ground on the Upper Missouri, near the mouth of the Judith River, in the territory of Nebraska, on the seventeenth day of October, in the year one thousand eight hundred and fifty-five, between A. Cumming and Isaac I. Stevens, commissioners on the part of the United States, and the Blackfoot and other tribes of Indians, which treaty is in the words and figures following, to wit:--

Articles of agreement and convention made and concluded at the council ground on the Upper Missouri, near the mouth of the Judith River, in the territory of Nebraska, this seventeenth day of October, in the year one thousand eight hundred and fifty-five, by and between A. Cumming and Isaac I. Stevens, commissioners duly appointed and authorized, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the following nations and tribes of Indians, who occupy, for the purposes of hunting, the territory on the Upper Missouri and Yellow Stone Rivers, and who have permanent homes as follows: East of the Rocky Mountains, the Blackfoot nation; consisting of the Piegan, Blood, Blackfoot, and Gros Ventres tribes of Indians. West of the Rocky Mountains, the Flathead nation; consisting of the Flathead, Upper Pend d'Oreille, and Kootenay tribes of Indians, and the Nez Perce tribe of Indians, the said chiefs, headmen and delegates, in behalf of and acting for said nations and tribes, and being duly authorized thereto by them.

ARTICLE 1. Peace, friendship and amity shall hereafter exist between the United States and the aforesaid nations and tribes of Indians, parties to this treaty, and the same shall be perpetual.

ARTICLE 2. The aforesaid nations and tribes of Indians, parties to this treaty, do hereby jointly and severally covenant that peaceful relations shall likewise be maintained among themselves in future; and that they will abstain from all hostilities whatsoever against each other, and cultivate mutual good-will and friendship. And the nations and tribes aforesaid do furthermore jointly and severally covenant, that peaceful relations shall be maintained with and that they will abstain from all hostilities whatsoever, excepting in self-defence, against the following named nations and tribes of Indians, to wit: the Crows, Assineboins, Crees, Snakes, Blackfeet, Sans Arce, and Aunce-pa-pas bands of Sioux, and all other neighboring nations and tribes of Indians.

ARTICLE 3. The Blackfoot nation consent and agree that all that portion of the country recognized and defined by the treaty of Laramie as Blackfoot territory, lying within lines drawn from the Hell Gate or Medicine Rock Passes in the main range of the Rocky Mountains, in an easterly direction to the nearest source of the Muscle Shell River, thence to the mouth of Twenty-five Yard Creek, thence up the Yellow Stone River to its northern source, and thence along the main range of the Rocky Mountains, in a northerly direction, to the point of beginning, shall be a common hunting-ground for ninety-nine years, where all the nations, tribes and bands of Indians, parties to this treaty, may enjoy equal and uninterrupted privileges of hunting, fishing and gathering fruit, grazing animals, curing meat and dressing robes. They further agree that they will not establish villages, or in any other way exercise exclusive rights within ten miles of the northern line of the common hunting-ground, and that the parties to this treaty may hunt on said northern boundary line and within ten miles thereof.

Provided, That the western Indians, parties to this treaty, may hunt on the trail leading down the Muscle Shell to the Yellow Stone; the Muscle Shell River being the boundary separating the Blackfoot from the Crow Territory.

And provided, That no nation, band or tribe of Indians parties to this treaty, nor any other Indians, shall be permitted to establish permanent settlements, or in any other way exercise, during the period above mentioned, exclusive rights or privileges within the limits of the above-described hunting-ground.

And provided further, That the rights of the western Indians to a whole or a part of the common hunting-ground, derived from occupancy and possession, shall not be affected by this article, except so far as said rights may be determined by the treaty of Laramie.

ARTICLE 4. The parties to this treaty agree and consent, that the tract of country lying within lines drawn from the Hell Gate or Medicine Rock Passes, in an easterly direction, to the nearest source of the Muscle Shell River, thence down said river to its mouth, thence down the channel of the Missouri River to the mouth of Milk River, thence due north to the forty-ninth parallel, thence due west on said parallel to the main range of the Rocky Mountains, and thence southerly along said range to the place of beginning, shall be the territory of the Blackfoot nation, over which said nation shall exercise exclusive control, excepting as may be otherwise provided in this treaty. Subject, however, to the provisions of the third article of this treaty, giving the right to hunt, and prohibiting the establishment of permanent villages and the exercise of any exclusive rights within ten miles of the northern line of the common hunting-ground, drawn from the nearest source of the Muscle Shell River to the Medicine Rock Passes, for the period of ninety-nine years.

Provided also, That the Assiniboins shall have the right of hunting, in common with the Blackfeet, in the country lying between the aforesaid eastern boundary line, running from the mouth of Milk River to the forty-ninth parallel, and a line drawn from the left bank of the Missouri River, opposite the Round Butte north, to the forty-ninth parallel.

ARTICLE 5. The parties to this treaty, residing west of the main range of the Rocky Mountains, agree and consent that they will not enter the common hunting-ground, nor any part of the Blackfoot Territory, or return home, by any pass in the main range of the Rocky Mountains to the north of the Hell Gate or Medicine Rock Passes. And they further agree that they will not hunt or otherwise disturb the game, when visiting the Blackfoot Territory for trade or social intercourse.

ARTICLE 6. The aforesaid nations and tribes of Indians, parties to this treaty, agree and consent to remain within their own respective countries except when going to or from, or whilst hunting upon, the "common hunting-ground," or when visiting each other for the purpose of trade or social intercourse.

ARTICLE 7. The aforesaid nations and tribes of Indians agree that citizens of the United States may live in and pass unmolested through the countries respectively occupied and claimed by them. And the United States is hereby bound to protect said Indians against depredations and other unlawful acts which white men residing in or passing through their country may commit.

ARTICLE 8. For the purpose of establishing travelling thoroughfares through their country, and the better to enable the President to execute the provisions of this treaty, the aforesaid nations and tribes do hereby consent and agree, that the United States may, within the country respectively occupied and claimed by them, construct roads of every description; establish lines of telegraph and military posts; use materials of every description found in the Indian country; build houses for agencies, missions, schools, farms, shops, mills, stations, and for any other purpose for which they may be required, and permanently occupy as much land as may be necessary for the various purposes above enumerated, including the use of wood for fuel and land for grazing, and that the navigation of all lakes and streams shall be forever free to citizens of the United States.

ARTICLE 9. In consideration of the foregoing agreements, stipulations, and cessions, and on condition of their faithful observance, the United States agree to expend, annually, for the Piegan, Blood, Blackfoot, and Gros Ventre tribes of Indians, constituting the Blackfoot nation, in addition to the goods and provisions distributed at the time of signing this treaty, twenty thousand dollars, annually, for ten years, to be expended in such useful goods and provisions, and other articles, as the President, at his discretion, may from time to time determine; and the superintendent, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto: Provided, however, That if, in the judgment of the President and Senate, this amount be deemed insufficient, it may be increased not to exceed the sum of thirty-five thousand dollars per year.

ARTICLE 10. The United States further agree to expend annually, for the benefit of the aforesaid tribes of the Blackfoot nation, a sum not exceeding fifteen thousand dollars annually, for ten years, in establishing and instructing them in agricultural and mechanical pursuits, and in educating their children, and in any other respect promoting their civilization and christianization: Provided, however, That to accomplish the objects of this article, the President may, at his discretion, apply any or all the annuities provided for in this treaty: And provided, also, That the President may, at his discretion, determine in what proportions the said annuities shall be divided among the several tribes.

ARTICLE 11. The aforesaid tribes acknowledge their dependence on the government of the United States, and promise to be friendly with all citizens thereof, and to commit no depredations or other violence upon such citizens. And should any one or more violate this pledge, and the fact be proved to the satisfaction of the President, the property taken shall be returned, or, in default thereof, or if injured or destroyed, compensation may be made by the government out of the annuities. The aforesaid tribes are hereby bound to deliver such offenders to the proper authorities for trial and punishment, and are held responsible in their tribal capacity, to make reparation for depredations so committed.

Nor will they make war upon any other tribes, except in self-defence, but will submit all matters of difference between themselves and other Indians to the government of the United States, through its agent, for adjustment, and will abide thereby. And if any of the said Indians, parties to this treaty, commit depredations on any other Indians within the jurisdiction of the United States, the same rule shall prevail as that prescribed in this article in case of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE 12. It is agreed and understood, by and between the parties to this treaty, that if any nation or tribe of Indians aforesaid, shall violate any of the agreements, obligations, or stipulations, herein contained, the United States may withhold for such length of time as the President and Congress may determine, any portion or all of the annuities agreed to be paid to said nation or tribe under the ninth and tenth articles of this treaty.

ARTICLE 13. The nations and tribes of Indians, parties to this treaty, desire to exclude from their country the use of ardent spirits or other intoxicating liquor, and to prevent their people from drinking the same. Therefore it is provided, that any Indian belonging to said tribes who is guilty of bringing such liquor into the Indian country, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her, for such time as the President may determine.

ARTICLE 14. The aforesaid nations and tribes of Indians, west of the Rocky Mountains, parties to this treaty, do agree, in consideration of the provisions already made for them in existing treaties, to accept the guarantees of the peaceful occupation of their hunting-grounds, east of the Rocky Mountains, and of remuneration for depredations made by the other tribes, pledged to be secured to them in this treaty out of the annuities of said tribes, in full compensation for the concessions which they, in common with the said tribes, have made in this treaty.

The Indians east of the Mountains, parties to this treaty, likewise recognize and accept the guarantees of this treaty, in full compensation for the injuries or depredations which have been, or may be committed by the aforesaid tribes, west of the Rocky Mountains.

ARTICLE 15. The annuities of the aforesaid tribes shall not be taken to pay the debts of individuals.

ARTICLE 16. This treaty shall be obligatory upon the aforesaid nations and tribes of Indians, parties hereto, from the date hereof, and upon the United States as soon as the same shall be ratified by the President and Senate.

In testimony whereof the said A. Cumming and Isaac I. Stevens, commissioners on the part of the United States, and the undersigned chiefs, headmen, and delegates of the aforesaid nations and tribes of Indians, parties to this treaty, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

A. CUMMING. [L.S.]
ISAAC I. STEVENS. [L.S.]

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Piegans

NEE-TI-NEE, or "the only chief," now called the Lame Bull, his x mark. [L.S.]
MOUNTAIN CHIEF, his x mark. [L.S.]
LOW HORN, his x mark. [L.S.]
LITTLE GRAY HEAD, his x mark. [L.S.]
LITTLE DOG, his x mark. [L.S.]
BIG SNAKE, his x mark. [L.S.]
THE SKUNK, his x mark. [L.S.]
THE BAD HEAD, his x mark. [L.S.]
KITCH-EEPONE-ISTAH, his x mark. [L.S.]
MIDDLE SITTER, his x mark. [L.S.]

Bloods

ONIS-TAY-SAY-NAH-QUE-IM, his x mark. [L.S.]
THE FATHER OF ALL CHILDREN, his x mark. [L.S.]
THE BULL'S BACK FAT, his x mark. [L.S.]
HEAVY SHIELD, his x mark. [L.S.]
NAH-TOSE-ONISTAH, his x mark. [L.S.]
THE CALF SHIRT, his x mark. [L.S.]

Gros Ventres

BEAR'S SHIRT, his x mark. [L.S.]
LITTLE SOLDIER, his x mark. [L.S.]
STAR ROBE, his x mark. [L.S.]

SITTING SQUAW,	his x mark.	[L.S.]
WEASEL HORSE,	his x mark.	[L.S.]
THE RIDER,	his x mark.	[L.S.]
EAGLE CHIEF,	his x mark.	[L.S.]
HEAP OF BEARS,	his x mark.	[L.S.]

Blackfeet

THE THREE BULLS,	his x mark.	[L.S.]
THE OLD KOOTOMAIS,	his x mark.	[L.S.]
POW-AH-AUE,	his x mark.	[L.S.]
CHIEF RABBIT RUNNER,	his x mark.	[L.S.]

Nez Perces

SPOTTED EAGLE,	his x mark.	[L.S.]
LOOKING GLASS,	his x mark.	[L.S.]
THE THREE FEATHERS,	his x mark.	[L.S.]
EAGLE FROM THE LIGHT,	his x mark.	[L.S.]
THE LONE BIRD,	his x mark.	[L.S.]
IP-SHUN-NEE-WUS,	his x mark.	[L.S.]
JASON,	his x mark.	[L.S.]
WAT-TI-WAT-TI-WE-HINCK,	his x mark.	[L.S.]
WHITE BIRD,	his x mark.	[L.S.]
STABBING MAN,	his x mark.	[L.S.]
JESSE,	his x mark.	[L.S.]
PLENTY BEARS,	his x mark.	[L.S.]

Flathead Nation

VICTOR,	his x mark.	[L.S.]
ALEXANDER,	his x mark.	[L.S.]
MOSES,	his x mark.	[L.S.]
BIG CANOE,	his x mark.	[L.S.]
AMBROSE,	his x mark.	[L.S.]
KOOTLE-CHA,	his x mark.	[L.S.]
MICHELLE,	his x mark.	[L.S.]
FRANCIS,	his x mark.	[L.S.]
VINCENT,	his x mark.	[L.S.]
ANDREW,	his x mark.	[L.S.]
ADOLPHE,	his x mark.	[L.S.]
THUNDER,	his x mark.	[L.S.]

Piegans

RUNNING RABBIT,	his x mark.	[L.S.]
CHIEF BEAR,	his x mark.	[L.S.]
THE LITTLE WHITE BUFFALO,	his x mark.	[L.S.]
THE BIG STRAW,	his x mark.	[L.S.]

Flathead

BEAR TRACK, his x mark. [L.S.]
LITTLE MICHELLE, his x mark. [L.S.]
PLACHINAH, his x mark. [L.S.]

Bloods

THE FEATHER, his x mark. [L.S.]
THE WHITE EAGLE, his x mark. [L.S.]

Executed in presence of--

JAMES DOTY, Secretary.
ALFRED J. VAUGHAN, Jr.
E. ALW. HATCH, Agent for Blackfeet.
THOMAS ADAMS, Special Agent Flathead Nation.
R. H. LANSDALE, Indian Agent Flathead Nation.
W. H. TAPPAN, Sub-Agent for the Nez Perces.
JAMES BIRD,)
A. CULBERTSON,)- Blackfoot Interpreters.
BENJ. DEROCHE,)
BENJ. KISER, his x mark,)- Flathead Interpreters.
Witness, JAMES DOTY,)
GUSTAVUS SOHON,)
W. CRAIG,)
DELAWARE JIM, his x mark,)- Nez Perce Interpreters.
Witness, JAMES DOTY)
A. CREE CHIEF, (BROKEN ARM,) his mark.
Witness, JAMES DOTY.
A. J. HOEEKEORSG,
JAMES CROKE,
E. S. WILSON,
A. C. JACKSON,
CHARLES SHUCETTE, his x mark.
CHRIST. P. HIGGINS,
A. H. ROBIE,
S. S. FORD, Jr.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fifteenth day of April, eighteen hundred and fifty-six, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,

April 15, 1856.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made and concluded between the United States and the Blackfeet and other tribes of Indians, at the council ground on the Upper Missouri River, October seventeenth, eighteen hundred and fifty-five.

Attest: ASBURY DICKINS, Secretary.

Now, therefore, be it known, that I, FRANKLIN PIERCE, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the fifteenth day of April, one thousand eight hundred and fifty-six, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

[L.S.] Done at the city of Washington, this twenty-fifth day of April, A.D. one thousand eight hundred and fifty-six, and of the independence of the United States the eightieth.

FRANKLIN PIERCE.

By the President:

W. L. MARCY, Secretary of State.

EXECUTIVE ORDERS

Executive Orders

[1 Kapp. 854]

EXECUTIVE MANSION, November 14, 1871.

The Bitter Root Valley, above the Loo-lo Fork, in the Territory of Montana, having been carefully surveyed and examined in accordance with the eleventh article of the treaty of July 16, 1855, concluded at Hell Gate, in the Bitter Root Valley, between the United States and the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, which was ratified by the Senate March 8, 1859, has proved, in the judgment of the President, not to be better adapted to the wants of the Flathead Tribe than the general reservation provided for in said treaty; it is therefore deemed unnecessary to set apart any portion of said Bitter Root Valley as a separate reservation for Indians referred to in said treaty. It is therefore ordered and directed that all Indians residing in said Bitter Root Valley be removed as soon as parcticable to the reservation provided for in the second article of said treaty, and that a just and impartial appraisement be made of any substantial improvements made by said Indians upon any lands of the Bitter Root Valley, such as fields inclosed and cultivated and houses erected; that such appraisement shall distinguish between improvements made before the date of said treaty and such as have been subsequently made.

It is further ordered that, after the removal herein directed shall have been made, the Bitter Root Valley aforesaid shall be open to settlement.

It is further ordered that if any of said Indians residing in the Bitter Root Valley desire to become citizens and reside upon the lands which they now occupy, not exceeding in quantity what is allowed under the homestead and preemption laws to all citizens, such persons shall be permitted to remain in said valley upon making known to the superintendent of Indian affairs for Montana Territory by the 1st day of January, 1873, their intention to comply with these conditions.

U. S. GRANT.

[3 Kapp. 679]

FLATHEAD RESERVATION

Whereas it is believed that the following-described land, to wit:

Lot three of section two, in township twenty-two north, of range twenty-four west, of the Montana meridian, in the State of Montana, is a natural and prospective center of population:

Now, therefore, I, William Howard Taft, President of the United States of America, by virtue of the power in me vested by the act of Congress entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," approved April 23, 1904 (33 Stats., 302), and by sections 2380 and 2381 of the Revised Statutes of the United States, do hereby declare and make known that the land above described is hereby reserved as a town site, to be disposed of by the United States under the terms of the statutes applicable thereto.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this fifteenth day of February, in the year of our Lord one thousand nine hundred and twelve, and of the independence of the United States the one hundred and thirty-sixth.

[Seal.] Wm. H. Taft

By the President:
HUNTINGTON WILSON,
Acting Secretary of State.

THE WHITE HOUSE, April 13, 1912.

It is ordered that the NE. 1/4 of the SW. 1/4 of sec. 31, T. 19 N., R. 23 W., M.P.M., in the Flathead Indian Reservation, Montana, be, and the same is hereby, withdrawn from settlement, location, sale, and entry, and reserved for examination and classification, subject to all of the provisions, limitations, exceptions, and conditions contained in the act of June 25, 1910 (36 Stat., 847).

Wm. H. Taft.

[January 14, 1913, 4 Kapp. 1026]

FLATHEAD

It is hereby ordered that the SE. 1/4 of the SW. 1/4 of section 9, township 18 north, range 21 west, Montana meridian, containing 40 acres, be, and the same is hereby, withdrawn from entry and set apart for administrative purposes in connection with the affairs of the Flathead Indians in the State of Montana: Provided, however, That this withdrawal shall not affect the valid prior rights of any persons to the lands described.

Wm. H. Taft.

THE WHITE HOUSE, Jany. 14, 1913.

[April 13, 1912, 3 Kapp. 679]

DISPOSAL OF LANDS IN THE FLATHEAD INDIAN RESERVATION, STATE OF MONTANA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION.

Whereas it is believed that the following-described land, to wit:

Lot 3 of sec. 2, in T. 22 N., R.24 W., of the Montana meridian, in the State of Montana, is a natural and prospective center of population:

Now, therefore, I, William Howard Taft, President of the United States of America, by virtue of the power in me vested by the act of Congress entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation in the State of Montana, and the sale and disposal of all surplus lands after allotment," approved April 23, 1904 (33 Stats., 302), and by sections 2380 and 2381 of the Revised Statutes of the United States, do hereby declare and make known that the land above described is hereby reserved as a town site, to be disposed of by the United States under the terms of the statutes applicable thereto.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this fifteenth day of February, in the year of our Lord one thousand nine hundred and twelve, and of

the independence of the United States the one hundred and thirty-sixth.
[Seal]
Wm. H. Taft.

By the President:
HUNTINGTON WILSON, Acting Secretary of State.
(No. 1182)

[April 13, 1912, 3 Kapp. 680]

It is ordered, That the NE. 1/4 of the SW. 1/4 of sec. 31, T. 19 N., R. 23 W., Montana principal meridian, in the Flathead Indian Reservation, Mont., be, and the same is hereby, withdrawn from settlement, location, sale, and entry, and reserved for examination and classification, subject to all of the provisions, limitations, exceptions, and conditions contained in the act of June 25, 1910 (36 Stats., 847).

Wm. H. Taft.

THE WHITE HOUSE, April 13, 1912.
(No. 1518.)

[November 23, 1932 5 Kapp. 642]

EXTENSION OF TRUST PERIOD ON INDIAN RESERVATION ALLOTMENTS

It is hereby ordered, under authority contained in section 5 of the act of February 8, 1887 (24 Stat. 388, 389), and the act of June 21, 1906 (34 Stat. 325, 326), that the period of trust covering allotments made in favor of Indians on the following-named reservations, or on other reservations not specifically named herein, which trust will expire during the calendar year 1933, be, and the same is hereby, extended for a period of 10 years from the respective dates of expiration thereof:

Round Valley Reservations, Calif.
White Earth Reservation, Minn.
Flathead Reservation, Mont.
Santee Reservation, Nebr.
Devils Lake and Standing Rock Reservations, N. Dak.
Kiowa Reservation, Okla.
Pine Ridge Reservation, S. Dak.
Shoshone or Wind River Reservation, Wyo.

HERBERT HOOVER.

THE WHITE HOUSE, November 23, 1932.

[No. 5953]

NOTE: The Flathead Indian Tribe have accepted the provisions of the Indian Reorganization Act, 48 Stat. 984, which extend indefinitely the trust status of the Reservation lands.

PROCLAMATIONS

PROCLAMATIONS

[May 22, 1909, 3 Kapp.655]

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

I, William H. Taft, President of the United States of America, by virtue of the power and authority vested in me by the Acts of Congress hereinafter named, do hereby prescribe, proclaim and make known that all the nonmineral, unreserved lands classified as agricultural lands of the first class, agricultural lands of the second class and grazing lands within the Flathead Indian Reservation in the State of Montana under the Act of Congress approved April 23, 1904 (33 Stat. L., 302), which have not been withdrawn under the Act of Congress approved June 17, 1902 (32 Stat. L., 388); all the nonmineral unreserved lands classified as agricultural lands within the Spokane Indian Reservation in the State of Washington under the Act of Congress approved May 29, 1908 (35 Stat. L., 458); and all the nonmineral, unreserved lands classified as agricultural lands, grazing lands and timbered lands in the Coeur d'Alene Indian Reservation in the State of Idaho under the Act of Congress approved June 21, 1906 (34 Stat. L., 335), shall be disposed of under the provisions of the homestead laws of the United States and said Acts of Congress and be opened to settlement and entry in the following manner and not otherwise:

1. All persons qualified to make a homestead entry may, on and after the fifteenth day of July and prior to and including the fifth day of August, 1909, but not theretofore or thereafter, present to James W. Witten, Superintendent of the Opening, at the City of Coeur d'Alene in the State of Idaho, by ordinary mail, but not in person or by registered mail or otherwise, sealed envelopes containing their applications for registration for lands in any or all of said Reservations, but no envelope should contain more than one application and no person should present more than one application for lands in the same Reservation.

2. All applications for registration must be on forms furnished by the General Land Office and they must show the name, post office address, age, height and weight of the applicant and be sworn to by him on or after July 15 and prior to and including August 5, 1909, before some notary public designated by said Superintendent.

3. Applications for registration must be sworn to at the following places and not elsewhere. Applications for Flathead lands must be sworn to at either Kalispell or Missoula, Montana, for Spokane lands at Spokane, Washington, and for Coeur d'Alene lands at Coeur d'Alene, Idaho.

4. Persons who are honorably discharged after ninety days service in the army or navy of the United States, during the War of the Rebellion, the Spanish-American War or the Philippine Insurrection, or their widows or minor orphan children, may present their applications for registration, either in person or through their duly appointed agents, but no person can act as agent for more than one such applicant and all applications presented by agents must be signed, sworn to and presented by them at the same places and in the same manner in which other applicants are required to present their applications.

5. Beginning at ten o'clock a.m. on August 9, 1909, at the City of Coeur d'Alene in the State of Idaho and continuing thereafter from day to day, Sundays excepted, as long as may be necessary, there shall be impartially taken and selected indiscriminately from the whole number of envelopes so presented such number thereof as may be necessary to carry into effect the provisions of this Proclamation, and the applications for registration contained in the envelopes so selected shall, when correct in form and execution, be numbered serially in the order in which they are selected, beginning with number one for the lands within each of said Reservations, and the numbers thus assigned shall fix and control the order in which the persons named therein may make entry after the lands shall become subject to entry.

6. A list of the successful applicants, showing the number assigned to each of them, will be conspicuously posted and furnished to the press for publication as a matter of news, and a proper notice will be promptly mailed to each person to whom a number is assigned.

7. Beginning at nine o'clock a. m. on April 1, 1910, and continuing thereafter on such dates as may be fixed by the Secretary of the Interior, persons holding numbers assigned to them under this Proclamation will be permitted to present their applications to enter (or file their declaratory statements in cases where they are entitled to file declaratory statements) at the land office for any land district in which their numbers entitle them to make entry, in the order in which their applications for registration were selected and numbered, but no person can present more than one application to enter or file more than one declaratory statement.

8. If any person fails to apply to enter, or to file a declaratory statement if he is entitled to do so, on the day assigned him for that purpose, or if he presents more than one application for registration for lands within the same Reservation, or presents an application in any other than his true name, he will forfeit his right to make entry or filing under this Proclamation.

9. None of the lands opened to entry under this Proclamation shall become subject to settlement or entry prior to the first day of September, 1910, except in the manner prescribed herein; and all persons are admonished not to make any settlement prior to that date on lands not covered by entries or filings made by them under this Proclamation. On September 1, 1910, all of said lands which have not then been entered under this Proclamation will become subject to settlement and entry under the general provisions of the homestead laws and the said Acts of Congress.

10. The Secretary of the Interior shall make and prescribe such rules and regulations as may be necessary and proper to carry this Proclamation and the said Acts of Congress into full force and effect.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 22nd day of May in the
[Seal.] year of our Lord one thousand nine hundred and nine and of the Independence of the United States the one hundred and thirty-third.

Wm. H. Taft

By the President:
P C Knox
Secretary of State

[February 15, 1912, 3 Kapp. 663]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, it is believed that the following described land, to wit:

Lot three of section two, in township twenty-two north, of range twenty-four west, of the Montana Meridian, in the State of Montana, is a natural and prospective center of population:

NOW THEREFORE, I, WILLIAM HOWARD TAFT, President of the United States of America, by virtue of the power in me vested by the Act of Congress entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation in the State of Montana, and the sale and disposal of all surplus lands after allotment", approved April 23, 1904 (33 Stats. 302), and by sections 2380 and 2381 of the Revised Statutes of the United States, do hereby declare and make known that the land above described is hereby reserved as a townsite, to be disposed of by the United States under the terms of the Statutes applicable thereto.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this fifteenth day of February, in the year of our Lord one thousand nine hundred and twelve, and of the independence of the United States the one hundred and thirty-sixth.

[Seal]

Wm H Taft

By the President:
HUNTINGTON WILSON
Acting Secretary of State.

SPECIAL STATUTES

[June 5, 1872, 17 Stat. 226]

CHAP. CCCVIII.—An Act to provide for the Removal of the Flathead and other Indians from the Bitter Root Valley, in the Territory of Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the President, as soon as practicable, to remove the Flathead Indians, (whether of full or mixed bloods,) and all other Indians connected with said tribe, and recognized as members thereof, from Bitter Root valley in the Territory of Montana, to the general reservation in said Territory, (commonly known as the Jocko reservation,) which by a treaty concluded at Hell Gate, in the Bitter Root valley, July sixteenth, eighteen hundred and fifty-five, and ratified by the Senate March eighth, eighteen hundred and fifty-nine, between the United States and the confederated tribes of Flathead, Kootenai, and Pend d'Oreille Indians was set apart and reserved for the use and occupation of said confederated tribes.

Sec. 2. That as soon as practicable after the passage of this act, the surveyor-general of Montana Territory shall cause to be surveyed, as other public lands of the United States are surveyed, the lands in the Bitter Root valley lying above the Lo-Lo fork of the Bitter Root river; and said lands shall be open to settlement, and shall be sold in legal subdivisions to actual settlers only, the same being citizens of the United States, or having duly declared their intention to become such citizens, said settlers being heads of families, or over twenty-one years of age, in quantities not exceeding one hundred and sixty acres to each settler, at the price of one dollar and twenty-five cents per acre, payment to be made in cash within twenty-one months from the date of settlement, or of the passage of this act. The sixteenth and thirty-sixth sections of said lands shall be reserved for school purposes in the manner provided by law. Town-sites in said valley may be reserved and entered as provided by law: Provided, That no more than fifteen townships of the lands so surveyed shall be deemed to be subject to the provisions of this act: And provided further, That none of the lands in said valley above the Lo-Lo fork shall be open to settlement under the homestead and preemption laws of the United States. An account shall be kept by the Secretary of the Interior of the proceeds of said lands, and out of the first moneys arising therefrom there shall be reserved and set apart for the use of said Indians the sum of fifty thousand dollars, to be by the President expended, in annual installments, in such manner as in his judgment shall be for the best good of said Indians, but no more than five thousand dollars shall be expended in any one year.

Sec. 3. That any of said Indians, being the head of a family, or twenty-one years of age, who shall, at the passage of this act, be actually residing upon and cultivating any portion of said lands, shall be permitted to remain in said valley and pre-empt without cost the land so occupied and cultivated, not exceeding in amount one hundred and sixty acres for each of such Indians, for which he shall receive a patent without power of alienation: *Provided*, That such Indian shall, prior to August first, eighteen hundred and seventy-two, notify the superintendent of Indian affairs for Montana Territory that he abandons his tribal relations with said tribe, and intends to remain in said valley: *And provided further*, That said superintendent shall have given such Indian at least one month's notice prior to the date last above mentioned of the provisions of this act and of his right so to remain as provided in this section of this act.

Sec. 4. That in case John Owen, an actual settler in said valley, above the Lo-Lo fork, shall come within the provisions of the act of Congress of September twenty-seventh, eighteen hundred and fifty, entitled "An act to create the office of surveyor-general of the public lands in Oregon, and to provide for the survey, and to make donations to settlers of the said public lands" and the acts amendatory thereof, he shall be permitted to establish such fact in the land-office in the said Territory of Montana, and, upon proof of compliance with the provisions of said act or acts, shall be permitted to obtain title, in the manner provided therein, to such quantity of land as he may be entitled to under the same. All disputes as to title to any lands mentioned in this act shall be decided according to the rules governing the decision of disputes in ordinary cases under the pre-emption laws of the United States.

Amended Act 2/11/74, 18 Stat. 15, *infra* this page. Act 6/22/74, 18 Stat. at p.173, *post*, p.89; Act 3/2/89, § 7, 25 Stat.871, *post* p.20.

Approved, June 5, 1872.

[February 11, 1874, 18 Stat. 15]

CHAP. 25.—An act to amend the act entitled "An act to provide for the removal of the Flathead and other Indians from the Bitterroot Valley, in the Territory of Montana," approved June fifth, eighteen hundred and seventy-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time of sale and payment of pre-empted lands in the Bitterroot Valley, in the Territory of Montana, is hereby extended for the period of two years from the expiration of the time allotted in the act entitled "An act to provide for the removal of the Flathead and other Indians

rom the Bitterroot Valley, in the Territory of Montana," approved
ne fifth, eighteen hundred and seventy-two.

Sec. 2. That the benefit of the homestead act is hereby xtended to all the settlers on said lands who may desire to take dvantage of the same.

Approved, February 11, 1874

For Act 3/3/85, 23 Stat. 362, 363, 382, see p. 91, post, note 3.

[March 2, 1889, 25 Stat. 871]

CHAP. 391.--An act to provide for the sale of lands patented to certain members of the Flathead band of Indians in Montana Territory, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, with the consent of the Indians severally, to whom patents have been issued for lands assigned to them in the Bitter Root Valley, in Montana Territory, under the provisions of an act of Congress approved June fifth, eighteen hundred and seventy-two, entitled, "An act to provide for the removal of the Flathead and other Indians from the Bitter Root Valley, in the Territory of Montana" or the heirs at law of such Indians, be, and he hereby is, authorized to cause to be appraised and sold, in tracts not exceeding one hundred and sixty acres, all the lands allotted and patented to said Indians; said lands shall be appraised as if in a state of nature, but the enhanced value thereof, by virtue of the settlement and improvement of the surrounding country, shall be considered in ascertaining their value: *Provided*, That the improvements thereon shall be appraised separate and distinct from land: *Provided, further*, That where any such patentee has died leaving no heirs, the lands and improvements of such deceased patentee shall be appraised and sold in like manner for the common benefit of the tribe to which said patentee belonged.

Sec. 2. That after the appraisement herein authorized shall have been completed, and after due notice, the Secretary of the Interior shall offer said lands for sale through the proper land-office, in tracts not exceeding one hundred and sixty acres, which shall be the limit of the amount any one person shall be allowed to purchase, except in cases, if any, where a tract contains a fractional excess over one hundred and sixty acres to the highest bidder: *Provided*, That no portion of said lands shall be sold at less than the appraised value thereof: *Provided*, That the said Secretary may dispose of the same on the following terms as to payment, that is to say, one-third of the price of any tract of land sold under the provisions of this act to be paid by the purchaser on the day of sale, one third in one year, and one-third in two years from said date, with interest on the deferred payments at the rate of five per centum per annum; but in case of default in either of said payments, or the interest thereon, the person so defaulting for a period of sixty days shall forfeit absolutely the right to the tract which he has purchased, with any payment or payments he may have made; and the land thus forfeited shall again be sold as in the first instance: Provided further, That before the second or any subsequent payment shall be received, the purchaser shall prove to the satisfaction of the land office that he is actually residing upon the tract of land so purchased, and that he is entitled under the laws of United States to the benefit of the homestead laws.

Sec. 3. That the net proceeds derived from the sale of the lands herein authorized shall be placed in the Treasury to the credit of the Indians severally entitled thereto, and the Secretary of the Interior is hereby authorized to pay the same in cash to original allotters and patentees, or the heirs at law of such, or expend the same for their benefit in such manner as he may deem for their best interest.

Sec. 4. That when a purchaser shall have made full payment for a tract of land, as herein provided, and for the improvements thereon, patent shall be issued as in case of public lands under the homestead and preemption laws.

Sec. 5. That for the purpose of carrying out the provisions of this act there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of five hundred dollars, or so much thereof as may be necessary, which sum shall be reimbursed pro rata out of the proceeds of the sale of the lands herein authorized.

Sec. 6. That in the event of the sale of the lands herein authorized it shall be the duty of the Secretary of the Interior to remove the Indians whose lands shall have been sold to the general reservation, known as the Jocko Reservation, in the Territory of Montana.

Sec. 7. That all acts and parts of acts in conflict herewith are hereby repealed.

Approved, March 2, 1889.

Amended Act 7/1/98, 30 Stat. at p.596, post, p.93; Act 6/5/00, 31 Stat. at p.270, post, p.23.

[March 3, 1891, 26 Stat. 1091]

CHAP. 556.—An act granting to the Missoula and Northern Railroad Company the right of way through the Flathead Indian Reservation, in the State of Montana.

26 Stat.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right of way is hereby granted, as hereinafter set forth, to the Missoula and Northern Railroad Company, a corporation organized and existing under the laws of the State of Montana, for the construction, operation, and maintenance of its railroad through the lands set apart for the use of the Flathead Indians, commonly known as the Flathead Indian Reservation, said railroad line beginning at a point at or near the mouth of Jocko River, on the Northern Pacific Railroad, in the county of Missoula, State of Montana, and running thence by the most practicable route to the northern line of said State of Montana, and more particularly described, as far as extending through said Indian reservation, as beginning at or near the aforesaid mouth of Jocko River, and running thence in a northerly direction to the southerly end of Flathead Lake, and thence by the most practicable route, either to the east or west of said lake, in a northerly direction to the said northern boundary of Montana.

Sec. 2. That the right of way hereby granted to said railroad company shall be seventy-five feet in width on each side of the central line of said railroad as aforesaid, and said company shall also have the right to take from lands adjacent to the line of said road material, stone, earth, and timber necessary for the construction thereof; also ground adjacent to said right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed in amount three hundred feet in width and three thousand feet in length for each station, to the extent of one station for each ten miles of said road.

Sec. 3. That it shall be the duty of the Secretary of the Interior to agree with the Flathead and Confederated tribes on the compensation to be paid them for such right of way, and the time and manner for the payment thereof, but no right of way of any kind shall vest in said railroad company in or to any part of the right of way or station grounds herein provided for until plats thereof, made upon actual survey for the definite location of such road, and including the points for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, shall be filed with and approved by the Secretary of the Interior, which approval shall be made in writing and be open for the inspection of any party interested therein, and until the compensation agreed on has been paid; and the surveys, construction, and operation of such railroad shall be conducted with due regard for the rights of the Indians and in accordance with such rules and regulations as the Secretary of the Interior may make to carry out the provisions of this act: Provided, That the right of way herein granted shall be lost and forfeited by said company unless the road is constructed and in running order through said reservation within three years from the passage of this act: Provided further, That when said railroad shall have been constructed to the south end of said Flathead Lake said company may establish a temporary terminal station on the shore of said lake, on grounds not exceeding three thousand feet square, and, pending completion of said railroad, may utilize the waters of said Flathead Lake for transportation purposes.

Sec. 4. That Congress may at any time amend, alter, or repeal this act.

Approved, March 3, 1891.

For Act 7/13/92, 27 Stat. 138-139, authorizing negotiations, see post, p. 92, note 5.

[June 10, 1896, 29 Stat. 321, 341]

CHAP. 398.--An Act Making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, and for other purposes.

The Secretary of the Interior is hereby authorized to appoint a commission to consist of three persons, not more than two of whom shall be of the same political party, and not more than one of whom shall be resident of any one State, to negotiate with the following Indians, namely: With the Crow and Flathead Indians in the State of Montana for the cession of portions of their respective reservations; with the Northern Cheyenne and Crow Indians for the removal of said Northern Cheyenne Indians from their present reservation on the Rosebud River at Lame Deer Agency to the southern portion of the Crow Reservation; with the Indians residing on the Fort Hall Indian Reservation in the State of Idaho, and with the Indians residing upon the Uintah Reservation in the State of Utah, for the surrender of any portion of their respective reservations, or for such modification of existing treaties as may be deemed desirable by said Indians and the Secretary of the Interior; and with the Yakima Indians in the State of Washington for the surrender of a portion of their reservation lands, and for such modification of existing treaties as may be deemed desirable by said Indians and the Secretary of the Interior, any agreement thus negotiated being subject to subsequent ratification by Congress; and for the expenses of such commission and negotiations hereunder the sum of ten thousand dollars is appropriated: Provided, That the time for the completion of the canal, or any part thereof, authorized by an Act entitled "An Act granting to the Columbia Irrigation Company a right of way through the Yakima Indian Reservation, in Washington," be, and is hereby, extended two years from July twenty-fourth, eighteen hundred and ninety-six.

For Act July 1, 1898, 30 Stat. 571, 596, reappraisal of unsold tracts, see p. 93, post, note 6.

[June 5, 1900, 31 Stat. 267, 270]

CHAP. 716.--An Act For the relief of the Colorado Cooperative Colony; to permit second homesteads in certain cases, and for other purposes.

* * *

SEC. 3. That any person who prior to the passage of this Act, has made entry under the homestead laws, but from any cause has lost or forfeited the same shall be entitled to the benefits of the homestead laws as though such former entry had not been made: Provided, That persons who purchased land under and in accordance with the terms of an Act entitled "An Act to provide for the sale of lands patented to certain members of the Flathead band of Indians in the Territory of Montana, and for other purposes," approved March second, eighteen hundred and eighty-nine, shall not be held to have impaired or exhausted their homestead rights by or on account of any such purchase.

Approved, June 5, 1900.

[April 23, 1904, 33 Stat. 302]

CHAP. 1495.--An Act For the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be and he is hereby, directed to immediately cause to be surveyed all of the Flathead Indian Reservation, situated within the State of Montana, the same being particularly described and set forth in article two of a certain treaty entered into by and between Isaac H. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, on the part of the United States, and the chiefs, headmen, and delegates of the confederated tribes of the Flathead, Kootenai, and Upper Pend d'Oreille Indians, on the sixteenth day of July, eighteen hundred and fifty-five.

Sec. 2. That so soon as all of the lands embraced within said Flathead Indian Reservation shall have been surveyed, the Commissioner of Indian Affairs shall cause allotments of the same to be made to all persons having tribal rights with said confederated tribes of Flatheads, Kootenais, Upper Pend d'Oreille, and such other Indians and persons holding tribal relations as may rightfully belong on said Flathead Indian Reservation, including the Lower Pend d'Oreille or Kalispel Indians now on the reservation, under the provisions of the allotment laws of the United States.

Sec. 3. That upon the final completion of said allotments to said Indians, the President of the United States shall appoint a commission consisting of five persons to inspect, appraise, and value all of the said lands that shall not have been allotted in severalty to said Indians, the said persons so constituting said commission to be as follows: Two of said connissioners so named by the President shall be two persons now holding tribal relations with said Indians--the same may be designated to the President by the chiefs and headmen of said confederated tribes of Indians, two of said commissioners shall be resident citizens of the State of Montana, and one of said commissioners shall be a United States special Indian agent or Indian inspector of the Interior Department.

Sec. 4. That within thirty days after their appointment said commission shall meet at some point within the boundaries of said Flathead Indian Reservation and organize by the election of one of their number as chairman. Said commission is hereby empowered to select a clerk at a salary not to exceed seven dollars per day.

Sec. 5. That said commissioners shall then proceed to personally inspect and classify and appraise, by the smallest legal subdivisions of forty acres each, all of the remaining lands embraced within said reservation. In making such classification and appraisement said lands shall be divided into the following clases: First, agricultural land of the first class; second, agricultural land of the second class; third, timber lands, the same to be lands more valuable for their timber than for any other purpose; fourth, mineral lands; and fifth, grazing lands. [Further classification Act 6/25/10, 36 Stat. at p.863, post pp. 39-40.]

Sec. 6. That said commission shall in their report of lands of the third class determine as nearly as possible the amount of standing saw timber on legal subdivisions thereof and fix a minimum price for the value thereof, and in determining the amount of merchantable timber growing thereon they shall be empowered to employ a timber cruiser, at a salary of not more than eight dollars per day while so actually employed, with such assistants as may be necessary, at a salary not to exceed six dollars per day while so actually employed. Mineral lands shall not be appraised as to value.

33 Stat.

Sec. 7. That said commissioners, excepting said special agent and inspector of the Interior Department, shall be paid a salary of not to exceed ten dollars per day each while actually employed in the inspection and classification of said lands; such inspection and classification to be fully completed within one year from date of the organization of said commission.

Sec. 8. That when said commission shall have completed the classification and appraisement of all of said lands and the same shall have been approved by the Secretary of the Interior, the land shall be disposed of under the general provisions of the homestead, mineral, and town-site laws of the United States, except such of said lands as shall have been classified as timber lands, and excepting sections sixteen and thirty-six of each township, which are hereby granted to the State of Montana for school purposes. And in case either of said sections or parts thereof is lost to the said State of Montana by reason of allotments thereof to any Indian or Indians now holding the same, or otherwise, the governor of said State, with the approval of the Secretary of the Interior, is hereby authorized, in the tract under consideration, to locate other lands not occupied, not exceeding two sections in any one township, and such selections shall be made prior to the opening of such lands to settlement: *Provided*, That the United States shall pay to said Indians for the lands in said sections sixteen and thirty-six, or the lands selected in lieu thereof, the sum of one dollar and twenty-five cents per acre.

Sec. 9. That said lands shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the time when and the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in such proclamation: *Provided*, That the rights of honorably discharged Union soldiers and sailors of the late civil and Spanish wars, as defined and described in sections twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes, as amended by the act of March first, nineteen hundred and one, shall not be abridged: *Provided further*, That the price of said lands shall be the appraised value thereof, as fixed by the said commission, but settlers under the homestead law who shall reside upon and cultivate the land entered in good faith for the period required by existing law shall pay one-third of the appraised value in cash at the time of entry, and the remainder in five equal annual installments to be paid one, two, three, four, and five years, respectively, from and after the date of entry, and shall be entitled to a patent for the lands so entered upon the payment to the local land officers of said five annual payments, and in addition thereto the same fees and commissions at the time of commutation or final entry as now provided by law where the price of the land is one dollar and twenty-five cents per acre, and no other and further charge of any kind whatsoever shall be required of such settler to entitle him to a patent for the land covered by his entry: Provided, That if any entryman fails to make such payments, or any of them, within the time stated, all rights in and to the land covered by his or her entry shall at once cease, and any payments theretofore made shall be forfeited, and the entry shall be forfeited and canceled: And provided, That nothing in this act shall prevent homestead settlers from commuting their entries under section twenty-three hundred and one, Revised Statutes, by paying for the land entered the price fixed by said commission, receiving credit for payments previously made. [Amended Act of 5/29/1908, 35 Stat. at p.448, p.33 post; Act 5/18/16, 39 Stat. at p.139, post p.48.*]

Sec. 10. That only mineral entry may be made on such of said lands as said commission shall designate and classify as mineral under the general provisions of the mining laws of the United States, and mineral entry may also be made on any of said lands whether designated by said commission as mineral lands or otherwise, such classification by said commission being only prima facie evidence of the mineral or nonmineral character of the same: Provided, That no such mineral locations shall be permitted upon any lands alloted in severalty to an Indian.

Sec. 11. That all of said lands returned and classified by said commission as timber lands shall be sold and disposed of by the Secretary of the Interior under sealed bids to the highest bidder for cash or at public auction, as the Secretary of the Interior may determine, under such rules and regulations as he may prescribe. [Rewritten by Act of 3/3/09, 35 Stat. at p.795, post p.37.]

Sec. 12. That the President may reserve and except from said lands not to exceed nine hundred and sixty acres for Catholic mission schools, church, and hospital and such other eleemosynary institutions as may now be maintained by the Catholic Church on said reservation, which lands are hereby granted to those religious organizations of the Catholic Church now occupying the same, known as the Society of Jesus, the Sisters of Charity of Providence, and the Ursuline Nuns, and said lands to be granted in the following amounts, namely, to the Society of Jesus, six hundred and forty acres, to the Sisters of Charity of Providence, one hundred and sixty acres, and to the Ursuline Nuns, one hundred and sixty acres, such lands to be reserved and granted for the uses indicated only so long as the same are maintained and occupied by said organizations for the purposes indicated. The President is also authorized to reserve lands upon the same conditions and for similar purposes for any other missionary or religious societies that may make applications therefor within one year after the passage of this Act, in such quantity as he may deem proper. The President may also reserve such of said lands as may be convenient or necessary for the occupation and maintenance of any and all agency buildings, substations, mills, and other governmental

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* See also Act 4/30/08, 35 Stat. at pp.83-84, post, p.95; Act 3/3/09, 35 Stat. at p.795, post p.95; Act 8/24/12, 37 Stat. at p.526, post p.96.

33 Stat.

institutions now in use on said reservation or which may be used or occupied by the Government of the United States. [Amended and rewritten Act 3/3/05, 33 Stat. at p.1080, post p.28]

Sec. 13. That all of said lands classified as agricultural lands of the first class and agricultural lands of the second class and grazing lands that shall be opened to settlement under this Act remaining undisposed of at the expiration of five years from the taking effect of this Act shall be sold and disposed of to the highest bidder for cash, under rules and regulations to be prescribed by the Secretary of the Interior, at not less than their appraised value, and in tracts not to exceed six hundred and forty acres to any one person.

Sec. 14. That the proceeds received from the sale of said lands in conformity with this Act shall be paid into the Treasury of the United States, and after deducting the expenses of the commission, of classification and sale of lands, and such other incidental expenses as shall have been necessarily incurred, and expenses of the survey of the lands, shall be expended or paid, as follows: One-half shall be expended from time to time by the Secretary of the Interior as he may deem advisable for the benefit of the said Indians and such persons having tribal rights on the reservation, including the Lower Pend d'Oreille or Kalispel thereon at the time that this Act shall take effect, in the construction of irrigation ditches, the purchase of stock cattle, farming implements, or other necessary articles to aid the Indians in farming and stock raising, and in the education and civilization of said Indians, and the remaining half to be paid to the said Indians and such persons having tribal rights on the reservation, including the Lower Pend d'Oreille or Kalispel thereon at the date of the proclamation provided for in section nine hereof, or expended on their account, as they may elect. [Amended and rewritten Act 5/29/08, 35 Stat.448, post p.35. Proceeds, see amendments noted § 9 ante.]

Sec. 15. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to pay for the lands granted to the State of Montana and for lands reserved for agency, school, and mission purposes, as provided in sections eight and twelve of this Act, at the rate of one dollar and twenty-five cents per acre; also the sum of seventy-five thousand dollars, or so much thereof as may be necessary, the same to be reimbursable out of the funds arising from the sale of said lands to enable the Secretary of the Interior to survey the lands of said reservation as provided in section one of this Act.

Sec. 16. That nothing in this Act contained shall in any manner bind the United States to purchase any portion of the land herein described, except sections sixteen and thirty-six, or the equivalent, in each township, and the reserved tracts mentioned in section twelve, or to dispose of said land except as provided herein, or to guarantee to find purchasers for said lands or any portion thereof, it being the intention of this Act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received. [Amended by addition of §§17-20, Act of 6/21/06, 34 Stat. at p.354, p.30 post. Addition of §§ 21-22, Act 3/3/09, 35 Stat.795, post p.36. Addition of §§ 23-25, Act 4/12/10, 36 Stat.296, post p.38. Addition of Sec. 26, Act 2/28/19, 40 Stat.1203.]

Approved, April 23, 1904.

h 3, 1905, 33 Stat. 1048, 1080]

CHAP. 1479—An Act Making appropriations for the current contingent expenses of the Indian Department and for fulfilling ty stipulations with various Indian tribes for the fiscal year ng June thirtieth, nineteen hundred and six, and for other pur- s.

* * * *

Sec. 9. That section twelve, chapter fourteen hundred and ty-five, Statutes of the United States of America, entitled, Act for the survey and allotment of lands now embraced within the its of the Flathead Indian Reservation, in the State of Montana, the sale and disposal of all surplus lands after allotment," be, the same is hereby, amended so as to read as follows:

"Sec. 12. That the President may reserve and except from d lands, not to exceed one thousand two hundred and eighty acres, Catholic mission schools, church, and hospital and such other emosynary institutions as may now be maintained by the Catholic rch on said reservation, which lands are hereby granted to those igious organizations of the Catholic Church now occupying the same, wn as the Society of Jesus, the Sisters of Charity of Providence, the Ursuline Nuns, the said lands to be granted in the following unts, namely: To the Society of Jesus, six hundred and forty es; to the Sisters of Charity of Providence, three hundred and nty acres, and to the Ursuline Nuns, three hundred and twenty es, such lands to be reserved and granted for the uses indicated y so long as the same are maintained, used, and occupied by said anizations for the purposes indicated, except that forty acres of six hundred and forty acres hereinbefore mentioned as granted to Society of Jesus are hereby granted in fee simple to said Society Jesus, its successors and assigns: And be it further provided, at the President shall further reserve and except from said lands r the use of the University of Montana for biological station rposes one hundred and sixty acres, which land is hereby granted the State of Montana for the use of the University of Montana. e governor of said State, with the approval of the Secretary of the terior, is hereby authorized to locate said last-mentioned lands.

"The President is also authorized to reserve lands upon the me conditions and for similar purposes for any other missionary or ligious societies that may make application therefor within one ar after the passage of this Act in such quantity as he may deem oper. The President may also reserve such of said lands as may be nvenient or necessary for the occupation and maintenance of any and l agency buildings, substations, mills, and other governmental institutions now in use on said reservation, or which may be used or occupied by the Government of the United States."

The President is also hereby authorized to reserve not to exceed five thousand acres of timber lands for the use of said Indians as a fuel supply, under such restrictions and regulations as may be prescribed by the Secretary of the Interior.

[May 31, 1906, 34 Stat. 205]

CHAP 2567.—An Act Making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to transfer to the credit of the appropriation "Fees of witnesses, United States courts, nineteen hundred and six," sixty thousand dollars of the unexpended balance of the appropriation "Fees of witnesses, United States courts, nineteen hundred and five," and to the credit of the appropriation "Fees of jurors, United States courts, nineteen hundred and six," thirty thousand dollars of the unexpended balance of the appropriation "Fees of jurors, United States courts, nineteen hundred and five."

To meet the expenses of opening to entry and settlement during the fiscal years nineteen hundred and six and nineteen hundred and seven the ceded lands of the Flathead Indian Reservation in the State of Montana, under Act of April twenty-third, nineteen hundred and four; the Crow Indian Reservation in the State of Montana, under Act of April twenty-seventh, nineteen hundred and four; the Yakima Indian Reservation in the State of Washington, under Act of December twenty-first, nineteen hundred and four; the Shoshone Indian Reservation in the State of Wyoming, under Act of March third, nineteen hundred and five, and such other Indian reservations that may be open to entry and settlement during the fiscal year nineteen hundred and seven, the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to continue available during the fiscal year nineteen hundred and seven: Provided, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively: Provided further, That clerks detailed to assist in the opening of said reservations, while on such duty, shall be allowed per diem, in lieu of subsistence, at a rate not exceeding three dollars per day each, and actual necessary expenses for transportation, including necessary sleeping-car fares.

Approved, May 31, 1906.

[June 21, 1906, 34 Stat. 325, 354]

CHAP. 3504.—An Act Making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and seven.

* * * *

FLATHEAD RESERVATION

That the Act of April twenty-third, nineteen hundred and four (Thirty-third Statutes at Large, page three hundred and two), entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," as amended by section nine of the Act of March third, nineteen hundred and five (Thirty-third Statutes at Large, page one thousand and forty-eight), be amended by adding the following sections:

"Sec. 17. That the Secretary of the Interior is hereby authorized and directed to reserve and set aside for town-site purposes, and to survey, lay out, and plat into town lots, streets, alleys, and parks not less than forty acres of said land at or near each of the present settlements of Arlee, Dayton, Ravalli, Dixon, and Ronan, and not less than eighty acres at the present settlements of Saint Ignatius and Polson, and at such other places as the Secretary of the Interior may deem necessary or convenient for town sites, in such manner as will best subserve the present needs and the reasonable prospective growth of said settlements.

"Such town sites shall be surveyed, appraised, and disposed of as provided in section twenty-three hundred and eighty-one of the United States Revised Statutes: Provided, That any person who, at the date when the appraisers commence their work upon the land, shall be an actual resident upon any one such lot and the owner of substantial and permanent improvements thereon, and who shall maintain his or her residence and improvements on such lot to the date of his or her application to enter, shall be entitled to enter, at any time prior to the day fixed for thepublic sale and at the appraised value thereof, such lot and any one additional lot of which he or she may also be in possession and upon which he or she may have substantial

34 Stat.

and permanent improvements: *Provided further*, That before making entry of any such lot or lots the applicant shall make proof, to the satisfaction of the register and receiver of the land district in which the land lies, of such residence, possession, and ownership of improvements, under such regulations as to time, notice, manner, and character of proof as may be prescribed by the Commissioner of the General Land Office, with the approval of the Secretary of the Interior: *Provided further*, That in making their appraisal of the lots so surveyed, it shall be the duty of the appraisers to ascertain the names of the residents upon and occupants of any such lots, the character and extent of the improvements thereon, and the name of the reputed owner thereof, and to report their findings in connection with their report of appraisal, which report of findings shall be taken as prima facie evidence of the facts therein set out. All such lots not so entered prior to the day fixed for the public sale shall be offered at public outcry in their regular order, with the other unimproved and unoccupied lots. That no lot shall be sold for less than ten dollars: *And provided further*, That said lots, when surveyed, shall approximate fifty by one hundred and fifty feet in size.

"Sec. 18. That the Secretary of the Interior is hereby authorized and directed to reserve and set aside one hundred and sixty acres of land at and surrounding the present hot springs, situated on said reservation near the settlement of Camas.

"That said hot springs and the said one hundred and sixty acres of land last mentioned shall be under the control and direction of the Secretary of the Interior, under such rules and regulations as he may prescribe, but any and all moneys that shall be derived from such use shall be for the benefit of the persons holding tribal relations with said tribes of Indians, the same to be disbursed as provided in section thirteen of this Act.

"Sec. 19. That nothing in this Act shall be construed to deprive any of said Indians, or said persons or corporations to whom the use of land is granted by the Act, of the use of water appropriated and used by them for the necessary irrigation of their lands or for domestic use or any ditches, dams, flumes,reservoirs constructed and used by them in the appropriation and use of said water.

"Sec. 20. That there is hereby appropriated, for the survey, appraisement, and sale of said town sites, out of any money in the Treasury not otherwise appropriated, the sum of fifteen thousand dollars, or so much thereof as may be necessary, the same to be reimbursable out of the funds arising from the sale of said lands:

Provided, That the persons employed or detailed under this appropriation shall be allowed therefrom while on duty a per diem in lieu of subsistence, at a rate to be fixed by the Secretary of the Interior, not exceeding three dollars per day each, and actual necessary expenses for transportation, including necessary sleeping-car fares."

For Act 3/1/07, 34 Stat. 1015, 1034, appraisal of lands, see p. 95, post, note 7; for Act 4/30/08, 35 Stat. 70, 83-4, irrigation plans, see p. 95, post, note 8.

[May 28, 1908, 35 Stat. 251, 267]

CHAP. 192.--An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine.

* * *

NATIONAL BISON RANGE: The President is hereby directed to reserve and except from the unallotted lands now embraced within the Flathead Indian Reservation, in the State of Montana, not to exceed twelve thousand eight hundred acres of said lands, near the confluence of the Pend d'Oreille and Jocko rivers, for a permanent national bison range for the herd of bison to be presented by the American Bison Society. And there is hereby appropriated the sum of thirty thousand dollars, or so much thereof as may be necessary, to enable the Secretary of the Interior to pay the confederated tribes of the Flathead, Kootenai, and Upper Pend d'Oreille, and such other Indians and persons holding tribal relations or may rightfully belong on said Flathead Indian Reservation, the appraised value of said lands as shall be fixed and determined under the provisions of the Act of Congress approved April twenty-third, nineteen hundred and four, entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment." And the Secretary of Agriculture is hereby authorized and directed to inclose said lands with a good and substantial fence and to erect thereon the necessary sheds and buildings for the proper care and maintenance of the said bison; and there is hereby appropriated therefor the sum of ten thousand dollars or so much thereof as may be necessary; in all, forty thousand dollars.

[May 29, 1908, 35 Stat. 444, 448]

CHAP. 216.--An Act To authorize the Secretary of the Interior to issue patents in fee to purchasers of Indian lands under any law now existing or hereafter enacted, and for other purposes.

35 Stat.

* * * *

Sec. 15. That section nine, chapter fourteen hundred and ninety-five, Statutes of the United States of America, entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," be, and the same is hereby, amended to read as follows:

"Sec. 9. That said lands shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the time when and the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in such proclamation: Provided, That the rights of honorably discharged Union soldiers and sailors of the late civil and the Spanish wars, as defined and prescribed in section twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes, as amended by the Act of March first, nineteen hundred and one, shall not be abridged: Provided further, That the price of said lands shall be the appraised value thereof, as fixed by the said Commission, but settlers under the homestead law who shall reside upon and cultivate the land entered in good faith for the period required by existing law shall pay one-third of the appraised value in cash at the time of entry, and the remainder in five equal annual installments, to be paid one, two, three, four, and five years, respectively, from and after the date of entry, and shall be entitled to a patent for the lands so entered upon the payment to the local land officers of said five annual payments, and in addition thereto the same fees and commissions at the time of commutation or final entry as now provided by law where the price of the land is one dollar and twenty-five cents per acre, and no other and further charge of any kind whatsoever shall be required of such settler to entitle him to a patent for the land covered by his entry: Provided, That if any entryman fails to make such payments, or any of them, within the time stated, all rights in and to the land covered by his or her entry shall at once cease, and any payments theretofore made shall be forfeited, and the entry shall be forfeited and conceled: And provided, That nothing in this Act shall prevent homestead settlers from commuting their entries under section twenty-three hundred and one, Revised Statutes, by paying for the land entered the price fixed by said Commission, receiving credit for payments previously made: Provided, however, That the entryman or owner of any land irrigable by any system hereunder constructed under the provisions of section fourteen of this Act shall in addition to the payment required by section nine of said Act be required to pay for a water right the proportionate cost of the construction of said system in not more than fifteen annual installments, as fixed by the Secretary of the Interior, the same to be paid at the local land office, and the register and receiver shall be allowed the usual commissions on all moneys paid.

"The entryman of lands to be irrigated by said system shall in addition to compliance with the homestead laws reclaim at least one-half of the total irrigable area of his entry for agricultural purposes, and before receiving patent for the lands covered by his entry shall pay the charges apportioned against such tract. No right to the use of water shall be disposed of for a tract exceeding one hundred and sixty acres to any one person, and the Secretary of the Interior may limit the areas to be entered at not less than forty nor more than one hundred and sixty acres each.

"A failure to make any two payments when due shall render the entry and water-right application subject to cancellation, with the forfeiture of all rights under this Act, as well as of any moneys paid thereon. The funds arising hereunder shall be paid into the Treasury of the United States and be added to the proceeds derived from the sale of the lands. No right to the use of water for lands in private ownership shall be sold to any landowner unless he be an actual bona fide resident on such land or occupant thereof residing in the neighborhood of such land, and no such right shall permanently attach until all payments therefor are made.

"All applicants for water rights under the systems constructed in pursuance of this Act shall be required to pay such annual charges for operation and maintenance as shall be fixed by the Secretary of the Interior, and the failure to pay such charges when due shall render the water-right application and the entry subject to cancellation, with the forfeiture of all rights under this Act as well as of any moneys already paid thereon.

"The Secretary of the Interior is hereby authorized to fix the time for the beginning of such payments and to provide such rules and regulations in regard thereto as he may deem proper. Upon the cancellation of any entry or water-right application, as herein provided, such lands or water rights may be disposed of under the terms of this Act and at such price and on such conditions as the Secretary of the Interior may determine, but not less than the cost originally fixed.

"The land irrigable under the systems herein provided, which has been alloted to Indians in severalty, shall be deemed to have a right to so much water as may be required to irrigate such lands without cost to the Indians for construction of such irrigation systems. The purchaser of any Indian allotment, purchased prior to the expiration of the trust period thereon, shall be exempt from any and all charge for construction of the irrigation system incurred up to the time of such purchase. All lands alloted to Indians shall bear their pro rata share of the cost of the operation and maintenance of the system under which they lie.

"When the payments required by this Act have been made for the major part of the unallotted lands irrigable under any system and subject to charges for construction thereof, the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior.

"The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect." [Limited Act 5/18/16, 39 Stat. at p.139, post p.46.]

That section fourteen of said Act be, and the same is hereby, amended to read as follows:

"Sec. 14. That the proceeds received from the sale of said lands in conformity with this Act shall be paid into the Treasury of the United States, and after deducting the expenses of the Commission, of classification and sale of lands, and such other incidental expenses as shall have been necessarily incurred, and expenses of the survey of the land, shall be expended or paid, as follows: So much thereof as the Secretary of the Interior may deem advisable in the construction of irrigation systems for the irrigation of the irrigable lands embraced within the limits of said reservation; one half of the money remaining after the construction of said irrigation systems to be expended by the Secretary of the Interior as he may deem advisable for the benefit of said Indians in the purchase of live stock, farming implements, or the necessary articles to aid said Indians in farming and stock raising and in the education and civilization of said Indians, and the remaining half of said money to be paid to said Indians and persons holding tribal rights on said reservation, semiannually as the same shall become available, share and share alike: Provided, That the Secretary of the Interior may withhold from any Indian a sufficient amount of his pro rata share to pay any charge assessed against land held in trust for him for operation and maintenance of irrigation system."

For Act of 3/3/09, 35 Stat. 781, 795, disposal of irrigable lands, see p. 95, post, note 9.

[March 3, 1909, 35 Stat. 781, 795]

CHAP. 263.--An Act Making appropriations for the current and contingent expenses of the Indian Department for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and ten.

35 Stat.

* * *

For construction of irrigation systems to irrigate the alloted lands of the Indians of the Flathead Reservation in Montana and the unallotted irrigable lands to be disposed of under the Act of April twenty-third, nineteen hundred and four, entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation in the State of Montana, and the sale and disposal of all surplus lands after allotment," including the necessary surveys, plans, and estimates, two hundred and fifty thousand dollars, one hundred thousand dollars thereof to be immediately available, the cost of said entire work to be reimbursed from the proceeds of the sale of the lands and timber within said reservation.

That the Act of April twenty-third, nineteen hundred and four (Thirty-third Statutes at Large, page three hundred and two), entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," as amended by the Act of June twenty-first, nineteen hundred and six, and the Act of May twenty-ninth, nineteen hundred and eight, be amended by adding thereto the following sections:

"Sec. 21. That the lands allotted, those retained or reserved, and the surplus lands sold or otherwise disposed of shall be subject for a period of twenty-five years to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country, and that the Indian allottees, whether under the care of an Indian agent or not, shall for a like period be subject to all the laws of the United States prohibiting the sale or other disposition of intoxicants to Indians.

"Sec. 22. That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to reserve from location, entry, sale, or other appropriation all lands within said Flathead Indian Reservation chiefly valuable for power sites, or reservoir sites, and he shall report to Congress such reservations."

That section eleven of the Act of April twenty-third, nineteen hundred and four (Thirty-third Statutes at Large, page three hundred and two), entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," be amended to read as follows:

35 Stat.

"Sec. 11. That all merchantable timber on said lands returned and classified by said commission as timber lands shall be sold and disposed of by the Secretary of the Interior, for cash, under sealed bids or at public auction, as the Secretary of the Interior may determine, and under such regulations as he may prescribe: Provided, That after the sale and removal of the timber such of said lands as are valuable for agricultural purposes shall be sold and disposed of by the Secretary of the Interior in such manner and under such regulations as he may prescribe."

[March 4, 1909, 35 Stat. 1039, 1051]

CHAP. 301.—An Act Making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten.

* * * *

For the maintenance of the Montana National Bison Range and other reservations for mammals and birds, seven thousand dollars; and so much of the forty thousand dollars heretofore appropriated for the Montana National Bison Range as remains unexpended is hereby reappropriated, the same to be immediately available, to be expended in fencing said lands, the erection thereon of the necessary sheds and buildings, and enlarging the limits heretofore established so as to make the total acreage not to exceed twenty thousand acres, and the President is hereby directed to reserve and except from the unallotted lands now embraced within the Flathead Indian Reservation, in the State of Montana, a sufficient area to enlarge said range as herein provided;

[April 12, 1910, 36 Stat. 296]

CHAP. 156.—An Act To amend the Act of April twenty-third, nineteen hundred and four (Thirty-third Statutes at Large, page three hundred and two), entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," and all amendments thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April twenty-third, nineteen hundred and four (Thirty-third Statutes at Large, page three hundred and two), entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana," and all amendments thereto, be amended by adding thereto the following sections:

"Sec. 23. That the Secretary of the Interior be, and he is hereby, authorized to cause to be surveyed and subdivided into lots of not less than two acres or more than five acres in area all of the unallotted lands fronting on Flathead Lake in the State of Montana, that are embraced within the limits of the Flathead Indian Reservation, whether classified as grazing, agricultural, or timber lands, and may sell same to the highest bidder at public sale subject to the right to reject any and all bids. The proceeds from the sale of said lands, after deducting the expense of the survey and sale thereof, shall be paid into the Treasury and expended as heretofore provided in section fourteen as amended by the Act of May twenty-ninth, nineteen hundred and eight.

"Sec. 24. That where allotments of lands have been made in severalty to said Indians from the lands embraced within the area of said Flathead Indian Reservation, which are or may be irrigable lands, the Secretary of the Interior may, upon application of the Indian allottee, sell and dispose of not to exceed sixty acres of such individual allotment of land under such terms and conditions of sale as the Secretary of the Interior may prescribe, one-half of the proceeds of the sale of said individual allotment to be paid to the Indian allottee and the remaining half of the proceeds of sale to be held in trust for the said Indian allottee, upon which he shall be paid annually not less than three per centum interest, the remaining principal sum to be paid to said allottee or his heirs when the full period of his trust patent for the remaining lands covered by his allotment shall have expired, or sooner, should the Secretary of the Interior, in his judgment, deem it best for said Indian allottee.

"Sec. 25. That the Secretary of the Interior is hereby authorized to set aside and reserve so much of the surplus unallotted and otherwise unreserved lands of the Flathead Indian Reservation as may be necessary to provide an allotment to each Indian having an allotment on any of the lands set aside and reserved for power or reservoir sites, as authorized by section twenty-two of the Act of March third, nineteen hundred and nine (Thirty-fifth Statutes at Large, page seven hundred and ninety-six), who may relinquish his allotment within such power or reservoir sites.

"And in the event of the failure, neglect, or refusal of any such allottee to relinquish any allotment made to him on any land reserved or necessary for reservoir sites, as aforesaid, the Secretary of the Interior is authorized to bring action under the provision of the laws of the State of Montana to condemn and acquire title to any and all lands necessary or useful for said reservoir sites that have heretofore been allotted on said Flathead Indian Reservation lands."

Approved, April 12, 1910.

[June 23, 1910, 36 Stat. 592] **[Extended to Flathead Irr. Project Act 7/17/14, 38 Stat.510, post pp.43-44.]**

CHAP. 357.—An Act Providing that entrymen for homesteads within reclamation projects may assign their entries upon satisfactory proof of residence, improvement, and cultivation for five years, the same as though said entry had been made under the original homestead Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the filing with the Commissioner of the General Land Office of satisfactory proof of residence, improvement, and cultivation for the five years required by law, persons who have, or shall make, homestead entries within reclamation projects under the provisions of the Act of June seventeenth, nineteen hundred and two,* may assign such entries, or any part thereof, to other persons, and such assignees, upon submitting proof of the reclamation of the lands and upon payment of the charges apportioned against the same as provided in the said Act of June seventeenth, nineteen hundred and two, may receive from the United States a patent for the lands: Provided, That all assignments made under the provisions of this act shall be subject to the limitations, charges, terms and conditions of the reclamation Act. **[* Established the Reclamation Fund.]**

Approved, June 23, 1910.

[June 25, 1910, 36 Stat. 855, 863]

CHAP. 431.—An Act To provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians for the leasing of allotments, and for other purposes.

* * * *

Sec. 29. That the Secretary of the Interior be, and he is hereby, authorized to classify and appraise, under such rules and regulations as he may prescribe, all of the vacant, unallotted, and unreserved lands of the Flathead Indian Reservation, in the

State of Montana, which have not been classified and appraised as provided for by the Act of Congress approved April twenty-third, nineteen hundred and four, entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," and the classification and appraisement made hereunder shall be of the same effect as provided for in said Act; and the said Secretary is hereby authorized to dispose of all lands classified as "barren," "burned over," and "containing small timber," under such rules and regulations as he may prescribe, at not less than their appraised value.

[March 3, 1911, 36 Stat. 1058, 1066]

CHAP. 210.—An Act Making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and twelve.

* * * *

In the issuance of patents for all tracts of land bordering upon Flathead Lake, Montana, it shall be incorporated in the patent that "this conveyance is subject to an easement of one hundred linear feet back from a contour of elevation nine feet above the high-water mark of the year nineteen hundred and nine of Flathead Lake, to remain in the Government for purposes connected with the development of water power." **[Amended Act 8/24/12, 37 Stat. at p.27, post p.43.]**

[June 6, 1912, 37 Stat. 125]

CHAP. 155. —An Act Authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to cause to be classified or reclassified and appraised or reappraised, in such manner as he may deem advisable, the unallotted or otherwise unreserved lands within any Indian reservation opened to settlement and entry but not classified and appraised in the manner provided for in the Act or Acts opening such reservations to settlement and entry, or where the existing classification or appraisement is, in the opinion of the Secretary of the Interior, erroneous.

Approved, June 6, 1912.

[August 9, 1912, 37 Stat. 265] [Extended to Flathead Irr. Project, Act 7/17/14, 38 Stat.510, post pp.43-44.]

CHAP. 278.—An Act Providing for patents on reclamation entries, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any homestead entryman under the Act of June seventeenth, nineteen hundred and two, known as the reclamation Act, including entrymen on ceded Indian lands, may, at any time after having complied with the provisions of law applicable to such lands as to residence, reclamation and cultivation, submit proof of such residence, reclamation and cultivation, which proof, if found regular and satisfactory, shall entitle the entryman to a patent, and all purchasers of water-right certificates on reclamation projects shall be entitled to a final water-right certificate upon proof of the cultivation and reclamation of the land to which the certificate applies, to the extent required by the reclamation Act for homestead entrymen: Provided, That no such patent or certificate shall issue until all sums due the United States on account of such land or water right at the time of issuance of patent or certificate have been paid.

Sec. 2. That every patent and water-right certificate issued under this Act shall expressly reserve to the United States a prior lien on the land patented or for which water right is certified, together with all water rights appurtenant or belonging thereto, superior to all other liens, claims or demands whatsoever for the payment of all sums due or to become due to the United States or its successors in control of the irrigation project in connection with such lands and water rights.

Upon default of payment of any amount so due title to the land shall pass to the United States free of all encumbrance, subject to the right of the defaulting debtor or any mortgagee, lien holder, judgment debtor, or subsequent purchaser to redeem the land within one year after the notice of such default shall have been given by payment of all moneys due, with eight per centum interest and cost. And the United States, at its option, acting through the Secretary of the Interior, may cause land to be sold at any time after such failure to redeem, and from the proceeds of the sale there shall be paid into the reclamation fund all moneys due, with interest as herein provided, and costs. The balance of the proceeds, if any, shall be the property of the defaulting debtor or his assignee: Provided, That in case of sale after failure to redeem under this section the United States shall be authorized to bid in such land at not more than the amount in default, including interest and costs.

Sec. 3. That upon full and final payment being made of all amounts due on account of the building and betterment charges to the United States or its successors in control of the project, the United States or its successors, as the case may be, shall issue upon request a certificate certifying that payment of the building and betterment charges in full has been made and that the lien upon the land has been so far satisfied and is no longer of any force or effect except the lien for annual charges for operation and maintenance: Provided, that no person shall at any one time or in any manner, except as hereafter otherwise provided, acquire, own, or hold irrigable land for which entry or water right application shall have been made under the said reclamation Act of June seventeenth, nineteen hundred and two, and Acts supplementary thereto and amendatory thereof, before final payment in full of all instalments of building and betterment charges shall have been made on account of such land in excess of one farm unit as fixed by the Secretary of the Interior as the limit of area per entry of public land or per single ownership of private land for which a water right may be purchased respectively, nor in any case in excess of one hundred and sixty acres, nor shall water be furnished under said Acts nor a water right sold or recognized for such excess; but any such excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for two years and no longer after its acquisition; and every excess holding prohibited as aforesaid shall be forfeited to the United States by proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction; and this proviso shall be recited in every patent and water-right certificate issued by the United States under the provisions of this Act.

Sec. 4. That the Secretary of the Interior is hereby authorized to designate such bonded fiscal agents or officers of the Reclamation Service as he may deem advisable on each reclamation project, to whom shall be paid all sums due on reclamation entries or water rights, and the officials so designated shall keep a record for the information of the public of the sums paid and the amount due at any time on account of any entry made or water right purchased under the reclamation Act; and the Secretary of the Interior shall make provision for furnishing copies of duly authenticated records of entries upon payment of reasonable fees, which copies shall be admissible in evidence, as are copies authenticated under section eight hundred and eighty-eight of the Revised Statutes.

Sec. 5. That jurisdiction of suits by the United States for the enforcement of the provisions of this Act is hereby conferred on the United States district courts of the districts in which the lands are situated.

Approved, August 9, 1912.

gust 24, 1912, 37 Stat. 518, 526, 527]

CHAP. 388.—An Act Making appropriations for the current contingent expenses of the Bureau of Indian Affairs, for fulilling treaty stipulations with various Indian tribes, and for her purposes, for the fiscal year ending June thirtieth, nineteen dred and thirteen.

* * *

There is hereby appropriated the sum of forty thousand ollars, to remain available until expended, and the Secretary of the terior is hereby authorized and empowered to use said money, or so uch thereof as may be necessary, in the erection of buildings for gency purposes on the Flathead Indian Reservation in Montana; for he purchase of lands therein for an agency site not to exceed eighty cres if such is deemed by the Secretary of the Interior to be ecessary for the proper location of such agency; for the expenses of he removal of the agency to the new site selected; and for the proection and repair of any other buildings required for the efficient conduct of the affairs of the Flathead Indians in Montana: Provided, hat the entire sum expended hereunder for the purposes herein entioned shall be reimbursed the United States from the proceeds rising from the sale of lands and timber within the Flathead Indian eservation.

* * *

That so much of the Act of Congress approved March third, ineteen hundred and eleven (Thirty-sixth Statutes at Large, page one housand and sixty-six), which provides for the reservation of an easement over tracts of land bordering Flathead Lake, Montana, be, nd the same hereby is, amended to read as follows: "That an easement in, to, and over all lands bordering on or adjacent to Flathead Lake, Montana, which lie below an elevation of nine feet above the igh-water mark of said lake for the year nineteen hundred and nine, is hereby reserved for uses and purposes connected with storage for irrigation or development of water power, and all patents hereafter issued for any such lands shall recite such reservation."

[July 17, 1914, 38 Stat. 510]

CHAP. 143.—An Act To extend the provisions of the Act of June twenty-third, nineteen hundred and ten (Thirty-sixth Statutes at Large, page five hundred and ninety-two), authorizing assignment of reclamation homestead entries, and of the Act of August ninth, ineteen hundred and twelve (Thirty-seventh Statutes at Large, page wo hundred and sixty-five), authorizing the issuance of patents on eclamation homestead entries, to lands in the Flathead irrigation Project, Montana.

38 Stat.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of June twenty-third, nineteen hundred and ten (Thirty-sixth Statutes at Large, page five hundred and ninety-two), authorizing the assignment under certain conditions of homesteads within reclamation projects, and of the Act of August ninth, nineteen hundred and twelve (Thirty-seventh Statutes at Large, page two hundred and sixty-five), authorizing under certain conditions the issuance of patents on reclamation entries, and for other purposes, be, and the same are hereby, extended and made applicable to lands within the Flathead irrigation project, in the former Flathead Indian Reservation, Montana, but such lands shall otherwise be subject to the provisions of the Act of Congress approved April twenty-third, nineteen hundred and four (Thirty-third Statutes at Large, page three hundred and two), as amended by the Act of Congress approved May twenty-ninth, nineteen hundred and eight (Thirty-fifth Statutes at Large, page four hundred and forty-eight): *Provided*, That the lien reserved to the United States on the land patented, as provided for in section two of said Act of August ninth, nineteen hundred and twelve, shall include all sums due or to become due to the United States on account of the Indian price of such lands.

Approved, July 17, 1914.

[August 1, 1914, 38 Stat. 582]

Chap. 222.—An Act Making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June thirtieth, nineteen hundred and fifteen.

* * *

For the construction, repair, and maintenance of ditches, reservoirs, and dams, purchase and use of irrigation tools and appliances, water rights, ditches, lands necessary for canals, pipe lines, and reservoirs for Indian reservations and allotments, and for drainage and protection of irrigable lands from damage by floods, or loss of water rights, including expenses of necessary surveys and investigations to determine the feasibility and estimated cost of new projects and power and reservoir sites on Indian reservations in accordance with the provisions of section thirteen of the Act of June twenty-fifth, nineteen hundred and ten, $335,000, to remain available until expended: *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which specific appropriation is made in this Act or for which public funds are or may be available under any other Act of Congress; for pay of one chief inspector of irrigation, who shall be a skilled irrigation engineer, $4,000; one assistant inspector of irrigation, who shall be a skilled irrigation engineer, $2,500; for traveling and incidental expenses of two inspectors of irrigation, including sleeping-car fare and a per diem of $3 in lieu of subsistence when actually employed on duty in the field and away from designated headquarters, $4,200; in all, $345,700: Provided also, That not to exceed seven superintendents of irrigation, six of whom shall be skilled irrigation engineers and one competent to pass upon water rights, and one field-cost accountant, may be employed: Provided further, That the proceeds of sales of material utilized for temporary work and structures shall be covered into the appropriation made therefor and be available for the purpose of the appropriation; and for lands irrigable under any such system or project the Secretary of the Interior may fix maintenance charges which shall be paid as he may direct, such payments to be available for use in maintaining the project or system for which collected: Provided further, That all moneys expended heretofore or hereafter under this provision shall be reimbursable where the Indians have adequate funds to repay the Government, such reimbursements to be made under such rules and regulations as the Secretary of the Interior may prescribe: Provided further, That the Secretary of the Interior is hereby authorized and directed to apportion the cost of any irrigation project constructed for Indians and made reimbursable out of tribal funds of said Indians in accordance with the benefits received by each individual Indian so far as practicable from said irrigation project, said cost to be apportioned against such individual Indian under such rules, regulations, and conditions as the Secretary of the Interior may prescribe, and annually thereafter the Secretary of the Interior shall transmit to Congress a cost account in detail of all moneys, from whatever source derived, expended on each such irrigation project for the preceding fiscal year, including a resume of previous expenditures, which shall show the number of Indians on the reservation where the land is irrigated, irrigable area under ditch, irrigable area under project (approximate), irrigable area cultivated by Indians, irrigable area cultivated by lessees, amount expended on construction to June thirtieth of the preceding fiscal year, amount necessary to complete, and cost per acre when completed (estimated); value of land when irrigated, and such other detailed information as may be requisite for a thorough understanding of the conditions on each system or project: Provided further, That in addition to what is herein required there shall be submitted to Congress on the first Monday in December, nineteen hundred and fourteen, as to the Uintah, Shoshone, Flathead, Blackfeet, and Fort Peck Reclamation projects, a report showing the status of the water rights of the Indians and the method of financing said projects, together with such other information as the Secretary of the Interior may deem necessary for a full and complete understanding of all the facts and conditions in connection therewith.

[March 4, 1915, 38 Stat. 1188, 1189]

CHAP. 161.--An Act To authorize the laying out and opening of public roads on the Winnebago, Omaha, Ponca, and Santee Sioux Indian Reservations in Nebraska and on Indian Reservations in Montana.

* * *

SEC. 2. That the legal authorities charged with the duty of laying out and opening public roads and highways under the laws of the State of Montana, having jurisdiction over any territory embraced within any Indian reservation in Montana, are hereby authorized and empowered to lay out and open public roads within any of the said Indian reservations in conformity to and in accordance with the laws of the State of Montana relating to the laying out and opening of public roads, and that any public road when so laid out and opened shall be deemed a legal road: Provided, That such road authorities shall, in addition to notifying the landowners as provided in the State laws, likewise serve notice upon the superintendent in charge of the restricted Indian lands upon which it is proposed to lay out a public road, and shall also furnish him with a map drawn on tracing linen showing the definite location and width of such proposed road, and no such road shall be laid out until after it has received the approval of such superintendent.

Approved, March 4, 1915.

ay 18, 1916, 39 Stat. 123, 139]

CHAP. 125.—An Act Making appropriations for the current and tingent expenses of the Bureau of Indians Affairs, for fulfilling eaty stipulations with various Indian tribes, and for other purposes, r the fiscal year ending June thirtieth, nineteen hundred and seventeen.

* * *

For the purchase of a strip of land containing sixteen acres, more or less, laying between the Flathead River and the Flathead Indian Agency reserve, Montana, for an addition to said reserve, $320, and said amount shall be reimbursed to the United States from the proceeds arising from the sale of lands and timber within the Flathead Indian Reservation.

That lands on the Flathead Indian Reservation in Montana valuable for agricultural or horticultural purposes, heretofore classified as timber lands, may, in the discretion of the Secretary of the Interior, be appraised and opened to homestead entry under regulations prescribed by him, upon condition that homestead entrymen shall at the time of making their original homestead entries pay the full value of the timber found on the land at the time that the appraisement of the land itself is made, such payment to be in addition to the appraised price of the lands apart from the timber.

For continuing construction of the irrigation systems on the Flathead Indian Reservation, in Montana, $750,000 (reimbursable), which shall be immediately available and remain available until expended: Provided, That the payments for the proportionate cost of the construction of said systems required of settlers on the surplus unallotted land by section nine, chapter fourteen hundred ninety-five, Statutes of the United States of America, entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation in the State of Montana, and the sale and disposal of all surplus lands after allotment," as amended by section fifteen of the Act of May twenty-ninth, nineteen hundred and eight (Thirty-fifth Statutes at Large, page four hundred and forty-eight), shall be made as herein provided: Provided further, That nothing contained in the Act of May twenty-ninth, nineteen hundred and eight (Thirty-fifth Statutes at Large, page four hundred and forty-four), shall be construed to exempt the purchaser of any Indian allotment purchased prior to the expiration of the trust period thereon from any charge for construction of the irrigation system incurred up to the time of such purchase, except such charges as shall have accrued and become due in accordance with the public notices herein provided for, or to relieve the owners of any or all land allotted to Indians in severalty from payment of the charges herein required to be made against said land on account of construction of the irrigation systems; and in carrying out the provisions of said section the exemption therein authorized from charges incurred against allotments purchased prior to the expiration of the trust period thereon shall be the amount of the charges or installments thereof due under public notice herein provided for up to the time of such purchase.

* * *

The work to be done with the amounts herein appropriated for the completion of the Blackfeet, Flathead, and Fort Peck projects may be done by the Reclamation Service on plans and estimates furnished by that service and approved by the Commissioner of Indian Affairs: Provided, That not to exceed $15,000 of applicable appropriations made for the Flathead, Blackfeet, and Fort Peck irrigation projects shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for official use upon the aforesaid irrigation projects: Provided further, That not to exceed $7,500 may be used for the purchase of horse-drawn passenger-carrying vehicles, and that not to exceed $1,500 may be used for the purchase of motor-propelled passenger-carrying vehicles.

That the Secretary of the Interior be, and he is hereby, authorized and directed to announce, at such time as in his opinion seems proper, the charge for construction of irrigation systems on the Blackfeet, Flathead, and Fort Peck Indian Reservation in Montana, which shall be made against each acre of land irrigable by the systems on each of said reservations. Such charges shall be assessed against the land irrigable by the systems on each said reservation in the proportion of the total construction cost which each acre of such land bears to the whole area of irrigable land thereunder.

On the first day of December after the announcement by the Secretary of the Interior of the construction charge the allottee, entryman, purchaser, or owner of such irrigable land which might have been furnished water for irrigation during the whole of the preceding irrigation season, from ditches actually constructed, shall pay to the superintendent of the reservation where the land is located, for deposit to the credit of the United States as a reimbursement of the appropriations made or to be made for construction of said irrigation systems, five per centum of the construction charge fixed for his land, as an initial installment, and shall pay the balance of the charge in fifteen annual installments, the first five of which shall each be five per centum of the construction charge and the remainder shall each be seven per centum of the construction charge. The first of the annual installments shall become due and payable on December first of the fifth calendar year after the initial installment: Provided, That any allottee, entryman, purchaser, or owner may, if he so elects, pay the whole or any part of the construction charges within any shorter period: Provided further, That the Secretary of the Interior may, in his discretion, grant such extension of the time for payments herein required from Indian allottees or their heirs as he may determine proper and necessary, so long as such land remains in Indian title.

That the tribal funds heretofore covered into the Treasury of the United States in partial reimbursement of appropriations made for constructing irrigation systems on said reservations shall be placed to the credit of the tribe and be available for such expenditure for the benefit of the tribe as Congress may hereafter direct.

The cost of constructing the irrigation systems to irrigate allotted lands of the Indians on these reservations shall be reimbursed to the United States as hereinbefore provided, and no further reimbursements from the tribal funds shall be made on account of said irrigation works except that all charges against Indian allottees or their heirs herein authorized, unless otherwise paid, may be paid from the individual shares in the tribal funds, when the same is available for distribution, in the discretion of the Secretary of the Interior.

That in addition to the construction charges every allottee, entryman, purchaser, or owner shall pay to the superintendent of the reservation a maintenance and operation charge based upon the total cost of maintenance and operation of the systems on the several reservations, and the Secretary of the Interior is hereby authorized to fix such maintenance and operation charge upon such basis as shall be equitable to the owners of the irrigable land. Such charges when collected shall be available for expenditure in the maintenance and operation of the systems on the reservation where collected: Provided, That delivery of water to any tract of land may be refused on account of nonpayment of any charges herein authorized, and the same may, in the discretion of the Secretary of the Interior, be collected by a suit for money owed: Provided further, That the rights of the United States heretofore acquired, to water for Indian lands referred to in the foregoing provision, namely, the Blackfeet, Fort Peck, and Flathead Reservation land, shall be continued in full force and effect until the Indian title to such land is extinguished.

That the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules and regulations and issue such notices as may be necessary to carry into effect the provisions of this Act, and he is hereby authorized and directed to determine the area of land on each reservation which may be irrigated from constructed ditches and to determine what allowance, if any, shall be made for ditches constructed by individuals for the diversion and distribution of a partial or total water supply for allotted or surplus unallotted land: Provided, That if water be available prior to the announcement of the charge herein authorized, the Secretary of the Interior may furnish water to land under the systems on the said reservations, making a reasonable charge therefor, and such charges when collected may be used for construction or maintenance of the systems through which such water shall have been furnished.

[June 27, 1918, 40 Stat. 616]

CHAP. 106.—An Act To authorize the Secretary of the Interior to issue a deed to G. H. Beckwith for certain land within the Flathead Indian Reservation, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to convey by deed, at the appraised price, to G. H. Beckwith, two certain tracts of land in the Flathead Indian Reservation and town of Saint Ignatius, Montana, lying in the southeast quarter of the southeast quarter of section fourteen, township eighteen north, range twenty west, Montana principal meridian, separated by a public highway sixty feet wide, and described as follows: The point of beginning "A" of the first tract is south eighty-nine degrees and forty-six minutes west four hundred and sixty-three and one-tenth feet from the 1/128 corner found in place on the east line of said section fourteen and north eighty-nine degrees and forty-six minutes east thirty-three feet from a 1/128 corner, which in turn is north no degrees and twenty-two minutes west eight hundred and twenty-six and seven-tenths feet from a 1/128 corner found in place on the south line of said section fourteen. Thence from point of beginning "A" north no degrees and twenty-two minutes west fifteen and eight-tenths feet to "B," thence north fifty-six degrees and thirty-seven minutes west three hundred and seventy-seven and six-tenths feet to "K," thence south no degrees and twenty-two minutes east four hundred and sixty-two and eight-tenths feet to "L," thence north eighty-nine degrees and thirty-five minutes east three hundred and fourteen and three-tenth feet to "Z," thence north no degrees and twenty-two minutes west two hundred and thirty-seven and two-tenths feet to the point of beginning, "A," and containing two and fifty-eight one-hundredths acres. The point of beginning "C" of the second tract is north no degrees and twenty-two minutes west eighty-eight feet from the point of beginning "A" of the first tract, thence north fifty-six degrees and thirty-seven minutes west two hundred and ninety-eight feet to "D," thence north thirty-one degrees and ten minutes west one hundred and thirty feet to "F," thence north fifty-eight degrees and fifty minutes east ninety-six feet to "H," thence south forty-five degrees and thirty-three minutes east one hundred and fifteen feet to "J," thence south sixty-five degrees and six minutes east two hundred and sixty-four and two-tenths feet to "E," thence south thirty-three degrees and twenty-three minutes west one hundred and sixty feet to the point of beginning "C," and containing one and twenty one-hundredths acres: Provided, That the land in said tracts shall at no time be used for the sale of intoxicating liquors, and should it be so used, the title to the same shall revert to the Government of the United States and all payments made thereon shall be forfeited: Provided further, That whatever business is conducted on this tract shall be under Government supervision as at present, and shall continue under such supervision so long as the United States Government retains control over the Flathead Indians at this point.

Approved, June 27, 1918.

[January 7, 1919, 40 Stat. 1053]

CHAP. 5.—An Act To authorize the sale of certain lands to school district numbered twenty-eight, of Missoula County, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to sell and convey to school district numbered twenty-eight, of Missoula County, Montana, the southwest quarter of the southwest quarter of the southeast quarter of section thirty-six, township twenty-one north, range twenty west, on the Flathead Indian Reservation, in Montana, or so much thereof as may be required, for public school purposes, under such terms and regulations as he may prescribe, at not less than its appraised value; and the net proceeds from the sale of said land shall be deposited in the Treasury of the United States to the credit of the Flathead Indians, to draw interest at the rate now provided by law, and to be used for the benefit of the Indians on the Flathead Indian Reservation: Provided, That the patent therefor shall contain the condition that Indian children, residing in the said school district numbered twentyight, shall at all times be admitted to the privilege of attendance nd instruction on equality with white children.

Approved, January 7, 1919.

[February 28, 1919, 40 Stat. 1203]

CHAP. 71.--An Act To provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April twenty-third, nineteen hundred and four (Thirty-third Statutes at Large, page three hundred and two), entitled "An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana," and all amendments thereto, be amended by adding thereto the following section:

"Sec. 26. That the Secretary of the Interior be, and he hereby is, authorized and directed to designate as valuable for stock-watering purposes such of the unallotted and unreserved lands of the Flathead Indian Reservation, which border on streams, as may be subject to settlement and disposal under sections nine and thirteen of this Act. Lands so designated shall be disposed of under the terms of this Act, subject to the condition, which shall be expressed in all patents issued for lands so designated, that existing trails crossing said land shall be kept open to the extent necessary to provide access for live stock to streams adjacent to said lands. The Secretary of the Interior is authorized and directed to perform all acts necessary to the enforcement of this condition."

Approved, February 28, 1919.

For Act 2/14/20, 41 Stat. 408, lieu selection Montana State lands, see p. 98, post, note 17.

[February 25, 1920, 41 Stat. 452]

CHAP. 87.--An Act for the relief of certain members of the Flathead Nation of Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the period of one year from and after the approval of this Act the Secretary of the Interior is hereby authorized, under existing law and under such rules and regulations as he may prescribe, to make allotments on the Flathead Reservation, Montana, to all unallotted, living children enrolled with the tribe, enrolled or entitled to enrollment: Provided, That such allotments be made from any unallotted or unsold lands within the original limits of the Flathead Indian Reservation, including the area now classified and reserved as timber lands, cut-over lands, burned or barren lands thereon; and patents issued for allotments hereunder for any lands from which such timber has not been cut and marketed, shall contain a clause reserving to the United States the right to cut and market, for tribal benefit, as now authorized by law, the merchantable timber on the lands so allotted: Provided further, That when the merchantable timber has been cut from any lands allotted hereunder, the title to such timber as remains on such lands will thereupon pass to the respective allottees, and the Secretary of the Interior is hereby directed to withhold from sale or entry all lands unsold and unentered within the said reservation at the date of the passage of this Act until allotments hereunder have been completed: Provided further, That not exceeding forty acres of each allotment made under the provisions of this Act shall be designated as a homestead which shall be inalienable and nontaxable during the minority of the allottee, and thereafter until such restrictions may be removed either by Congress or the Secretary of the Interior. [Amended 6/16/50, 64 Stat.229, post p.79.]

Approved, February 25, 1920.

For Act 3/3/21, 41 Stat. 1225, 1236, claims for sale of patented lands, see p. 98, post, note 18.

[March 13, 1924, 43 Stat. 21]

CHAP. 54.--An Act For the relief of certain nations or tribes of Indians in Montana, Idaho, and Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims, with right of appeal to the Supreme Court of the United States, to consider and determine all legal and equitable claims against the United States of the Blackfeet, Blood, Piegan, and Gros Ventre Nations or Tribes of Indians, residing upon the Blackfeet and Fort Belknap Indian Reservations, in the State of Montana; and the Flathead, Kootenais, and Upper Pend d'Oreilles Nations or Tribes of Indians, residing upon the Flathead Indian Reservation, in the State of Montana; and the Nez Perce Nation or Tribe of Indians, residing upon the Lapwai Indian Reservation, in the State of Idaho; and upon the Colville Indian

Reservation, in the State of Washington, for lands or hunting rights claimed to be existing in all said nations or tribes of Indians by virtue of the treaty of October 17, 1855 (Eleventh Statutes at Large, page 657, and the following), and in said Flathead, Kootenais and Upper Pend d'Oreilles Nations or Tribes of Indians by virtue of the Treaty of July 16, 1855 (Twelfth Statutes at Large, page 975, and the following), with said Indians, and all claims arising directly therefrom, which lands and hunting rights are alleged to have been taken from the said Indians by the United States, and also any legal or equitable defenses, set-offs, or counterclaims, including gratuities, which the United States may have against the said nations or tribes, and to enter judgment thereon, all claims and defenses to be considered without regard to lapse of time; and the final judgment and satisfaction thereof shall be in full settlement of all said claims.

That suits under this Act shall be begun by the filing of a petition within two years of the date of the approval of this Act, to be verified by the attorney or attorneys selected by the claimant Indians, with the approval of the Secretary of the Interior, employed under contracts executed and approved in accordance with existing law. The claimant Indians shall be parties plaintiff and the United States shall be party defendant, and such suits shall on motion of either party be advanced on the docket of the Court of Claims and of the Supreme Court of the United States. The compensation to be paid the attorneys for the claimant Indians shall be determined by the Court of Claims in accordance with terms of the said approved contracts and shall be paid out of any sum or sums found and adjudged to be due said Indians: But in no event shall said compensation exceed 10 per centum of the amount of the respective judgments, nor exceed $25,000 for the Indians residing on each respective reservation: Provided, however, That said compensation shall not exceed $25,000 for the Nez Perce Nation or Tribe of Indians residing on both the Lapwai and Colville Indian Reservations, nor exceed 10 per centum of the amount of any judgments rendered in favor of said Nez Perce Nation or Tribe, said compensation to be exclusive of all actual and necessary expenses in prosecuting said suits. The balance of any such judgments shall be placed in the Treasury of the United States to the credit of the Indians entitled thereto and draw interest at the rate of 4 per centum per annum.

Approved, March 13, 1924.

[May 31, 1924, 43 Stat. 246]

CHAP. 215.—An Act To provide for the addition of the names of certain persons to the final roll of the Indians of the Flathead Indian Reservation, Montana.

Memo
letter to Sloan
to [illegible] Jan 7-1962

43 Stat.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby authorized to add to the final roll of the Indians of the (Jocko) Flathead Indian Reservation, Montana, approved January 22, 1920, under the Act of May 25, 1918 (Fortieth Statutes, page 591), and the Act of June 30, 1919 (Forty-first Statutes, page 9), the names of the following persons, descendants of the Confederated Flathead Tribes of Indians: Lucy Contesto, Mary Sophie Contesto, Clifford Gendron, Adolph Squeque, Peter Joseph Chalwain, Dennis McLeod, Margaret Louise Ashley, Veona Carlson, Lois May Houle, Norbert Marage, Eva Matilda Matt, Eneas Isadore Woodcock, Wilton Sidney Worley, Harry Leon Beauchaine, Henry Louzeau, and Louise Isaac.

The Secretary of the Interior is also authorized to pay to each of the persons named a sum equal to that heretofore paid per capita to those whose names were on the approved roll, such payments to be made from any tribal funds in the Treasury to the Credit of the Flathead Indians.

Approved, May 31, 1924.

[May 10, 1926, 44 Stat. 453, 464]

CHAP. 277.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1927, and for other purposes.

FLATHEAD COUNTY LIBRARY
KALISPELL, MONTANA

* * * *

For continuing construction, maintenance, and operation of the irrigation systems on the Flathead Indian Reservation, in Montana, by and under the direction of the Commissioner of Indian Affairs, including the purchase of any necessary rights or property, $575,000: *Provided,* That of the total amount herein appropriated not to exceed $15,000 shall be available for operation and maintenance of the project, the balance to be available for the construction items hereinafter enumerated in not to exceed the following amounts: Pablo Feed Canal enlargement, $100,000; Moiese Canal enlargement, $15,000; South Side Jocko Canal, $40,000; Hubbart Feed Canal, $7,500; Camas A Canal, $2,500; Continuing construction of power plant, $395,000, of which sum $15,000 shall be immediately available for additional surveys and preparation of plans: *Provided further,* That no part of this appropriation, except the $15,000 herein made immediately available, shall be expended on construction work until an appropriate repayment contract, in form approved by the Secretary of the Interior, shall have been properly executed by a district or districts organized under State law embracing the lands irrigable under the project, except trust patent Indian lands, which contract, among other things, shall require repayment of all construction costs heretofore or hereafter incurred on behalf of such lands, with provision that the total construction cost on the Camas Division in excess of the amount it would be if based on the per acre construction cost of the Mission Valley Division of the project, shall be held and treated as a deferred obligation to be liquidated as hereinafter provided. Such contract shall require that the net revenues derived from the operation of the power plant herein appropriated for shall be used to reimburse the United States in the following order: First, to liquidate the cost of the power development; second, to liquidate payment of the deferred obligation on the Camas Division; third, to liquidate construction cost on an equal per acre basis on each acre of irrigable land within the entire project; and fourth, to liquidate operation and maintenance costs within the entire project. Provision shall also be contained therein requiring payment of operation and maintenance charges annually in advance of each irrigation season and prohibit the granting of a water right to or the use of water by any individual for more than one hundred and sixty acres of land irrigable under constructed works within the project after the Secretary of the Interior shall have issued public notice in accordance with the Act of May 18, 1916 (Thirty-ninth Statutes at Large, pages 123-130); all lands, except lands owned by individual Indians, at the date of public notice in excess of one hundred and sixty acres not disposed of by bona fide sale within two years after said public notice shall be conveyed in fee to the United States free of encumbrance to again become a part of the public domain under contract between the United States and the individual owners at the appraised price fixed at the instance of the Secretary of the Interior, such amount to be credited in reduction of the construction charge against the land within the project retained by such owner. All lands so conveyed to the United States shall be subject to disposition by the Secretary of the Interior in farm units at the appraised price, to which shall be added such amount as may be necessary to cover any accruals against the land and other costs arising from conditions and requirements prescribed by said Secretary: Provided further, That trust patent Indian lands shall not be subject to the provisions of the law of any district created as herein provided for but shall, upon the issuance of fee patent therefor, be accorded the same rights and privileges and be subject to the same obligations as other lands within such district or districts: Provided further, That all construction, operation, and maintenance costs, except such construction costs on the Camas Division held and treated as a deferred obligation herein provided for, on this project shall be, and are hereby, made a first lien against all lands within the project, which lien upon any particular farm unit shall be released by the Secretary of the Interior after the total amount charged against such unit shall have been paid, and a recital of such lien shall be made in any instrument issued prior to such release by the said Secretary. The contracts executed by such district or districts shall recognize and acknowledge the existence of such lien: Provided further, That pending the issuance of public notice the construction assessment shall be at the same rate heretofore fixed by the Secretary of the Interior, but upon issuance of public notice the assessment rate shall be 2 1/2 per centum per acre, payable annually, in addition to the net revenues derived from operations of the power plant as hereinbefore provided, of the total unpaid construction costs at the date of said public notice: Provided further, That the public notice above referred to shall be issued by the Secretary of the Interior upon completion of the construction of the power plant.

[January 12, 1927, 44 Stat. 934, 945]

CHAP. 27.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes.

* * *

Flathead irrigation project, Montana: For operation and maintenance, $25,000, to be immediately available: Provided, That of the unexpended balance of the appropriation for this project for the fiscal year 1927 there is hereby reappropriated and made available for the fiscal years 1927 and 1928, $40,000 for construction of the South Side Jocko Canal, available when the Jocko irrigation district shall properly execute an appropriate repayment contract, in form approved by the Secretary of the Interior, which contract shall, except as hereinafter provided, conform to the conditions provided for a contract in the appropriation for this project for the fiscal year 1927: Provided further, That of said unexpended balance there is hereby reappropriated and made available for the fiscal years 1927 and 1928 not to exceed the following amounts: Pablo Feed Canal enlargement, $100,000; Moiese Canal enlargement, $15,000; Hubbart Feed Canal, $7,500; Camas A Canal, $2,500; available when the Flathead irrigation district shall properly execute an appropriate repayment contract, in form approved by the Secretary of the Interior, which contract shall, except as hereinafter provided, conform to the conditions provided for a contract in the appropriation for this project for the fiscal year 1927: And provided further, That the remainder of the unexpended balance of the appropriation for this project for the fiscal year 1927 shall at once become available, and remain available for the fiscal years 1927 and 1928, for continuing construction of power plant when an appropriate repayment contract, in form approved by the Secretary of the Interior, and which, except as hereinafter provided, contains the provisions set forth for such a contract in the appropriation for this project for the fiscal year 1927, shall have been executed by a district or districts organized under State law embracing not less than eighty thousand acres of the lands irrigable under the project: And provided further, Any contract provided for in this paragraph shall require that the net revenues derived from operation of the power plant shall be used to reimburse the United States in the following order: First, to liquidate the cost of the power development; second, to liquidate payment of the deferred obligation on the Camas Division; third, to liquidate construction cost on an equal per acre basis on each acre of irrigable land within the district or districts contracting; and fourth, to liquidate operation and maintenance costs within such district or districts. [**Amended 3/7/28, 45 Stat.212, post p.58.**]

[March 7, 1928, 45 Stat. 200, 212]

CHAP. 137.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1929, and for other purposes.

* * *

Flathead irrigation project, Montana: The unexpended balance of the appropriation for continuing construction of the irrigation systems on the Flathead Indian Reservation, Montana, contained in the Act of May 10, 1926 (Forty-fourth Statutes at Large, pages 464-466), as continued available in the Act of January 12, 1927 (Forty-fourth Statutes at Large, page 945), shall remain available for the fiscal year 1929, subject to the conditions and provisions of said Acts: Provided, That the unexpended balance of the $395,000 available for continuation of construction of a power plant may be used, in the discretion of the Secretary of the Interior, for the construction and operation of a power distributing system and for purchase of power for said project but shall be available for that purpose only upon execution of an appropriate repayment contract as provided for in said Acts: Provided further, That the net revenues derived from the operation of such distributing system shall be used to reimburse the United States in the order provided for in said Acts: Provided further, That the Federal Power Commission is authorized in accordance with the Federal Water Power Act and upon terms satisfactory to the Secretary of the Interior, to issue a permit or permits or a license or licenses for the use, for the development of power, of power sites on the Flathead Reservation and of water rights reserved or appropriated for the irrigation projects: Provided further, That rentals from such licenses for use of Indian lands shall be paid the Indians of said reservation as a tribe, which money shall be deposited in the Treasury of the United States to the credit of said Indians, and shall draw interest at the rate of 4 per centum: Provided further, That the public notice provided for in the Act of January 12, 1927, shall be issued by the Secretary of the Interior upon the 1st day of November, 1930: Provided further, That in his discretion the Secretary of the Interior may provide in such repayment contracts for covering into construction costs the operation and maintenance charges for the irrigation season of 1928 and all undistributed operation and maintenance cost, and may extend the time for payment of operation and maintenance charges now due and unpaid for such period as in his judgment may be necessary, the charges now due so extended to bear interest payable annually at the rate of 6 per centum per annum until paid, and to contract for the payment of the construction charges now due and unpaid within such term of years as the Secretary may find to be necessary with interest payable annually at the rate of 6 per centum per annum until paid: Provided further, That not more than $35,000 of said reappropriated balance of $395,000 shall be immediately available for operation and maintenance, and $75,000 shall be available for construction of laterals near Ronan upon the execution of appropriate repayment contract as provided for in said Acts. [Amended Act 3/4/29, 45 Stat. at p.1639, post p.60]

45 Stat.

[March 4, 1929, 45 Stat. 1562, 1574]

CHAP. 705.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1930, and for other purposes.

* * * *

The unexpended balance of the appropriation for continuing construction of the irrigation systems on the Flathead Indian Reservation, Montana, contained in the Act of May 10, 1926 (44 Stat., pp. 464-466), as continued available in the Act of January 12, 1927 (44 Stat., p. 945), and the Act of March 7, 1928 (45 Stat., p. 212), shall remain available for the fiscal year 1930, subject to the reimbursable and other conditions and provisions of said Acts: Provided, That not more than $10,000 of the unexpended balance of $395,000 made available by the Act of March 7, 1928 (45 Stat., p. 212), for the construction of a power distributing system and for purchase of power, or for construction of power plant, shall be available for operation and maintenance, and $40,000 shall be available for construction of laterals near Ronan.

[March 4, 1929, 45 Stat. 1623, 1639]

CHAP. 707.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1929, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1929, and June 30, 1930, and for other purposes.

* * * *

Flathead irrigation project, Montana: Not exceeding $220,000 of the unexpended balance of the appropriation of $395,000 made available by the Interior Department appropriation Act for the fiscal year 1929 for the construction and operation of a power-distributing system and for purchase of power for said project, may be used, in the discretion of the Secretary of the Interior, during the fiscal years 1929 and 1930, for the purposes and in the amounts specified, as follows: $10,000, for betterment work on Camas A. Canal; $25,000, for lateral extensions and replacement of wooden structures in the Mission Valley; $45,000, for completion of the Dry Creek Canal; $40,000, for part enlargement of Taber

Reservoir; and $100,000, for part construction of Kickinghorse Reservoir, of which sum not to exceed $15,000 may be used for classification of land in the Flathead irrigation project: Provided, That any portion remaining under such unexpended balance (after the diversions hereinbefore made) and applicable during the fiscal years 1929 and 1930 to the construction of power transmission lines and the purchase of power shall be available if and when license for the development of power on the Flathead River shall have been issued by the Federal Power Commission as provided in the Act of March 7, 1928 (45 Stat., pp. 212, 213): Provided further, That the Secretary of the Interior, in lieu of collecting past-due and unpaid construction charges with interest as provided in the Act of March 7, 1928 (45 Stat., p. 213), shall, in determining the construction costs to be fixed in the public notice specified in said Act and in the repayment contract, include the amounts due on account of said past-due construction charges in the construction costs chargeable against the respective units or legal subdivisions upon which the same are now a lien: Provided further, That the Federal Power Commission in issuing any permits or licenses for the development of power or power sites on the Flathead Indian Reservation in the State of Montana, as authorized by the Act of March 7, 1928 (45 Stat., pp. 212, 213), is hereby authorized and directed to waive payment of the usual administrative fees or commissions charged under existing laws relating to or under regulations of said Federal Power Commission in the issuance of any such permits or licenses.

[May 14, 1930, 46 Stat. 279, 291]

CHAP. 273.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $15,000; for continuation of construction, Camas A Betterment, $12,000; to complete construction Kicking Horse Reservoir, $100,000; Nine Pipe Feed Canal structures, $15,000; to complete Nine Pipe Reservoir, $5,000; Twin Reservoir, $30,000; lateral systems betterment, $25,000; miscellaneous engineering, surveys and examinations, $15,000; headquarters buildings, $15,000; for construction or purchase of a power distributing system or for construction of a power plant, $40,000; in all, $272,000: Provided, That the unexpended balance of the appropriations for continuing construction of this project now available shall remain available for the fiscal years 1930 and 1931 for such construction or purchase of a power-distributing system or for construction of a power plant: Provided further, That in addition to the amounts herein appropriated for such construction or purchase of a power-distributing system or for construction of a power plant, the Secretary of the Interior may also enter into contracts for the same purposes not exceeding a total of $200,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for such purposes shall be considered available for the purpose of discharging the obligation so created: Provided further, That the funds made available herein for continuation of construction shall be subject to the reimbursable and other conditions and provisions of said Acts: And provided further, That upon execution by the Jocko and Mission Districts of repayment contracts in pursuance to existing law, the operation and maintenance charges for those districts for the irrigation season of 1930 shall be covered into construction costs.

[February 14, 1931, 46 Stat. 1115,1127]

CHAP. 187.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

* * * *

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $18,000; for continuation of construction, Camas A betterment, $10,000; beginning construction of Lower Crow Reservoir, $90,000, together with the unexpended balance of the appropriation for completing the Kicking Horse Reservoir contained in the Interior Department Appropriation Act for the fiscal year 1931; beginning Pablo Reservoir enlargement, $85,000; lateral systems betterment, $25,000; miscellaneous engineering, surveys and examinations, $5,000; purchase of reservoir and camp sites, $55,000; for the construction or purchase of a power distributing system, $50,000; in all $338,000: Provided, That the unexpended balance of the appropriations for continuing construction of this project now available shall remain available for the fiscal year 1932 for such construction or purchase of a power-distributing system: Provided further, That in addition to the amounts herein appropriated for such construction or purchase of a power-distributing system, the Secretary of the Interior may also enter into contracts for the same purposes not exceeding a total of $200,000, and his action in so doing shall be deemed a contractual obligation of the Federal

Government for the payment of the cost thereof and appropriations hereafter made for such purposes shall be considered available for the purpose of discharging the obligation so created: Provided further, That the funds made available herein for continuation of construction shall be subject to the reimbursable and other conditions and provisions of said Acts: Provided further, That in any district in this project, which has or may hereafter execute a repayment contract in pursuance of existing law, the first payment of construction charges may in the discretion of the Secretary of the Interior be required in the calendar year 1935, but in any event the total repayment of such construction charges shall be required in not more than forty years from the date of public notice heretofore given: And provided further, That upon execution by the Jocko and Mission districts of repayment contracts in pursuance to existing law, the operation and maintenance charges for those districts for the irrigation season of 1931 shall be covered into construction costs.

[March 4, 1931, 46 Stat. 1552, 1567]

CHAP. 522.—An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1931, and June 30, 1932, and for other purposes.

* * * *

Irrigation systems, Flathead Reservation, Montana (reimburseable): For an additional amount for the construction and/or purchase of a power distributing system for the use of the Flathead irrigation project, Montana, fiscal years, 1931 and 1932, $200,000 in lieu of the contract authorizations of $200,000 for this purpose contained in the Interior Department Appropriation Acts for the fiscal years 1931 and 1932.

[April 22, 1932, 47 Stat. 91, 101]

CHAP. 125.—AN ACT Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1933, and for other purposes.

47 Stat.

* * *

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $12,000; for continuation of construction Camas A betterment, $2,000; completing construction of Lower Crow Reservoir $135,000, together with the unexpended balance of the appropriations for continuing construction of the Flathead irrigation system contained in the Interior Department Appropriation Act for the fiscal year 1932; continuing Pablo Reservoir enlargement, $80,000; lateral systems betterment, $20,000; miscellaneous engineering, surveys, and examinations, $5,000; in all, $254,000: Provided, That the funds made available herein for continuation of construction shall be subject to the reimbursable and other conditions and provisions of said Acts: Provided further, That upon execution by the Jocko district of repayment contract in pursuance to existing law, the operation and maintenance charges for such district for the irrigation season of 1932 shall be covered into construction costs.

[February 17, 1933, 47 Stat. 820, 830]

CHAP. 98.—AN ACT Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1934, and for other purposes.

* * *

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $12,000; * * * Provided, That the unexpended balance of the appropriation of $55,000 contained in the Interior Department Appropriation Act, fiscal year 1932 (46 Stat., p. 1127), for purchase of sites for reservoirs, construction headquarters and administrative uses, is hereby made available for the same purpose until June 30, 1934: Provided further, That (with the consent of the irrigation districts on the Flathead irrigation project which have executed repayment contracts with the United States as required by law) the Secretary of the Interior may modify the terms of such contracts by requiring the operation and maintenance charges (not heretofore carried into construction costs and dealt with in the Act of March 7, 1928 (45 Stat., pp. 212-213)) to be paid over the same period of years and in like manner as the construction costs are to be paid under the terms of the public notice issued by such Secretary on November 1, 1930, as amended April 20, 1931: Provided further, that the first installment of such operation and maintenance charges shall be due and payable on the same date as the first installment of construction charges is due and payable, where modifications of the contracts are made pursuant hereto.

[May 9, 1935, 49 Stat. 176, 187]

CHAP. 101.—An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1936, and for other purposes.

* * *

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, $12,000, reimbursable, together with $110,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934: Provided, That (with the consent of the irrigation districts of the Flathead irrigation project which have executed repayment contracts with the United States as required by law) the Secretary of the Interior may modify the terms of such contracts by requiring the operation and maintenance charges (not heretofore carried into construction costs and which were dealt with in the Act of March 7, 1928 (45 Stat., pp. 212-213)), and those accruing subsequent to March 7, 1928, which were due and unpaid at the time of execution of repayment contract, to be paid over the same period of years and in like manner as the construction costs are to be paid under the terms of the public notice issued by such Secretary on November 1, 1930, as amended April 20, 1931: Provided, That no interest rate shall be charged from and after the date of the passage of this Act: Provided further, That the first installment of such operation and maintenance charges shall be due and payable on the same date as the first installment of construction charges is due or may be due and payable, where modifications of the contracts are made pursuant hereto: Provided further, That the first installment of construction costs shall be due and payable in December 1938 instead of the date now fixed: Provided further, That the operation and maintenance costs assessable against the Jocko Valley irrigation district for the calendar year of 1935 shall be carried into the construction costs and shall be payable as other construction costs.

[June 7, 1935, 49 Stat. 328]

CHAP. 191.--An Act to provide funds for cooperation with Joint School District Numbered 28, Lake and Missoula Counties, Montana, for extension of public-school buildings to be available to Indian children of the Flathead Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $100,000 for the purpose of cooperating with Joint School District Numbered 28, Lake and Missoula Counties, Montana, for the extension and improvement of public-school buildings, namely, at Arlee in the sum of $40,000, at Roman in the sum of $30,000, and at St. Ignatius in the sum of $30,000: Provided, That the expenditure of any money so appropriated shall be subject to the condition that the schools maintained by said district shall be available to all Indian children of the Flathead Indian Reservation, Montana, on the same terms, except as payment of tuition, as other children of said school district: Provided further, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Approved, June 7, 1935.

[April 4, 1938, 52 Stat. 193]

CHAP. 63.--An Act To authorize the Secretary of the Interior to grant concessions on reservoir sites and other lands in connection with Federal Indian irrigation projects wholly or partly Indian, and to lease the lands in such reserves for agricultural, grazing, and other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to grant concessions on reservoir sites, reserves for canals or flowage areas, and other lands under his jurisdiction which have been withdrawn or otherwise acquired in connection with the San Carlos, Fort Hall, Flathead, and Duck Valley or Western Shoshone irrigation projects for the benefit in whole or in part of Indians, and to lease such lands for agricultural, grazing, or other purposes: Provided, That no lands so leased shall be eligible for benefit payments under the crop control program, or the soil conservation act: *Provided further*, That such concessions may be granted or lands leased by the Secretary of the Interior under such rules, regulations, and laws as govern his administration of the public domain as far as applicable, for such considerations, monetary or otherwise, and for such periods of time as he may deem proper, the term of no concession to exceed a period of ten years: *Provided further*, That the funds derived from such concessions or leases, except funds so derived from Indian tribal property withdrawn for irrigation purposes and for which the tribe has not been compensated, shall be available for expenditure in accordance with the existing laws in the operation and maintenance of the irrigation projects with which they are connected. Any funds derived from reserves for which the tribe has not been compensated shall be deposited to the credit of the proper tribe: *Provided further*, That where tribal lands of any Indian tribe organized under section 16 of the Act of June 18, 1934 (48 Stat. 984), have been withdrawn or reserved for the purposes hereinbefore mentioned, such lands may be leased or concessions may be granted thereon only by the proper tribal authorities, upon such conditions and subject to such limitations as may be set forth in the constitution and bylaws or charter of the respective tribes.

Approved, April 4, 1938.

[August 5, 1939, 53 Stat. 1221]

CHAP. 483.—Joint Resolution To approve the action of the Secretary of the Interior deferring the collection of certain irrigation construction charges against lands under the San Carlos and Flathead Indian irrigation projects.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with the Act of June 22, 1936, the action of the Secretary of the Interior in deferring such charges under said irrigation projects is hereby approved.

Approved, August 5, 1939.

[June 24, 1946, 60 Stat. 302]

CHAP. 460.—An Act To provide for the disposition of tribal funds of the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of existing law, the tribal funds now on deposit or hereafter placed to the credit of the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana, in the United States Treasury, shall be available for such purposes as may be designated by the tribal council of said tribe and approved by the Secretary of the Interior: Provided, That any expenditures so designated and approved shall be in accordance with the provisions of the tribal constitution and charter.

Approved June 24, 1946.

[July 30, 1946, 60 Stat. 715]

CHAP. 701.—An Act Conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana, or any tribe or band thereof, may have against the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims, subject to review by the Supreme Court of the United States on writ of certiorari as in other cases, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims of whatsoever nature which the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation of Montana, or any tribe or band thereof, may have against the United State.

Sec. 2. That suit or suits under this Act may be instituted by the Confederated Salish and Kootenai Tribes of Indians, or any tribe or band thereof, either separately or jointly, as party or parties plaintiff, against the United States as party defendant, by filing within five years after the approval of this Act a petition or petitions in the Court of Claims and serving with respect to each suit a copy thereof on the Attorney General of the United States, who, either in person or by some attorney from the Department of Justice to be designated by him, shall appear and defend the interests of the United States. Such petition or petitions shall set forth the facts upon which the claim or claims for recovery is or are based and shall be verified by the attorney or attorneys employed by said Indians, under contract approved in accordance with existing law, to prosecute said claims, which may be made upon information and belief, and no other verification shall be necessary. The petition or petitions shall be subject to amendment at any time prior to final submission of the case to the Court of Claims. Such petition or petitions may, in addition to alleging specific claims, demand a general accounting of all funds and property expended or used by the United States for the account of said Indians, in which event the General Accounting Office shall within a reasonable time from date of filing said petition or petitions make a complete audit of said accounts, and, in addition to the usual copies furnished the Attorney General, shall furnish a copy thereof to the attorney or attorneys for said Indians; and the court, after full hearing, shall state the account and render judgment in accordance therewith.

Sec. 3. That at the trial of any suit instituted hereunder the court shall settle and determine the rights therein, both legal and equitable, of said Indians against the United States, notwithstanding lapse of time or statutes of limitation. In the determination of the validity of any claim asserted or defense interposed hereunder, the court shall have the full power and authority of a court of equity.

Sec. 4. That the court shall have authority, by proper orders and process, to make parties to any suit or suits instituted hereunder any other tribe, band, or group of Indians deemed by it necessary or proper to a final determination of the matters in controversy.

Sec. 5. That in any suit instituted hereunder any letter, paper, document, map, or record in the possession of any officer or department of the United States (or certified copies thereof) may be used in evidence, and the departments of the Government of the United States shall give full and free access to the attorney or attorneys for said Indians to such letters, papers, documents, maps, or records as may be useful to said attorney or attorneys in the preparation for trial or trials of such suit or suits.

Sec. 6. That no payment or payments which have been made by the United States upon any claim or claims asserted in any suit brought hereunder, or expended for any of the said Indians, shall operate as an estoppel against any suit brought hereunder, but there shall be set off against any recovery obtained by said Indians hereunder any payment made

60 Stat.

by the United States on any claim asserted by said Indians, together with such gratuity expenditures as are directed to be set off by the Act of Congress, approved August 12, 1935 (49 Stat. 596): *Provided*, That no moneys expended for the benefit of said Indians under the Wheeler-Howard Act, approved June 18, 1934 (48 Stat. 984), shall be applicable as set-offs.

Sec. 7. That upon the final determination of any suit or suits instituted hereunder, the Court of Claims, in the event of judgment for said Indians shall determine such fees or compensation to be paid the attorney or attorneys as said court shall find reasonable or equitable, and in addition thereto such actual and necessary expenses as shall have been incurred by the attorney or attorneys in the prosecution of said claims. In no case shall the fees or compensation decreed by said Court of Claims be in excess of the amount stipulated in the contract or contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and in no event to exceed 10 per centum of the amount of the recovery, and shall be paid out of any money appropriated by Congress for the benefit of said Indians pursuant to any judgment hereunder.

Sec. 8. That the amount of any judgment recovered for said Indians, less attorneys' fees and expenses, shall be placed to the credit of said Indians in the Treasury of the United States and shall draw interest at the rate of 4 per centum per annum from date of judgment and shall thereafter be subject to appropriation by Congress and used for the benefit of said Indians, including, but without limitations, the purchase of lands, livestock, farming implements, erection of buildings and improvements, and for productive enterprises, with the approval of the Secretary of the Interior and the consent of said Indians.

Approved July 30, 1946.

[July 26, 1947, 61 Stat. 494]

Chap. 340.—An Act To authorize the Secretary of the Interior to defer the collection of certain irrigation construction charges against lands under the Flathead Indian irrigation project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions of the Act entitled "An Act to authorize the Secretary of the Interior to investigate and adjust irrigation charges on irrigation lands within projects on Indian reservations, and for other purposes", approved

June 22, 1936 (49 Stat. 1803), the Secretary of the Interior is authorized and directed to defer the collection of irrigation construction charges on the Flathead Indian irrigation project until January 1, 1949.

Approved July 26, 1947.

[May 20, 1948, 62 Stat. 248]

CHAP. 325.—An Act To authorize the sale of certain individual Indian land on the Flathead Reservation to the State of Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Clara Keenan Dumontier, a Flathead Indian, is hereby authorized to sell and convey to the State of Montana the following-described tract of land held by the United States in trust for her under the provisions of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), said conveyance to be made by an appropriate warranty deed approved by the Secretary of the Interior or his authorized representative: A tract of land in the north half of the southwest quarter, section 1, township 16 north, range 20 west, Montana principal meridian; more particularly described as follows: Beginning at the southwest corner of the said north half southwest corner, section 1, thence from the said point of beginning northerly along the west line of the said point of beginning northerly along the west line of the said section 1, two hundred and fourteen and five-tenths feet, to a point; thence south eighty degrees forty-eight minutes east one thousand three hundred and forty and five-tenths feet, to a point, on the south line of the said north half of the southwest quarter, section 1; thence westerly along the south line of the said north half of the southwest quarter, section 1, one thousand three hundred and twenty-three and three-tenths feet, to the said point of beginning, containing three and twenty-six hundredths acres, more or less.

Approved May 20, 1948.

[May 25, 1948, 62 Stat. 269]

An Act To provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes.

62 Stat.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the repayment to the United States of all reimbursable costs heretofore or hereafter incurred for the construction of the irrigation and power systems of the Flathead Indian irrigation project in Montana (hereinafter called the project), including such operation and maintenance costs as have been covered into construction costs under the Act of March 7, 1928 (45 Stat. 200, 212-213), and supplemental Acts, and including the unpaid operation and maintenance costs for the irrigation seasons of 1926 and 1927 which are hereby covered into construction costs, shall be accomplished as prescribed by this Act, notwithstanding any provision of law to the contrary.

Sec. 2. (a) All costs heretofore or hereafter incurred for the construction of the irrigation system shall be allocated to the Mission Valley, Camas, and Jocko divisions of the project in proportion to the amount of such costs incurred for the respective benefit of each of these divisions.

(b) The net revenues heretofore and hereafter accumulated from the power system shall be determined by deducting from the gross revenues the expenses of operating and maintaining the power system, and the funds necessary to provide for the creation and maintenance of appropriate reserves in accordance with section 3 of the Act of August 7, 1946 (60 Stat. 895; 31 U. S. C., sec. 725s-3).

(c) The deferred obligation established by the Act of May 10, 1926 (44 Stat. 453, 464-466), for repayment of the per acre costs of the Camas division in excess of the per acre costs of the Mission Valley division shall be determined on the basis of the costs heretofore incurred for the construction of those divisions, and shall be liquidated from the net revenues heretofore accumulated from the power system.

(d) The remainder of the net revenues heretofore accumulated from the power system shall be applied to reduce the reimbursable costs heretofore incurred for the construction of the power system and the reimbursable costs heretofore incurred for the construction of the irrigation system (exclusive of the deferred obligation for the excess costs of the Camas division) as allocated among the several divisions pursuant to subsection (a) of this section, in proportion to the respective amounts of each of the foregoing categories of costs.

(e) The reimbursable costs heretofore incurred for the construction of the irrigation system of each division of the project and not repaid through the credits provided for in subsections (c) and (d) of this subsection shall be scheduled for repayment in annual installments of approximately equal amount, in a manner which will provide for liquidation of such costs over a period of fifty years from January 1, 1950. The reimbursable costs hereafter incurred for the construction of the irrigation system shall be added to the schedule of repayments established pursuant to this subsection by increasing the amount or the number, or both, of the annual installments maturing after the incurrence of such costs, in a manner which will provide for their liquidation within a period not exceeding the useful life of the works involved, or not exceeding fifty years from the time when the additional costs are incurred, whichever period is the lesser. Each annual installment shall be distributed over all irrigable lands within the division on an equal per acre basis, and the costs so charged against any parcel of lands within the division shall constitute a first lien thereon under the Act of May 10, 1926 (44 Stat. 453, 464-466). Upon the maturity or prepayment of any annual installment, the amount of the installment shall be reduced by deducting any sums included therein which are chargeable to lands on which the collection of construction costs is then deferred under the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C., sec. 386a), or which are chargeable to other lands and have been already repaid to the United States.

(f) The reimbursable costs heretofore incurred for the construction of the power system and not repaid through the credits provided for in subsections (c) and (d) of this subsection, or through other credits from the revenues of the power system, shall be scheduled for repayment in annual installments of approximately equal amount, in a manner which will provide for liquidation of such costs over a period not exceeding the remaining useful life of the power system as a whole, or not exceeding fifty years from January 1, 1950, whichever period is the lesser. The reimbursable costs hereafter incurred for the construction of the power system shall be added to the schedule of repayments established pursuant to this subsection by increasing the amount or the number, or both, of the annual installments maturing after the incurrence of such costs, in a manner which will provide for their liquidation within a period not exceeding the useful life of the works involved, or not exceeding fifty years from the time when the additional costs are incurred, whichever period is the lesser. Each annual installment shall be repaid to the United States solely out of the revenues from the power system.

(g) Electric energy available for sale through the power system shall be sold at the lowest rates which, in the judgment of the Secretary of the Interior, will produce net revenues sufficient to liquidate the annual installments of the power system construction costs established pursuant to subsection (f) of this section, and (for the purpose of reducing the irrigation system construction costs chargeable against the lands embraced within the project and of insuring the carrying out of the intent and purpose of legislation and repayment contracts applicable to the project) to yield a reasonable return on the unliquidated portion of the power system construction costs, and (for the same purpose) to yield such additional sums as will cover the amount by which the wholesale value of the electric energy sold exceeds the cost thereof where such excess is the result of the electric energy having been obtained on a special basis in return for water rights or other grants.

(h) All net revenues hereafter accumulated from the power system shall be applied annually to the following purposes, in the following order of priority:

(1) To liquidate all matured installments of the schedule of repayments for construction costs of the power system;

(2) To liquidate all matured installments of the schedule of repayments for construction costs of the irrigation system of each division, on an equal per acre basis for all irrigable lands within the division;

(3) To liquidate unmatured installments of the schedule of repayments for construction costs of the power system which will mature at a date not later than the maturity of any unliquidated installment of irrigation system construction costs;

(4) To liquidate unmatured installments of the schedule of repayments for construction costs of the irrigation system of each division which will mature at a date prior to the maturity of any unliquidated installment of power system construction costs, on an equal per acre basis for all irrigable lands within the division;

(5) To liquidate construction costs chargeable against Indian-owned lands the collection of which is deferred under the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C., sec. 386a); and

(6) To liquidate the annual operation and maintenance costs of the irrigation system.

(i) In applying net revenues from the power system to the annual installments of irrigation system construction costs for any division of the project under the preceding subsection, allowance shall be made for any construction costs deferred under the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C., sec. 386a), or already repaid to the United States which have been deducted from such installments under subsection (e) of this section, by distributing the net revenues available for such application over all irrigable lands within the division on an equal per acre basis, and by applying the net revenues distributed to the lands chargeable with the construction costs that have been so deferred or repaid, in amounts proportionate to the deductions made on account of such costs, to any then unpaid or subsequently assessed costs of operating and maintaining the irrigation system which are chargeable against the same lands.

(j) Any matured installment of irrigation system construction costs, or portion thereof, which is not liquidated at or before its maturity through the application thereto of net revenues from the power system under subsection (h) of this section shall be repaid to the United States by an assessment against the lands chargeable with the construction costs included in the installment. Such repayment shall be deferred for any period of time that may be requisite to provide for the assessment and collection of such costs in conformity with the laws of the State of Montana, but shall be completed within two years after the maturity of the installment concerned.

Sec. 3. The repayment adjustments provided for in sections 1 and 2 of this Act shall not become effective unless, within two years after the approval of this Act, the irrigation districts embracing lands within the project not covered by trust or restricted patents have entered into contracts satisfactory to the Secretary of the Interior, whereby such districts (1) obligate themselves for the repayment of the construction costs chargeable against all irrigable lands embraced within the districts contracting (exclusive of Indian-owned lands on which the collection of construction costs is deferred) to the extent and in the manner prescribed by sections 1 and 2 of this Act; (2) consent to such revisions in the limits of cost for the project, or any division thereof, as the Secretary and the districts contracting may mutually agree upon in order to facilitate the making of needed improvements and extensions to the irrigation and power systems; (3) provide for redetermination by the Secretary of the irrigable area of the project, or any division thereof, and for the exclusion of lands from the project, with the consent of the holder of any water rights that would be canceled by such exclusion; and (4) make such other changes in the existing repayment contracts as the Secretary and the districts contracting may mutually agree upon for accomplishment of the purposes of this Act. In order to facilitate the commencement of repayment at the earliest practicable time, such contracts may provide for adjusting the maturity dates or amounts of the annual installments in a manner which will ultimately place the repayment schedules on substantially the same basis as though such contracts had been entered into prior to their actual execution, but not earlier than January 1, 1949.

Sec. 4. Unpaid charges for operation and maintenance of the irrigation system which were assessed prior to May 10, 1926, against any lands within the project, amounting to a sum not exceeding $40,549.89, and unpaid charges due from consumers for electric energy sold through the power system between July 1, 1931, and June 30, 1942, amounting to a sum not exceeding $2,195.16, are hereby canceled. The cancellation of the operation and maintenance charges shall be reported in the reimbursable accounts rendered to the Comptroller General of the United States, pursuant to the Act of April 14, 1910 (36 Stat. 269, 270; 25 U. S. C., sec. 145), as deductions from the total indebtedness of the project without regard to the fiscal years in which, or the appropriations from which, the expenditures were made.

Sec. 5. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the following sums, for the following purposes, to be reimbursed to the United States as hereinafter provided:

(a) The sum of $64,161.18, with interest thereon at the rate of 4 per centum per annum from May 18, 1916, and the sum of $409.38, with interest thereon at the same rate from December 1, 1925, to be used to repay the Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana the balance remaining due them under the Act of May 18, 1916 (39 Stat. 123, 141). The aggregate principal amount of $64,570.56 so repaid shall be added to the construction costs of the project and shall be reimbursable.

(b) The sum of $400,000 to be deposited in the United States Treasury to the credit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana; of which sum one-half shall be in full settlement of all claims of said tribes on account of the past use of tribal lands for the physical works and facilities of the irrigation and power systems of the project, or for wildlife refuges; and the other one-half shall be in full payment to said tribes for a permanent easement to the United States, its grantees and assigns, for the continuation of any and all of the foregoing uses, whether heretofore or hereafter initiated, upon the tribal lands now used or reserved for the foregoing purposes. The said tribes shall have the right to use such tribal lands, and to grant leases or concessions thereon, for any and all purposes not inconsistent with such permanent easement. The amount deposited in the Treasury pursuant to this subsection shall be added to the construction costs of the project and shall be reimbursable.

(c) The sum of $1,000,000 to continue the construction of the irrigation and power systems of the project. Amounts expended pursuant to this subsection shall be added to the construction costs of the project and shall be reimbursable.

(d) No expenditure shall be made from any appropriation granted under the authorizations contained in this section until the repayment of all reimbursable construction costs incurred through such expenditure has been secured by contracts conforming to the requirements of section 3 of this Act.

Sec. 6. In each fiscal year commencing after the approval of this Act for which an appropriation of the power revenues from the project is made in an indefinite amount pursuant to section 3 of the Act of August 7, 1946 (60 Stat. 895; 31 U. S. C., sec. 725s-3), the power revenues so appropriated shall be available, to the extent of not to exceed $75,000, for the purpose, in addition to those other purposes now required or permitted by law, of making such improvements and extensions to the power system as the Secretary of the Interior may deem requisite for the provision of electric service to persons whose applications for such service could not otherwise be complied with in due course of business. Amounts so expended shall be added to the unmatured portion of the reimbursable construction costs of the power system in accordance with subsection 2 (f) of this Act, so as not to reduce the net power revenues available for application under subsection 2 (h) of this Act.

Sec. 7. Consistent with the terms of the repayment contracts heretofore or hereafter executed, the Secretary of the Interior is hereby authorized to issue such public notices fixing construction costs and apportioning construction charges, to enter into such contracts, to make such determinations, to effect such adjustments in project accounts, to prescribe such regulations, and to do such other acts and things as may be necessary or appropriate to accomplish the purposes of this Act.

Sec. 8. All Acts or parts thereof inconsistent with the provisions of this Act are hereby repealed. [Amended Act 5/25/50, 64 Stat.192, post p.79.]

Approved May 25, 1948.

[August 18, 1949, 63 Stat. 614]

CHAP. 472.--An Act Authorizing the Secretary of the Interior to issue to Lake County, Montana, a patent in fee to certain Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, with the consent and approval of the tribal council of the Consolidated Tribes of Flathead, Kootenai, and Salish Indians, to issue to Lake County, Montana, a patent in fee to the following-described lands on the Flathead Indian Reservation, Montana: The north half of the northwest quarter of the southwest quarter of the southeast quarter of section 36, township 21 north, range 20 west, Montana principal meridian, containing five acres more or less.

Approved August 18, 1949.

[August 19, 1949, 63 Stat. 621]

CHAP. 487.--An Act To authorize an appropriation in aid of a system of drainage and sanitation for the city of Polson, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $100,000 or so much thereof as may be necessary for the repair and rehabilitation or replacement of the drainage structures of a system of drainage for lands within and adjacent to the city of Polson, Montana, on the Flathead Indian Reservation in sections 3, 4, 8, 9, and 10, township 22 north, range 20 west, Montana principal meridian: Provided, That the said city or the residents in the affected area form a drainage-sanitation district and levy an assessment to provide additional funds to convert the drainage lines into a dual purpose system for drainage and sewer disposal purposes and agree to take title to the system and operate and maintain it in perpetuity.

Sec. 2. Nothing in this Act shall be construed as an admission of liability on the part of the United States for damages that may be claimed by any property owner as resulting from seepage in the affected area, and the drainage-sanitation district formed pursuant to section 1 hereof shall specifically agree to hold the United States harmless against any and all damage claims that may be asserted by property owners of the area.

Approved August 19, 1949.

[October 6, 1949, 63 Stat. 722]

An Act To amend an Act entitled "An Act to provide for the adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes", approved May 25, 1948.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 4 of the Act entitled "An Act to provide for the adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes", approved May 25, 1948, is hereby amended to read as follows:

"Sec. 4. Unpaid charges for operation and maintenance of the irrigation system which were assessed prior to May 10, 1926, against any lands within the project, amounting to a sum not exceeding $40,549.89, together with all unpaid interest and penalties on such charges, and unpaid charges due from consumers for electric energy sold through the power system between July 1, 1931, and June 30, 1942, amounting to a sum not exceeding $2,195.16, together with interest thereon, are hereby canceled."

Approved October 6, 1949

[May 25, 1950, 64 Stat. 192]

CHAP. 201.—An Act To amend certain provisions of the Act of May 25, 1948 (Public Law 554, Eightieth Congress), relating to the Flathead Indian irrigation project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the repayment adjustments and other provisions of sections 1 and 2 of the Act of May 25, 1948 (Public Law 554, Eightieth Congress), providing for the adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes, shall be effective as to lands included in any irrigation district which has or which shall have entered into a contract conforming to the provisions of said Act on or before May 25, 1951. Said Act as herein amended shall not be deemed to defer the repayment obligations provided for in existing contracts between the Secretary of the Interior and any irrigation district on the Flathead Indian irrigation project which has not entered into a repayment contract conforming to the provisions of the Act of May 25, 1948, as herein amended, unless and until such district shall have entered into such a contract: Provided, That the appropriation authorizations of said Act shall be effective, and moneys appropriated thereunder shall be available for expenditure, when an irrigation district or districts containing not less than 70 per centum of the irrigable acreage of thenon-Indian lands within the Flathead Indian irrigation project shall have entered into repayment contracts under said Act.

Approved May 25, 1950.

[June 16, 1950, 64 Stat. 229]

CHAP. 264.—An Act To amend the Act of February 25, 1920 (41 Stat. 452), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso of the Act entitled "An Act for the relief of certain members of the Flathead Nation of Indians, and for other purposes", approved February 25, 1920 (41 Stat. 452), is amended by striking out "when the merchantable timber has been cut from any lands allotted hereunder" and substituting in lieu thereof "when the first cutting of merchantable timber from any lands allotted hereunder has been completed".

Sec. 2. The right heretofore reserved to the United States in any of the patents for allotments issued under the provisions of said Act of February 25, 1920 (41 Stat. 452), to cut and market timber for the benefit of the Confederated Salish and Kootenai Tribes of the Flathead Reservation shall be limited to the cutting of so much of the merchantable timber on such allotments as may be cut during the first cutting operations on such allotments, and when such cutting operations have been completed, the title to the residual timber on such allotments shall thereupon pass to the respective allottees or their heirs or devisees.

Approved June 16, 1950.

[August 8, 1950, 64 Stat. 418]

An Act To authorize the elimination of lands from the Flathead Indian irrigation project, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to eliminate from the Flathead Indian irrigation project, on application by the owner thereof, twelve acres, more or less, of land in the northwest quarter of the northwest quarter of section 6, township 21 north, range 23 west, of the Montana meridian: Provided, That the landowner shall pay all accrued irrigation charges heretofore assessed against the land and relinquish the water right to the United States for the benefit of the Flathead irrigation project, and no further charges shall be assessed against the land: Provided further, That the obligations of the Flathead irrigation district for the repayment of the reimbursable construction costs of the Camas division of the Flathead Indian irrigation project shall not be reduced or otherwise affected by reason of the elimination of the land, and such elimination shall not be made until the Board of Commissioners of that district has consented thereto: And provided further, That, notwithstanding the elimination of said land from the Flathead irrigation project, there shall be reserved to the United States a right-of-way for ditches and canals now or hereafter needed for the operation and maintenance of the project works, and the owner of said land shall release the United States and its assigns from all liability for damage to said land by reason of the operations of the project.

Approved August 8, 1950.

[April 1, 1952, 66 Stat. 32]

CHAP. 126.—An Act To authorize the Secretary of the Interior to issue to School District Numbered 28, Ronan, Montana, a patent in fee to certain Indian land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed, with the consent of the Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, to issue to School District Numbered 28, Ronan, Montana, a patent in fee to certain land situated in Ronan, Montana, and more particularly described as follows: South half northwest quarter southwest quarter southeast quarter, section 36, township 21 north, range 20 west, containing five acres, more or less, of Tribal Agency Reserve Land.

Approved April 1, 1952.

[August 1, 1953, 67 Stat. B132]

CONCURRENT RESOLUTION

WHEREAS it is the policy of Congress, as rapidly as possible, to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and

END STATUS AS WARDS OF STATE

WHEREAS the Indians within the territorial limits of the United States should assume their full responsibilities as American citizens: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is declared to be the sense of Congress that, at the earliest possible time, all of the Indian tribes and the individual members thereof located within the States of California, Florida, New York, and Texas, and all of the following named Indian tribes and individual members thereof, should be freed from Federal supervision and control and from all disabilities and limitations specially applicable to Indians: The Flathead Tribe of Montana, the Klamath

Tribe of Oregon, the Menominee Tribe of Wisconsin, the Potowatamie Tribe of Kansas and Nebraska, and those members of the Chippewa Tribe who are on the Turtle Mountain Reservation, North Dakota. It is further declared to be the sense of Congress that, upon the release of such tribes and individual members thereof from such disabilities and limitations, all offices of the Bureau of Indian Affairs in the States of California, Florida, New York, and Texas and all other offices of the Bureau of Indian Affairs whose primary purpose was to serve any Indian tribe or individual Indian freed from Federal supervision should be abolished. It is further declared to be the sense of Congress that the Secretary of the Interior should examine all existing legislation dealing with such Indians, and treaties between the Government of the United States and each such tribe, and report to Congress at the earliest practicable date, but not later than January 1, 1954, his recommendations for such legislation as, in his judgment, may be necessary to accomplish the purposes of this resolution

END
BIA

Passed August 1, 1953.

PRIVATE STATUTES

17 Stat.

[March 3, 1873, 17 Stat. 787]

CHAP. CDXLIX.--An Act to authorize the Secretary of the Interior to settle the Claims of Messrs. Durfee and Peck and E. H. Durfee for Supplies furnished the Indians in Montana in the Winter of eighteen hundred and sixty-nine--

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to settle, upon such terms as he shall think just and proper, all claims of Messrs. Durfee and Peck and E. H. Durfee, late Indian agents, for supplies furnished the Crows, Gros Ventres, Assinaboines, and other Indians of Montana Territory, in the winter of eighteen hundred and sixty-nine upon the recommendation of the Honorable James Tufts acting governor of said Territory, and ex-officio superintendent of Indian affairs: Provided, That he shall be satisfied as to the quantity of supplies so furnished, and the amount shall not exceed thirteen thousand four hundred and forty dollars and seventy-three cents, which sum shall be in full of all claims against the government.

Approved, March 3, 1873.

46 Stat.

[April 12, 1930, 46 Stat. 1634]

CHAP. 146.--An Act For the relief of Carl Stanley Sloan, minor Flathead allottee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is, hereby authorized to sell and convey under such terms and conditions as he may prescribe, the homestead allotment of Carl Stanley Sloan, minor Flathead allottee numbered 3265, described as the northeast quarter northeast quarter section 27, township 21 north, range 21 west, Montana meridian, Montana, containing forty acres, allotted to him under the provisions of the Act of Congress approved February 25, 1920 (Forty-first Statutes at Large, page 452).

Approved, April 12, 1930.

[March 3, 1933, 47 Stat. 1753]

CHAP. 261.--An Act To provide for the addition of the names of certain persons to the final roll of the Indians of the Flathead Indian Reservation Montana, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to add to the final roll of the Indians of the Flathead Indian Reservation, Montana, approved January 22, 1920, under the Act of May 25, 1918 (40 Stat. L. 591), and the Act of June 30, 1919 (41 Stat. L. 9), the names of the following persons, descendants of the confederated Flathead Tribes of Indians: Joseph Russell Bird, Daniel Lawrence Pablo, Valerie Roullier, Henry Roullier, junior, Julia Roullier, Laura Soucie, Blanche Soucie, Joseph Soucie, Julie Soucie, Rose Marie Soucie, and Audra Jane Martin. The Secretary of the Interior is also authorized to pay each of the persons named a sum equal to that heretofore paid per capita to those whose names were upon the approved roll, and to allot each of these persons except Audra Jane Martin the same area of land allotted to children of the Flathead Reservation enrolled upon the final roll, such payments to be made from any tribal funds in the Treasury to the credit of the Flathead Indians, the allotments to be made from any available tribal unallotted lands of the Flathead Reservation.

Approved, March 3, 1933.

[March 24, 1933, 48 Stat. 1296]

CHAP. 9--An Act For the relief of the Holy Family Hospital, Saint Ignatius, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the Holy Family Hospital, Saint Ignatius, Montana, out of any money in the Treasury not otherwise appropriated, the sum of $8,825.66, in full satisfaction of all claims against the United States for compensation for the care by such hospital of persons admitted thereto under authority of the Flathead Indian Agency, State of Montana, prior to and including November 30, 1931: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, March 24, 1933.

[June 11, 1934, 48 Stat. 1380]

CHAP. 451--An Act For the relief of Peter Pierre.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $45 to Peter Pierre, in payment for a horse which was lost while being used to transport supplies to a forest fire on the Flathead Indian Reservation, State of Montana.

Approved, June 11, 1934.

[June 14, 1934, 48 Stat. 1391]

CHAP. 525--An Act For relief of M. M. Twichel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to M. M. Twichel, of Saint Ignatius, Montana, out of any money in the Treasury not otherwise appropriated, the sum of $3,433.34 in full satisfaction of his claim against the United States for compensation for services rendered and expenses incurred in connection with the burial of Indians on the Flathead Indian Reservation, Montana, prior to May 1, 1933: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved, June 14, 1934.

[June 14, 1935, 49 Stat. 2078]

CHAP. 251--For the relief of certain Indians of the Flathead Reservation killed or injured en route to dedication ceremonies of the Going-to-the-Sun Highway, Glacier National Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sums of $2,890 in full settlement of all claims of the following Indians of the Flathead Indian Reservation, Montana, against the United States, arising out of any and all injuries sustained while en route to the dedication ceremonies of the Going-to-the-Sun Highway in Glacier National Park in the amounts indicated: Sophie Conko, $600; Mary Calowahcan Smallsalmon, $190; Alexander Calowahcan, $250; Michael Smallsalmon, $250; Joseph Woodcock, $30; Martine Siwahsah, $20; Sophie C. Granjo, $20; Sophie Moiese, $600; Isabel Granjo, $30; Eneas Granjo, $50; Mary Kyser Stateah, $600; Eneas Michel Conko, $50; Pierre Pierre, $50; William Michel, $50; Andrew Manybear, $100: Provided, That if any of the beneficiaries under this Act are deceased, payment herein authorized shall be made to their heirs; and to pay the sum of $3,000 to the heirs of Louise Cullooyah, deceased, and the sum of $3,000 to the heirs of Michel Kizer, deceased, also of the Flathead Indian Reservation, who were killed while en route to the said dedication ceremonies of the Going-to-the-Sun Highway in Glacier National

Park in full settlement of all claims against the United States arising out of the death of the said Indians on the said occasion.

Approved, June 14, 1935.

APPROPRIATION STATUTES

APPROPRIATIONS

1860

Date of Act	Citation	What and How Much
3/29/60	12 Stat. 4, 8-9	Treaty instalments and appropriations-- $36,000, 2,400, 1,200, 1,800, 5,400, 9,000, 1,200, 1,000, 3,000, 3,000, 500, 350.
6/19/60	12 Stat. 44, 58	Treaty instalments and appropriations--$1,000, $1,000.
3/2/61	12 Stat. 221, 234-235	Treaty instalments and appropriations--$6,000, 300, 800, 500, 7,400, 500, 300, 1,400, 300, 1,500.
6/25/64	13 Stat. 161, 174-175	Treaty instalments and appropriations--$5,000, 300, 1,800, 500, 7,400, 500, 300, 1400, 300, 1500.
3/3/65	13 Stat. 541, 553-554	Treaty instalments and appropriations--$5,000, 300, 1,800, 500, 7,400, 500, 1,400, 300, 1,500, 11,920.
7/26/66	14 Stat. 255, 269-270	Treaty instalments and appropriations--$5,000, 300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 1,500.
3/2/67	14 Stat. 492, 500-501, 514	Treaty instalments and appropriations--$5,000, 300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 1,500, 11,920.41, 1,000.
7/27/68	15 Stat. 199, 207-208	Treaty instalments and appropriations--$5,000, 300, 1,200, 500, 7,400, 500, 300, 1,500, 4,000.
4/10/69	16 Stat. 13, 22-23	Treaty instalments and appropriation--$4,000, 300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 1,500, 400.
7/15/70	16 Stat. 335, 343-344	Treaty instalments and appropriations--$4,000, 300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 1,500, 4,000, 11,800.

APPROPRIATIONS

Date of Act	Citation	What and How Much
3/3/71	16 Stat. 544, 553	Treaty instalments and appropriations--$4,000, 300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 500, 2,000.
5/29/72	17 Stat. 165, 188	Removal to Jocko Reservation--$6,000.
2/14/73	17 Stat. 437, 438, 439, 446	Pay 71 Indian agents, including Flathead--$106,500; Pay of Interpreter--$400; Treaty instalments and appropriations--$4,000, 300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 1,500, 2,000.
6/22/74	18 Stat. 133, 139	Removal to Jocko Reservation--$5,000; Treaty instalments and appropriations--$1,275.44.
6/22/74	18 Stat. 146, 155, 156, 173	Agent's pay--$1,500; Interpreter's pay--$400; Treaty instalments and appropriations--$300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 1,500, 3,000, 1,500; Removal to Jocko Reservation--$5,000 1/.

1/ "*Provided*, That the proceeds of the sales of land in Bitter Root Valley, Montana Territory, referred to in the second section of the act of Congress approved June fifth, eighteen hundred and seventy-two, entitled 'An act to provide for the removal of the Flathead and other Indians from the Bitter Root Valley, in the Territory of Montana,' shall be paid into the Treasury of the United States; in the same manner that other moneys derived from the sale of other public lands are now paid in: *And provided further*, That in lieu of the amount provided to be set apart therefrom by the act of Congress of June fifth, eighteen hundred and seventy-two, hereinbefore referred to there shall be annually appropriated, out of any money in the Treasury of the United States, not otherwise appropriated, the sum of five thousand dollars, for the period of ten years, to be expended, under the direction of the President, in the manner deemed for the best good of the Indians who have been removed from Bitter Root Valley: *And provided further*, That no part of said sum shall be paid to any Indian of said tribe who shall not have settled upon the Jocko reservation." 18 Stat. 173.

APPROPRIATIONS

Date of Act	Citation	What and How Much
3/3/75	18 Stat. 420, 430-431, 447	Treaty instalments and appropriation--$300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 500, 3,000, 1,500; Removal to Jocko Reservation--$5,000.
8/15/76	19 Stat. 176, 177, 183, 195	Agent's pay--$500; Interpreter's pay--$400; Treaty instalments and appropriation--$300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 1,500, 300; Removal to Jocko Reservation--$5,000.
3/3/77	19 Stat. 271, 272, 277-278, 290	Agent's pay--$1,500; Interpreter's pay--$300; Treaty instalments and appropriations--$300, 1,800, 500, 7,400, 500, 300, 1,400, 300, 1,500, 3,000; Removal to Jocko Reservation--$5,000.
5/27/78	20 Stat. 63, 64, 65, 71, 85	Agent's pay--$1,500; Interpreter's pay--$300; Treaty instalments and appropriations--$300, 1,800, 300, 7,400, 500, 300, 1,200, 300, 1,500, 16,600; Removal to Jocko Reservation--$5,000; Indian Bureau expenses, Montana (includes Flathead)--$6,000.
2/17/79	20 Stat. 295, 296, 301-302	Agent's pay--$1,500; Interpreter's pay--$300; Treaty instalments and appropriations--$300, 1,800, 300, 7,400, 500, 300, 1,200, 300, 13,600; Removal to Jocko Reservation--$5,000.
5/11/80	21 Stat. 114, 115, 120, 128, 129	Agent's pay--$1,500; Interpreter's pay--$300; Treaty instalments and appropriations--$6,000; Removal to Jocko Reservation--$5,000; Subsistence and civilization--$13,500.
3/3/81	21 Stat. 485, 486, 498	Agent's pay--$1,500; Interpreter's pay--$300; Removal to Jocko Reservation--$5,000; Subsistence and civilization--$13,000.

APPROPRIATIONS

Date of Act	Citation	What and How Much
5/17/82	22 Stat. 68, 69, 70	Agent's pay--$1,500; Interpreter's pay 2/.
8/5/82	22 Stat. 257, 279	Support appropriation--$13,50; Treaty instalment and appropriation--$719.32.
3/1/83	22 Stat. 433, 446	Agent's pay--$1,500; Subsistence and civilization--$13,000.
7/4/84	23 Stat. 77, 89, 90	Agent's pay--$1,500; Subsistence and civilization--$11,000; Carlos's Band support and civilization--$21,000.
3/3/85	23 Stat. 362, 363, 382	Agent's pay--$1,500; Carlo's Band support and civilization--$18,000; School support--$2,000 3/

2/ "For the payment of necessary interpreters, to be distributed in the discretion of the Secretary of the Interior, twenty thousand dollars; and section two thousand and seventy of the Revised Statutes be, and the same is hereby, repealed." 22 Stat. 70.

"Sec.2070. The salaries of interpreters lawfully employed in the service of the United States, in Oregon, Utah, and New Mexico, shall be five hundred dollars a year each, and of all so employed elsewhere, four hundred dollars a year each." Rev. Stat. 2d Ed., 1878.

3/ "For payment, out of the unexpended balance of the appropriation for support of schools for the year eighteen hundred and eighty-four, to the Indian Industrial School for Boys on the Flathead Indian Reservation, for clothing, subsisting, maintaining, and educating twenty Indian pupils in excess of the number provided for by contract with the Indian Department, during the twelve months beginning July first, eighteen hundred and eighty-three and ending June thirtieth, eighteen hundred and eighty-four, two thousand dollars." 23 Stat. 382.

APPROPRIATIONS

Date of Act	Citation	What and How Much
5/15/86	24 Stat. 29, 41	Agent's pay--$1,500; Carlo's Band support and civilization--$16,000; Support and civilization--$10,000.
3/2/87	24 Stat. 449, 461	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; Support and civilization--$10,000.
3/30/88	25 Stat. 47, 66	Support and civilization--$125.40.
6/29/88	25 Stat. 217, 218, 230	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; Support and civilization--$10,000.
3/2/89	25 Stat. 980, 981, 995	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; Support and civilization--$10,000.
8/19/90	26 Stat. 336, 337, 351	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; Support and civilization--$10,000.
3/3/91	26 Stat. 989, 990, 1004	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; Support and civilization--$10,000.
7/13/92	27 Stat. 120, 121, 137, 138-139	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; Support and civilization--$10,000; Substation and mills--$10,000 4/; Negotiations for land--$5,000 5/.

4/ "Substation and mills, Flathead Agency, Montana: Establishment of substation, purchase of saw and flour mills, and construction of necessary buildings for same; purchase of animals and pay of employees at Flathead Agency, Montana, ten thousand dollars". 27 Stat. 137.

5/ "To enable the Secretary of the Interior in his discretion to reopen the negotiations with the Shoshone and Arapahoe Indians for the surrender of certain portions of their reservation in the State of Wyoming, and Flathead and confederated tribes of Indians in the State of Montana, five thousand dollars, or so much thereof as may be necessary, to be immediately available, and not more than two of the Commissioners to be appointed hereunder shall be of the same political party, and any agreement entered into shall be ratified by Congress." 27 Stat. 138-139.

APPROPRIATIONS

Date of Act	Citation	What and How Much
7/28/92	27 Stat. 282, 294	Removal of Indians to reservation--$184.71.
3/3/93	27 Stat. 612, 613	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; support and civilization--$10,000; Substation and mills--$3,500.
8/15/94	28 Stat. 286, 287, 302	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; Support and civilization--$10,000.
3/2/95	28 Stat. 876, 891.	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; Support and civilization--$10,000; Substation and mills--$3,000.
6/8/96	29 Stat. 267, 293	Substation and mills--$137.04.
6/10/96	29 Stat. 321, 322, 337	Agent's pay--$1,500; Carlo's Band support and civilization--$12,000; Support and civilization--$10,000.
6/7/97	30 Stat. 62, 63, 77, 85, 86	Agent's pay--$1,500; Carlo's Band support and civilization--$10,000; Support and civilization--$10,000; Substation and mills--$3,000; Continuing negotiations--$10,000 (other Indians included).
7/1/98	30 Stat. 571, 572, 585, 596	Agent's pay--$1,500; Carlo's Band support and civilization--$10,000; Support and civilization--$10,000; Continuing negotiations--$15,000 (other Indians included); Reappraisement of certain lands--(amount not given) 6/.

6/ "SEC. 9. That with the consent of the Indians, severally, the Secretary of the Interior is hereby authorized to cause a reappraisement of the unsold tracts of land of the Flathead Indians, situated in the Bitter Root Valley, Montana, by such person connected with the Indian service as he may designate, and that such lands shall then be sold, at the reappraised value, as provided for in the Act of Congress of March second, eighteen hundred and eighty-nine, chapter three hundred and ninety-one, Twenty-fifth Statutes at Large, page eight hundred and seventy-one." 30 Stat. 596.

APPROPRIATION

Date of Act	Citation	What and How Much
7/7/98	30 Stat. 652, 677	Continuing negotiations--$296.85.
3/1/99	30 Stat. 924, 937	Agent's pay--$1,500; Carlo's Band support and civilization--$10,000; Support and civilization--$10,000.
3/3/99	30 Stat. 1214, 1235	Continuing negotiations--$14,500 (other Indians included); Support and civilization--$46.75; Substation--$29.25.
5/31/00	31 Stat. 221, 234	Agent's pay--$1,500; Carlo's Band support and civilization--$8,000; Support and civilization--$8,000.
6/6/00	31 Stat. 280, 302	Continuing negotiations--$15,000 (other Indians included).
3/3/01	31 Stat. 1010, 1041	Continuing negotiations--$12,000 (other Indians included).
3/3/01	31 Stat. 1058, 1059	Agent's pay--$1,500; Carlo's Band support and civilization--$8,000; Support and civilization--$8,000.
5/27/02	32 Stat. 245, 255	Agent's pay--$1,500; Carlo's Band support and civilization--$6,000; Support and civilization--$6,000.
7/1/02	32 Stat. 552	Support and civilization--$234.61.
3/3/03	32 Stat. 982, 992	Agent's pay--$1,500; Carlo's Band support and civilization--$6,000; Support and civilization--$6,000.
3/3/03	32 Stat. 1031	Support and civilization--$307.85.
4/21/04	33 Stat. 189, 190, 202	Agent's pay--$1,500; Support and civilization--$10,000.
3/3/05	33 Stat. 1048, 1057	Agent's pay--$1,500; Support and civilization--$9,000.
6/20/06	34 Stat. 325, 353	Agent's pay--$1,500.

APPROPRIATIONS

Date of Act	Citation	What and How Much
3/1/07	34 Stat. 1015, 1034	Agent's pay--$1,500; Completion of survey of Reservation--$30,000 7/.
2/15/08	35 Stat. 8, 19	Complete survey of reservation--$60,000 (reimbursable).
4/30/08	35 Stat. 70, 83-84	Agent's pay--$1,800; Support and civilization--$9,000; Irrigation system--$50,000 8/; Complete survey--$15,000.
3/3/09	35 Stat. 781, 795	Agent's pay--$1,800; Support and civilization--$9,000; Irrigation--$250,000 9/

7/ "To enable the Secretary of the Interior to complete the survey, allotment, classification, and appraisement of the lands in the Flathead Indian Reservation, Montana, thirty thousand dollars: *Provided*, That this sum shall be reimbursed the United States from the proceeds of the sale of the surplus lands after the allotments are made." 34 Stat. 1034.

8/ "For preliminary surveys, plans, and estimates of irrigating systems to irrigate the allotted lands of the Indians of the Flathead Reservation in Montana and the unallotted irrigable lands to be disposed of under the Act of April twenty-third, nineteen hundred and four, entitled 'An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation in the State of Montana, and the sale and disposal of all surplus lands after allotment,' and to begin the construction of the same, fifty thousand dollars, the cost of said entire work to be reimbursed from the proceeds of the sale of the lands within said reservation." 35 Stat. 83-84.

9/ "For construction of irrigation systems to irrigate the allotted lands of the Indians of the Flathead Reservation in Montana and the unallotted irrigable lands to be disposed of under the Act of April twenty-third, nineteen hundred and four, entitled 'An Act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation in the State of Montana, and the sale and disposal of all surplus lands after allotment,' including the necessary surveys, plans, and estimates, two hundred and fifty thousand dollars, one hundred thousand dollars thereof to be immediately available, the cost of said entire work to be reimbursed from the proceeds of the sale of the lands and timber within said reservation." 35 Stat. 795.

APPROPRIATIONS

Date of Act	Citation	What and How Much
3/3/09	35 Stat. 781, 828	River and harbor works--$8,185,750 (Includes Polson Bay, Flathead Lake).
4/4/10	36 Stat. 269, 277	Support and civilization--$9,000; Irrigation--$250,000 (reimbursable).
6/25/10	36 Stat. 630, 666	Harbor at Polson Bay--$6,000.
6/25/10	36 Stat. 703, 740	Completing survey of reservation--$10,000.
3/3/11	36 Stat. 1058, 1066	Support and civilization--$9,000; Irrigation system--$150,000 (reimbursable).
8/24/12	37 Stat. 518, 526	Support and civilization--$9,000; Irrigation system--$200,000 (reimbursable); Agency bldgs.--$40,000; (reimbursable) 10/; Sawmill and logging equipment--$20,000 (reimbursable) 11/.
6/30/13	38 Stat. 77, 90	Support and civilization--$12,000; Irrigation system--$325,000 (reimbursable).
4/6/14	38 Stat. 312, 332	Completing survey of reservation--$402.92.

10/ Refer page 43, *supra*.

11/ "There is hereby appropriated the sum of twenty thousand dollars to remain available until expended, and the Secretary of the Interior is authorized to use this money, or so much thereof as he may deem necessary, in the purchase of a sawmill and logging equipment and the employment of suitable persons to manufacture and to lumber burned timber on the Flathead Indian Reservation, Montana, and to protect the remaining timber from fire and trespass: *Provided*, That the sum expended under authority of this Act shall be reimbursed the United States from the proceeds arising from the sale of lands and timber within said reservation under existing Acts of Congress." 37 Stat. 526.

APPROPRIATIONS

Date of Act	Citation	What and How Much
8/1/14	38 Stat. 582, 593	Support and civilization--$12,000; Irrigation system--$200,000 (reimbursable); Tuition for Indian children--$471.60.
5/18/16	39 Stat. 123, 139	Support and civilization--$20,000; Purchase of land--$320 (reimbursable) 12/; Irrigation system--$750,000 (reimbursable) 13/.
3/2/17	39 Stat. 969, 980	Support and civilization--$2,000 14/; Irrigation system--$750,000 (reimbursable) 15/.
5/25/18	40 Stat. 561, 574	Irrigation system--$375,000 (reimbursable) 16/; Support and civilization--$20,000.

12/ Refer to page 46 of Special Statutes, *supra*.

13/ Refer to page 46, last paragraph, to page 49 of Special Statutes, *supra*.

14/ " . . . of which amount not exceeding $1,000 may be expended for the purchase of two automobiles, and not exceeding $4,500 of which shall be expended for salaries." 39 Stat. 980.

15/ "*Provided*, That not to exceed $15,000 of applicable appropriations made for the Flathead, Blackfeet, and Fort Peck irrigation projects shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for official use upon the aforesaid irrigation projects: *Provided further*, That not to exceed $9,000 may be used for the purchase of horse-drawn passenger-carrying vehicles, and that not to exceed $2,000 may be used for the purchase of motor-propelled passenger-carrying vehicles." 39 Stat. 980.

16/ "*Provided*, That not to exceed $15,000 of applicable appropriations made for the Flathead, Blackfeet, and Fort Peck irrigation projects shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for official use upon the aforesaid irrigation project: *Provided further*, That not to exceed $3,500 may be used . . . and not to exceed . . . $4,000 may be used . . ." 40 Stat. 574.

APPROPRIATIONS

Date of Act	Citation	What and How Much
6/30/19	41 Stat. 3, 15, 16, 31	Support and civilization--$20,000; Irrigation system--$375,000 (reimbursable); Support and civilization--$40,000 (tribal func
2/14/20	41 Stat. 408,17/ 420, 421, 434	Support and civilization--$20,000; Irrigation system--$200,000 (reimbursable); Support and civilization--$20,000 (tribal func
3/3/21	41 Stat. 1225, 1236, 1237	Support and civilization--$20,000; Irrigation system--$200,000 (reimbursable); Bitter Root Valley claims--$1,124.67 18/; Support and civilization--$20,000 (tribal funds).

17/ "That the State of Montana, acting through its proper officia is hereby authorized to select two hundred acres of unappropriat unreserved, and nonmineral lands within the boundaries of the former Flathead Indian Reservation in Montana, or an equal quantity of public lands of like character within the boundaries of said State, in lieu of the northwest quarter and the northeast quarter of the southwest quarter of section sixteen, township eighteen north, range twenty-one west, Montana meridian, Montana, upon due and proper showing that the lands authorized herein to be surrendered by the State have not been sold or otherwise encumbered by it, and the selection of such lieu lands by the said State shall be a waiver of its right, title, and claim in and to the tracts in said section sixteen above described: Provided, That in case the exchange herein contempla shall be perfected the lands so surrendered by the State shall b held for the benefit of the Flathead Tribe and be subject to such disposition as shall be directed by the Secretary of the Interior." 41 Stat. 408.

18/ "For the purpose of enabling the Secretary of the Interior to settle all unpaid claims against the United States Government to funds derived from sale of patented Indian lands in the Bitte Root Valley, Montana, under the provisions of the Act of March 2 1889 (Twenty-fifth Statutes at Large, page 871), entitled 'An Act to provide for the sale of lands patented to certain members of the Flathead Band of Indians in Montana Territory, and for other purposes,' $1,124.67, the same to be immediately available 41 Stat. 1236.

APPROPRIATIONS

Date of Act	Citation	What and How Much
5/25/22	42 Stat. 552, 570	Support and civilization--$19,000; Private claims against tribe--$2,250, 851, 531.92 (tribal funds)19/; Support and civilization--$18,000 (tribal funds); Irrigation system--$200,000 (reimbursable).
1/24/23	42 Stat. 1174, 1191, 1192	Support and civilization--$19,000; Support and civilization--$18,000 (tribal funds); Irrigation system--$555,000 (reimbursable).
12/5/24	43 Stat. 391, 402	Irrigation system--$150,000 (reimbursable); Support and civilization--$14,200.
12/6/24	43 Stat. 704, 707	Irrigation system--$7,760 (reimbursable); Support and civilization--$1,830.
3/3/25	43 Stat. 1141, 1153, 1159	Irrigation system--$35,000 (reimbursable); Support and civilization--$14,000; Support and civilization--$41,000 (tribal funds).
3/4/25	43 Stat. 1313, 1229	Adjust compensation to field service employees--$4,370 (tribal funds).
5/10/26	44 Stat. 453, 464	Irrigation system--$575,000 (reimbursable) 20/; Support and civilization--$40,000 (tribal funds).

19/ "The Secretary of the Interior is authorized to expend $3,632.92 from funds held by the United States in trust for the Flathead Tribe of Indians in the payment of $2,250 due Swan Johnson on a logging contract and $851 and $531.92, respectively, due Agnes and Paul Antoine, Flathead Indians, for stumpage." 42 Stat. 570.

20/ See pages 54-56 of Special Statutes for provisos.

APPROPRIATIONS

Date of Act	Citation	What and How Much
1/12/27	44 Stat. 934, 953	Support and civilization--$40,000 (tribal funds).
3/7/28	45 Stat. 200, 222	Support and civilization--$44,000 (tribal funds) 21/.
3/4/29	45 Stat. 1562, 1571, 1584	Industrial assistance--$50,000 (tribal funds, reimbursable); Irrigation system--22/; Support and civilization--$42,000 (tribal funds).
3/4/29	45 Stat. 1623, 1639	Irrigation system--23/.
3/26/30	46 Stat. 90, 105	Support and administration--$5,000 (tribal funds).
5/14/30	46 Stat. 279, 301	Support and administration--$42,000 (tribal funds).

21/ " . . . Provided, That the Secretary of the Interior is hereby authorized to pay not exceeding $3,756.20 from said sum, which is hereby made available for the purpose, to the Saint Julian's Hospital, Saint Ignatius, Montana, for medical and hospital services to members of the Flathead Tribe from December 21, 1921, to June 30, 1926; . . ." 44 Stat. 222.

22/ See page 59 of Special Statutes for amount and provisos.

23/ See pages 59-60 of Special Statutes for amount and provisos.

APPROPRIATIONS

Date of Act	Citation	What and How Much
2/14/31	46 Stat. 1115, 1127, 1138	Irrigation system--$18,000 24/; Support and administration--$50,400 (tribal funds).
3/4/31	46 Stat. 1552, 1567	Irrigation system--$200,000 (reimbursable) 25/.
4/22/32	47 Stat. 91, 101	Irrigation system--$12,000 26/.
2/17/33	47 Stat. 820, 830	Irrigation system--$12,000 27/.
3/3/33	47 Stat. 1602	Irrigation system--$25,000 (reimbursable).
3/2/34	48 Stat. 362, 370	Irrigation system--$12,000 (reimbursable).
5/9/35	49 Stat. 176, 187	Irrigation system--$12,000 (reimbursable) 28/.

24/ See pages 61-62 for provisos.

25/ See page 62 of Special Statutes for provisos.

26/ See pages 62-63 of Special Statutes for provisos.

27/ See pages 63-64 of Special Statutes for provisos.

28/ See page 64 of Special Statutes for provisos.

APPROPRIATIONS

Date of Act	Citation	What and How Much
6/22/36	49 Stat. 1757, 1767, 1770, 1778	Industrial assistance--$15,000 (tribal funds); Irrigation system--$12,000 (reimbursable); Support and administration--$16,000 (tribal funds).
8/9/37	50 Stat. 564, 578, 579-580	Irrigation system--$147,000 (reimbursable); $251,275 (reimbursable).
5/9/38	52 Stat. 291, 305, 313, 316	Irrigation system--$160,000 (reimbursable); Support and administration--$240,000; Improvement of water system--$19,000.
5/10/39	53 Stat. 685, 701, 703, 708	Irrigation system--$205,000 (reimbursable); $500,000 (reimbursable); Support and administration--$24,000 (tribal funds).
6/18/40	54 Stat. 407, 420, 422, 428, 430	Irrigation system--$207,000 (reimbursable); $250,000 (reimbursable); Support and administration--$24,000 (tribal funds); Construction and repair--$5,000.
6/28/41	55 Stat. 303, 318, 319, 326	Irrigation system--$210,000 (reimbursable); $250,000 (reimbursable); Support and administration--$24,000 (tribal funds); Construction and repair--$13,000.
7/3/41	55 Stat. 541, 552	Compensation and expenses of attorney--$7,000.
7/2/42	56 Stat. 506, 515, 516, 519, 526	Purchase of land--$25,000 (tribal funds); Industrial assistance--$35,000 (tribal funds); Irrigation system--$246,300 (reimbursable); Support and administration--$24,000 (tribal funds).

APPROPRIATION

Date of Act	Citation	What and How Much
7/12/43	57 Stat. 451, 458, 459, 462, 468	Purchase of land--$25,000 (tribal funds); Industrial assistance--$130,000 (tribal funds); Irrigation system--$235,000 (reimbursable); Support and administration--$35,000 (tribal funds).
4/1/44	58 Stat. 150, 170	Irrigation system--$26,890.
6/28/44	58 Stat. 463, 471, 475, 480	Purchase of Land--$38,000 (tribal funds); Industrial assistance--$27,000 (tribal funds); Irrigation system--$278,850 (reimbursable); Support and administration--$35,000 (tribal funds).
7/3/45	59 Stat. 318, 325, 329, 331	Purchase and lease of lands--$25,000 (tribal funds); Irrigation system--$250,300 (reimbursable); $65,000 (reimbursable).
4/19/46	60 Stat. 103, 110	Irrigation system--$25,780.
5/18/46	60 Stat. 183, 192	Irrigation system--$12,800.
7/1/46	60 Stat. 348, 360	Development of Hot Springs enterprise--$350,000 (tribal funds)29/.
3/10/48	62 Stat. 213, 221, 272	Irrigation system--$125,000; Irrigation system and other purposes--$64,570.56 (reimbursable) 30/.

29/ "Development of Hot Springs enterprise, Confederated Salish and Kootenai Tribes, Montana (tribal funds): For all expenses necessary for the development of a health resort on the Flathead Indian Reservation at Hot Springs, Montana, including the construction of buildings, and the payment of private architectural and engineering fees, $350,000, to remain available until expended, payable from funds held by the United States in trust for the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana." 60 Stat. 360.

30/ See pages 70-77 of Special Statutes for provisos.

APPROPRIATIONS

Date of Act	Citation	What and How Much
6/29/48	62 Stat. 1112, 1119, 1120	Irrigation system--$200,000; Construction and repair--$750,000.
6/23/49	63 Stat. 231, 241	Construction and repair--$750,000; Payment to tribe--$549,648 ($464,570.56 reimbursable).
10/12/49	63 Stat. 765	Irrigation system--$150,000 (reimbursable).

Section 17 of the Indian Reorganization Act of 1934

25 U.S.C. § 477

(June 18, 1934, c. 576, § 17, 48 Stat. 988; May 24, 1990, Pub.L. 101-301, § 3(c), 104 Stat. 207)

The Secretary of the Interior may, upon petition by any tribe, issue a charter of incorporation to such tribe: Provided, That such charter shall not become operative until ratified by the governing body of such tribe. Such charter may convey to the incorporated tribe the power to purchase, take by gift, or bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal, including the power to purchase restricted Indian lands and to issue in exchange therefor interests in corporate property, and such further powers as may be incidental to the conduct of corporate business, not inconsistent with law; but no authority shall be granted to sell, mortgage, or lease for a period exceeding twenty-five years any trust or restricted lands included in the limits of the reservation. Any charter so issued shall not be revoked or surrendered except by Act of Congress.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

CONSTITUTION AND BYLAWS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION MONTANA

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APPROVED OCTOBER 28, 1935

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1936

CONSTITUTION AND BYLAWS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION

PREAMBLE

We, the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, in order to establish a more responsible organization, promote our general welfare, conserve and develop our lands and resources, and secure to ourselves and our posterity the power to exercise certain rights of self-government not inconsistent with Federal, State, and local laws, do ordain and establish this Constitution for the Confederated Tribes of the Flathead Reservation.

ARTICLE I—TERRITORY

The jurisdiction of the Confederated Salish and Kootenai Tribes of Indians shall extend to the territory within the original confines of the Flathead Reservation as defined in the Treaty of July 16, 1855, and to such other lands without such boundaries, as may hereafter be added thereto under any law of the United States, except as otherwise provided by law.

ARTICLE II—MEMBERSHIP

SECTION 1. The membership of the Confederated Tribes of the Flathead Reservation shall consist as follows:

(a) All persons of Indian blood whose names appear on the official census rolls of the Confederated Tribes as of January 1, 1935.

(b) All children born to any member of the Confederated Salish and Kootenai Tribes of the Flathead Reservation who is a resident of the reservation at the time of the birth of said children.

SECTION 2. The Council shall have the power to propose ordinances, subject to review by the Secretary of the Interior, governing future membership and the adoption of members by the Confederated Tribes.

SECTION 3. No property rights shall be acquired or lost through membership in this organization, except as provided herein.

ARTICLE III—THE TRIBAL COUNCIL

SECTION 1. The governing body of the Confederated Salish and Kootenai Tribes of the Flathead Reservation shall be the Tribal Council.

SECTION 2. The Council shall consist of ten councilmen to be elected from the districts as set forth hereafter, and Chiefs Martin Charlo and Eneas Paul Koostahtah.

SECTION 3. Representation from the districts hereby designated shall be as follows: Jocko Valley and Mission Districts, two councilmen each; Ronan, Pablo, Polson, Elmo-Dayton, Hot Springs-Camas Prairie, and Dixon, one councilman each.

SECTION 4. The Tribal Council shall have the power to change the districts and the representation from each district, based on community organization or otherwise, as deemed advisable, such change to be made by ordinance, but the total number of delegates shall not be changed as provided for in section 2 of article III of this Constitution.

SECTION 5. The Tribal Council so organized shall elect from within its own number a chairman, and a vice chairman, and from within or without its own membership, a secretary, treasurer, sergeant-at-arms, and such other officers and committees as may be deemed necessary.

SECTION 6. No person shall be a candidate for membership in the Tribal Council unless he shall be a member of the Confederated Tribes of the Flathead Reservation and shall have resided in the district of his candidacy for a period of one year next preceding the election.

SECTION 7. The Tribal Council of the Confederated Tribes of the Flathead Reservation shall be the sole judge of the qualifications of its members.

ARTICLE IV—NOMINATIONS AND ELECTIONS

SECTION 1. The first election of a Tribal Council under this Constitution shall be called and supervised by the present Tribal Council within 30 days after the ratification and approval of this Constitution, and thereafter elections shall be held every two years on the third Saturday prior to the expiration of the terms of office of the members of the Tribal Council. At the first election, five councilmen shall be elected for a period of two years and five for a period of four years. The term of office of a councilman shall be for a period of four years unless otherwise provided herein.

SECTION 2. The Tribal Council or an election board appointed by the Council shall determine rules and regulations governing all elections.

SECTION 3. Any qualified member of the Confederated Tribes may announce his candidacy for the Council, within the district of his residence, notifying the Secretary of the Tribal Council in writing of his candidacy at least 15 days prior to the election. It shall be the duty of the Secretary of the Tribal Council to post in each district at least 10 days before the election, the names of all candidates for the Council who have met these requirements.

SECTION 4. The Tribal Council, or a board appointed by the Council, shall certify to the election of the members of the Council within 5 days after the election returns.

SECTION 5. Any member of the Confederated Tribes of the Flathead Reservation who is 21 years of age or over and who has maintained a legal residence for at least one year on the Flathead Reservation shall be entitled to vote.

SECTION 6. The Tribal Council, or a board appointed by the Tribal Council, shall designate the polling places and appoint all election officials.

ARTICLE V—VACANCIES AND REMOVAL FROM OFFICE

SECTION 1. If a councilman or official shall die, resign, permanently leave the reservation, or be removed from office, the Council shall declare the position vacant and appoint a successor to fill the unexpired term, *provided* that the person chosen to fill such vacancy shall be from the district in which such vacancy occurs.

SECTION 2. Any councilman who is proven guilty of improper conduct or gross neglect of duty may be expelled from the Council by a two-thirds vote of the membership of the Council voting in favor of such expulsion, and *provided further*, that the accused member shall be given full and fair opportunity to reply to any and all charges at a designated Council meeting. It is further stipulated that any such member shall be given a written statement of the charges against him at least five days before the meeting at which he is to appear.

ARTICLE VI—POWERS AND DUTIES OF THE TRIBAL COUNCIL

SECTION 1. The Tribal Council shall have the power, subject to any limitations imposed by the Statutes or the Constitution of the United States, and subject to all express restrictions upon such powers contained in this Constitution and attached Bylaws;

(a) To regulate the uses and disposition of tribal property, to protect and preserve the tribal property, wildlife and natural resources of the Confederated Tribes, to cultivate Indian arts, crafts, and culture, to administer charity; to protect the health, security, and general welfare of the Confederated Tribes.

(b) To employ legal counsel for the protection and advancement of the rights of the Flathead Confederated Tribes and their members, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(c) To negotiate with the Federal, State, and local governments on behalf of the Confederated Tribes, and to advise and consult with the representatives of the Departments of the Government of the United States on all matters affecting the affairs of the Confederated Tribes.

(d) To approve or veto any sale, disposition, lease, or encumbrance of tribal lands and tribal assets which may be authorized or executed by the Secretary of the Interior, the Commissioner of Indian Affairs, or any other agency of the Government, *provided* that no tribal lands shall be sold or encumbered or leased for a period in excess of five years, except for Governmental purposes.

(e) To advise with the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Confederated Tribes, prior to the submission of such estimates to the Congress.

(f) To manage all economic affairs and enterprises of the Confederated Tribes in accordance with the terms of a charter to be issued by the Secretary of the Interior.

(g) To make assignments of tribal lands to members of the Confederated Tribes in conformity with article VIII of this Constitution.

Amended
See p. 13-14

(h) To appropriate for tribal use of the reservation any available applicable tribal funds, provided that any such appropriation may be subject to review by the Secretary of the Interior, and *provided, further*, that any appropriation in excess of $5,000 in any one fiscal year shall be of no effect until approved in a popular referendum.

(i) To promulgate and enforce ordinances, subject to review by the Secretary of the Interior, which would provide for assessments or license fees upon nonmembers doing business within the reservation, or obtaining special rights or privileges, and the same may also be applied to members of the Confederated Tribes, provided such ordinances have been approved by a referendum of the Confederated Tribes.

(j) To exclude from the restricted lands of the reservation persons not legally entitled to reside thereon, under ordinances which may be subject to review by the Secretary of the Interior.

(k) To enact resolutions or ordinances not inconsistent with article II of this Constitution governing adoptions and abandonment of membership.

(l) To promulgate and enforce ordinances which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Confederated Tribes, and providing for the maintenance of law and order and the administration of justice by the establishment of an Indian Court, and defining its powers and duties.

(m) To purchase land of members of the Confederated Tribes for public purposes under condemnation proceedings in courts of competent jurisdiction.

(n) To promulgate and enforce ordinances which are intended to safeguard and promote the peace, safety, morals, and general welfare of the Confederated Tribes by regulating the conduct of trade and the use and disposition of property upon the reservation, providing that any ordinance directly affecting nonmembers shall be subject to review by the Secretary of the Interior.

(o) To charter subordinate organizations for economic purposes and to regulate the activities of all cooperative and other associations which may be organized under any charter issued under this Constitution.

(p) To regulate the inheritance of real and personal property, other than allotted lands, within the Flathead Reservation, subject to review by the Secretary of the Interior.

(q) To regulate the domestic relations of members of the Confederated Tribes.

(r) To recommend and provide for the appointment of guardians for orphans, minor members of the Confederated Tribes, and incompetents subject to the approval of the Secretary of the Interior, and to administer tribal and other funds or property which may be transferred or entrusted to the Confederated Tribes or Tribal Council for this purpose.

(s) To create and maintain a tribal fund by accepting grants or donations from any person, State, or the United States.

(t) To delegate to subordinate boards or to cooperative associations which are open to all members of the Confederated Tribes, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.

(u) To adopt resolutions or ordinances to effectuate any of the foregoing powers.

SECTION 2. Any resolution or ordinance which by the terms of this constitution is subject to review by the Secretary of the Interior, shall be presented to the Superintendent of the Reservation who shall, within ten days thereafter, approve or disapprove the same, and if such ordinance or resolution is approved, it shall thereupon become effective, but the Superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior who may, within 90 days from the date of enactment, rescind said ordinance or resolution for any cause, by notifying the Council of such action: *Provided*, That if the Superintendent shall refuse to approve any resolution or ordinance submitted to him, within ten days after its enactment, he shall advise the Council of his reasons therefor, and the Council, if such reasons appear to be insufficient, may refer it to the Secretary of the Interior, who may pass upon same and either approve or disapprove it within 90 days from its enactment.

SECTION 3. The council of the Confederated Tribes may exercise such further powers as may in the future be delegated to it by the Federal Government, either through order of the Secretary of the Interior or by Congress, or by the State Government or by members of the Confederated Tribes.

SECTION 4. Any rights and powers heretofore vested in the Confederated Tribes but not expressly referred to in this Constitution shall not be abridged by this article, but may be exercised by the members of the Confederated Tribes through the adoption of appropriate bylaws and constitutional amendments.

ARTICLE VII—BILL OF RIGHTS

SECTION 1. All members of the Confederated Tribes over the age of 21 years shall have the right to vote in all tribal elections, subject to any restrictions as to residence as set forth in article IV.

SECTION 2. All members of the Confederated Tribes shall be accorded equal opportunities to participate in the economic resources and activities of the reservation.

SECTION 3. All members of the Confederated Tribes may enjoy without hindrance freedom of worship, speech, press, and assembly.

SECTION 4. Any member of the Confederated Tribes accused of any offense, shall have the right to a prompt, open, and public hearing, with due notice of the offense charged, and shall be permitted to summon witnesses in his own behalf and trial by jury shall be accorded, when duly requested, by any member accused of any offense punishable by more than 30 days' imprisonment, and excessive bail or cruel or unusual punishment shall not be imposed.

ARTICLE VIII—LAND

SECTION 1. *Allotted lands*.—Allotted lands, including heirship lands, within the Flathead Reservation, shall continue to be held as heretofore by their present owners. The right of the individual Indian to hold or to part with his land, as under existing law, shall not be abrogated by anything contained in this Constitution, but the owner of restricted land may, with the approval of the Secretary of the Interior, voluntarily convey his land to the Confederated Tribes either in exchange for a money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided.

The Tribal Council shall have the right to exchange tribal lands for individual allotments when necessary for consolidation of tribal holdings and subject to approval of the Secretary of the Interior. Such exchanges shall be based on the appraised value of the lands so exchanged, and the individual Indian shall hold the land so exhanged in the same manner as the original allotment.

SECTION 2. *Tribal lands.*—The unallotted lands of the Flathead Reservation, and all lands which may hereafter be acquired by the Flathead Confederated Tribes or by the United States in trust for the Flathead Confederated Tribes, shall be held as tribal land, and no part of such land shall be mortgaged or sold. Tribal lands shall not be allotted to individuals but may be assigned to members of the Confederated Tribes, or leased, or otherwise used by the Confederated Tribes as hereinafter provided.

SECTION 3. *Leasing of tribal lands.*—Tribal lands may be leased by the Tribal Council, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law.

In the leasing of tribal lands preference shall be given, first, to Indian cooperative associations, and, secondly, to individual Indians who are members of the Confederated Tribes. No lease of tribal land to a nonmember shall be made by the Tribal Council unless it shall appear that no Indian cooperative association or individual member of the Confederated Tribes is able and willing to use the land and to pay a reasonable fee for such use.

Grazing permits covering tribal land may be issued by the Tribal Council, with the approval of the Secretary of the Interior, in the same manner and upon the same terms as leases.

SECTION 4. *Grants of standard assignments.*—In any assignment of tribal lands which now are owned by the Confederated Tribes or which may hereafter be acquired for the Confederated Tribes by the United States, or purchased by the Confederated Tribes out of tribal funds, preference shall be given, first, to heads of families which are entirely landless, and, secondly, to heads of families which have no allotted lands or interests in allotted lands but shall have already received assignments consisting of less than 80 acres of agricultural land, or other land or interest in land of equal value.

No allotted member of the Confederated Tribes who may hereafter have the restrictions upon his land removed and whose land may thereafter be alienated shall be entitled to receive an assignment of lands as a landless Indian.

Assignments made under this section shall be for the primary purpose of establishing homes for landless Indians, and shall be known as "Standard Assignments."

The Tribal Council may, if it seems fit, charge a fee of not to exceed $5.00 on approval of an assignment of land made under this section.

SECTION 5. *Tenure of standard assignments.*—If any member of the Confederated Tribes holding a standard assignment of land shall, for a period of one year, fail to use the land so assigned, or shall use such land for any unlawful purposes, his assignment may be canceled by the Tribal Council after he has had due notice and an opportunity to be heard, and the said land may be reassigned in accordance with the provisions of section 4 of this article.

Upon the death of any Indian holding a " Standard Assignment ", his heirs, or other individuals designated by him by will or by written request, shall have a preference in the reassignment of the land, provided such persons are members of the Confederated Tribes who would be eligible to receive a " Standard Assignment."

SECTION 6. *Grant of exchange assignment.*—Any member of the Confederated Tribes who owns an allotment or any share of heirship land, or any unencumbered deeded land within the reservations, may voluntarily transfer his interest in such land to the Confederated Tribes in exchange for an assignment to the same land or to other lands of equal value. If the assignee prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger grazing unit.

Assignments made under this section shall be known as " Exchange Assignments."

SECTION 7. *Leasing of exchange assignments.*—Exchange assignments may be used by the assignee or leased by him to Indian cooperative associations, to individual members of the Confederated Tribes, or, if no individual Indian or Indian cooperative association is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-Indians in the same manner as allotted lands.

SECTION 8. *Inheritance of exchange assignments.*—Upon the death of the holder of any exchange assignment, such land shall be reassigned by the Tribal Council to his heirs or devisees, subject to the following conditions:

(a) Such lands may not be reassigned to any heirs or devisees who are not members of the Confederated Tribes, except that a life assignment may be made to the surviving widower or widow of the holder of an assignment.

(b) Such lands may not be reassigned to any heir or devisee who already holds more than 320 acres of grazing land, or other land or interests in lands of equal value, either under allotment or under assignment.

(c) Such lands may not be subdivided into units smaller than 160 acres, and no area of agricultural land shall be subdivided into units smaller than two and one-half acres, except that land used for buildings or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the Tribal Council shall issue to the eligible heirs or devisees, grazing permits or other interest in tribal lands of the same value as the assignment of the decedent.

(d) If there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment in accordance with the provisions of Section 4 of this Article.

SECTION 9. *Inheritance of improvements.*—Improvements of any character made upon assigned land may be bequeathed to and inherited by members of the Confederated Tribes, or otherwise disposed of under such regulations as the Tribal Council shall provide. No permanent improvements shall be removed from the land without the consent of the Tribal Council.

SECTION 10. *Exchange of assignments.*—Assignments may be exchanged between members of the Confederated Tribes by common consent in such manner as the Tribal Council shall designate.

(a) *Use of unassigned community land.*—Community land which is not assigned, including community timber reserves, shall be managed by the community council for the benefit of the members of the entire community, and any cash income derived from such land shall accrue to the benefit of the community as a whole.

SECTION 11. *Purchase of land by community.*—Tribal funds may be used, with the consent of the Secretary of the Interior, to acquire land under the following conditions:

(a) Land within the Flathead Reservation, or adjacent to the boundaries thereof which is not now in Indian ownership, may be purchased by or for the Confederated Tribes.

(b) Restricted land which is in heirship status at the time of the adoption and approval of this Constitution may be purchased by or for the Confederated Tribes with the consent of all the adult heirs, and the legal guardians of minor heirs, or incompetent heirs, payment therefor to be made as may be agreed upon.

(c) Land owned by any member of the Confederated Tribes who is over the age of 60 years, or who is physically incapacitated, may be transferred by its owner to the Confederated Tribes in exchange for a pension or not more than twice the annual rental value of the land for the life of the pensioner, to be paid out of available tribal funds.

(d) Land in excess of 320 acres owned by any member of the Confederated Tribes, with the consent of the owner, payments to be made under such terms as may be agreed upon.

(e) Land owned by any member of the Confederated Tribes who desires to leave the reservation permanently may be purchased by the Confederated Tribes, under such terms as may be agreed upon.

SECTION 12. *Method of making assignments.*—Applications for assignments shall be filed with the Secretary of the Council and shall be in writing, setting forth the name of the person or persons applying for the land and as accurate a description of the land desired as the circumstances will permit. Notices of all applications received by the Secretary shall be posted by him in the agency office and in at least three conspicuous places in the district in which the land is located, for not less than 20 days before action is taken by the Council.

Any member of the Confederated Tribes wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections, to be filed with the Secretary of the Council, and may, if he so desires, appear before the Council to present evidence. The Secretary of the Council shall furnish the Superintendent or other officer in charge of the agency a complete record of all action taken by the Council on the application for assignment of land, and

a complete record of assignments shall be kept in the agency office and shall be open for inspection by all members of the Confederated Tribes.

The Council shall draw up one or more forms for standard and exchange assignments, which shall be subject to the approval of the Secretary of the Interior.

ARTICLE IX—REFERENDUM

SECTION 1. Upon a petition of at least one-third (⅓) of the eligible voters of the Confederated Tribes, or upon the request of a majority of the members of the Tribal Council, any enacted or proposed ordinance or resolution of the Council shall be submitted to a popular referendum, and the vote of a majority of the qualified voters voting in such referendum shall be conclusive and binding on the Tribal Council, provided that at least thirty percent (30%) of the eligible voters shall vote in such election.

ATICLE X—AMENDMENTS

SECTION 1. This Constitution and Bylaws may be amended by a majority vote of the qualified voters of the Confederated Tribes voting at an election called for that purpose by the Secretary of the Interior, provided that at least thirty percent (30%) of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment, at the request of two-thirds of the Council, or upon presentation of a petition signed by one-third (⅓) of the qualified voters, members of the Confederated Tribes.

BYLAWS

ARTICLE I—THE TRIBAL COUNCIL

SECTION 1. The Chairman of the Council shall preside over all meetings of the Council, perform all duties of chairman, and exercise any authority detailed to him, and he shall be entitled to vote on all questions.

SECTION 2. The vice chairman shall assist the chairman when called on so to do, in the absence of the chairman shall preside, and when so presiding shall have all the privileges, duties, and responsibilities of the chairman.

SECTION 3. The Council secretary shall forward a copy of the minutes of all meetings to the Superintendent of the Reservation and to the Commissioner of Indian Affairs.

SECTION 4. The duties of all appointed boards or officers of the organization shall be clearly defined by resolutions of the Council at the time of their creation or appointment. Such boards and officers shall report from time to time as required to the Council and their activities and decisions shall be subject to review by the Council upon petition of any person aggrieved.

SECTION 5. Newly elected members who have been duly certified shall be installed at the first regular meeting of the Tribal Council.

Section 6. Each member of the Tribal Council and each officer or subordinate officer, elected or appointed hereunder, shall take an oath of office prior to assuming the duties thereof, by which oath, he shall pledge himself to support and defend the Constitution of the United States and this Constitution and Bylaws. The following form of oath of office shall be given: "I, ____________________________ ____________, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, to carry out faithfully and impartially, the duties of my office to the best of my ability; to cooperate, promote, and protect the best interests of my Tribe, in accordance with this Constitution and Bylaws."

Section 7. Regular meetings of the Tribal Council shall be held on the first Saturdays of January, April, July, and October, at 9:00 o'clock a. m., at the Flathead Agency.

Section 8. Special meetings may be called by a written notice signed by the chairman or a majority of the Tribal Council and when so called the Tribal Council shall have power to transact business as in regular meetings.

Section 9. No business shall be transacted unless a quorum is present which shall consist of two-thirds (⅔) of the entire membership.

Section 10. Order of business:

(a) Call to order by chairman.
(b) Roll call.
(c) Reading of minutes of last meeting.
(d) Unfinished business.
(e) Reports.
(f) New business.
(g) Adjournment.

Section 11. It shall be the duty of each member of the Tribal Council to make reports to the district from which he is elected, concerning the proceedings of the Tribal Council.

Section 12. The Tribal Council may prescribe such salaries for officers or members of the Council as it deems advisable, from such funds as may be available.

Article II—Ordinances and Resolutions

Section 1. All final decisions of the Council on matters of general and permanent interest to the members of the Confederated Tribes shall be embodied in ordinances. Such ordinances shall be published from time to time for the information and education of the members of the Confederated Tribes.

Section 2. All final decisions of the Council on matters of temporary interest (such as action on the reservation budget for a single year, or petitions to Congress or the Secretary of the Interior) or relating especially to particular individuals or officials (such as adoption of members, instructions for tribal employees or rules of order for the Council) shall be embodied in resolutions. Such resolutions shall be recorded in a special book which shall be open to inspection by members of the Confederated Tribes.

Section 3. All questions of procedure (such as acceptance of Committee reports or invitations to outsiders to speak) shall be

decided by action of the Council or by ruling of the Chairman, if no objection is heard.

In all ordinances, resolutions or motions the Council may act by majority vote, but all matters of importance shall be fully discussed and a reasonable attempt shall be made to secure unanimous agreement.

SECTION 4. *Legislative forms.*—Every ordinance shall begin with the words: "Be it enacted by the Council of the Confederated Salish and Kootenai Tribes—."

SECTION 5. Every resolution shall begin with the words: "Be it resolved by the Council of the Confederated Salish and Kootenai Tribes—."

SECTION 6. Every ordinance or resolution shall contain a recital of the laws of the United States and the provisions of this Constitution under which authority for the said ordinance or resolution is found.

ARTICLE III—RATIFICATION OF CONSTITUTION AND BYLAWS

This Constitution and the attached Bylaws, when adopted by a majority vote of the voters of the Confederated Tribes voting at a special election called by the Secretary of the Interior, in which at least thirty (30) percent of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval, and shall be in force from the date of such approval.

CERTIFICATE OF ADOPTION

Pursuant to an order, approved September 25, 1935, by the Secretary of the Interior, the attached Constitution and Bylaws were submitted for ratification to the members of the Confederated Salish and Kootenai Tribes of the Flathead Reservation and were on October 4, 1935, duly adopted by a majority vote of the members of said voting in an election in which over 30 percent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the act of June 14, 1935 (Pub., No. 147, 74th Cong.).

ROY E. COURVILLE,
Chairman of Election Board.

JOSEPH R. BLODGETT,
President of Tribal Council.

LUMAN W. SHOTWELL,
Superintendent and ex officio
Secretary of the Tribal Council.

MARTIN (his thumb mark) CHARLO,
Chief Confederated Salish Tribe.

PAUL (his thumb mark) KOOS TA-TA,
Chief Kootenai Tribe.

Witnesses to mark:
HENRY MATT.
NICOLAI LASSAW.

I, Harold I. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution or Bylaws are hereby declared inapplicable to the Confederated Salish and Kootenai Tribes of the Flathead Reservation.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and Bylaws.

Approval recommended October 26, 1935.

JOHN COLLIER,
Commissioner of Indian Affairs.

HAROLD L. ICKES,
Secretary of the Interior.
[SEAL]

WASHINGTON, D. C.,
October 28, 1935.

○

AMENDMENT TO THE CONSTITUTION AND BY-LAWS OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION, MONTANA

AMENDMENT I.

Article VI, Section 1 (h) of the Constitution and By-laws of the Confederated Salish and Kootenai Tribes shall be amended to read as follows:

SECTION 1. The Tribal Council shall have the power, subject to any limitations imposed by the Statutes or the Constitution of the United States, and subject to all express restrictions upon such powers contained in this Constitution and attached By-laws;

(h) To appropriate for tribal use of the reservation any available applicable funds in the tribal treasury, provided that any such appropriation in excess of $25,000 shall be subject to review by the Secretary of the Interior.

CERTIFICATION OF ADOPTION

Pursuant to an order approved October 14, 1948, by the Assistant Secretary of the Interior, the attached Amendment I to the Constitution and By-laws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, was submitted for ratification to the Indians of the Flathead Reservation and was on December 10, 1948, duly adopted by a vote of 405 for, and 201 against, in an election in which over thirty percent of those entitled to vote cast their ballots, in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

WALTER W. MCDONALD,
Chairman, Confederated Salish & Kootenai Tribal Council.
PHIL HAMEL,
Secretary, Confederated Salish & Kootenai Tribal Council.

C. C. WRIGHT,
Superintendent, Conf. Salish & Kootenai Tribes.

APPROVAL

I, William E. Warne, Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve Amendment I to the Constitution and By-laws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

Approval recommended: December 21, 1948.

JOHN H. PROVINSE,
Assistant Commissioner.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

WASHINGTON, D. C., *December 22, 1948.*

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

◆

CORPORATE CHARTER OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION MONTANA

◆

RATIFIED APRIL 25, 1936

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1936

CORPORATE CHARTER OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION

A FEDERAL CORPORATION CHARTERED UNDER THE ACT OF JUNE 18, 1934

Whereas, the Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana constitute a recognized Indian tribe organized under a constitution and bylaws ratified by the tribe on October 4, 1935, and approved by the Secretary of the Interior on October 28, 1935, pursuant to section 16 of the act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378); and

Whereas, more than one-third of the adult members of the tribe have petitioned that a charter of incorporation be granted to such tribe, subject to ratification by a vote of the adult Indians living on the reservation;

Now, therefore, I, Harold L. Ickes, Secretary of the Interior, by virtue of the authority conferred upon me by the said act of June 18, 1934 (48 Stat. 984), do hereby issue and submit this charter of incorporation to the Confederated Salish and Kootenai Tribes of the Flathead Reservation to be effective from and after such time as it may be ratified by a majority vote of the adult Indians living on the reservation.

Corporate Existence. 1. In order to further the economic development of the Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana by conferring upon the said tribe certain corporate rights, powers, privileges, and immunities; to secure for the members of the tribe an assured economic independence; and to provide for the proper exercise by the tribe of various functions heretofore performed by the Department of the Interior, the aforesaid tribe is hereby chartered as a body politic and corporate of the United States of America, under the corporate name "The Confederated Salish and Kootenai Tribes of the Flathead Reservation."

Perpetual Succession. 2. The Confederated Salish and Kootenai Tribes shall, as a Federal corporation, have perpetual succession.

Membership. 3. The Confederated Salish and Kootenai Tribes shall be a membership corporation. Its members shall consist of all persons now or hereafter members of the tribe, as provided by its duly ratified and approved constitution and bylaws.

Management. 4. The tribal council of the Confederated Tribes established in accordance with the said constitution and bylaws of the tribe, shall exercise all the corporate powers hereinafter enumerated.

Corporate Powers.

5. The tribe, subject to any restrictions contained in the Constitution and laws of the United States, or in the constitution and bylaws of the said tribe, shall have the following corporate powers, in addition to all powers already conferred or guaranteed by the tribal constitution and bylaws:
    - (*a*) To adopt, use, and alter at its pleasure a corporate seal.
    - (*b*) To purchase, take by gift, bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal, subject to the following limitations:
        1. No sale or mortgage may be made by the tribe of any land, or interests in land, including water power sites, water rights, oil, gas, and other mineral rights, now or hereafter held by the tribe within the boundaries of the Flathead Reservation.
        2. No mortgage may be made by the tribe of any standing timber on any land now or hereafter held by the tribe within the boundaries of the Flathead Reservation.
        3. No leases, permits (which terms shall not include land assignments to members of the tribe), or timber-sale contracts covering any land or interests in land now or hereafter held by the tribe within the boundaries of the Flathead Reservation shall be made by the tribe for a longer term than 10 years, and all such leases, permits, or contracts must be approved by the Secretary of the Interior or by his duly authorized representative; but oil and gas leases, water power leases, or any leases requiring substantial improvements of the land may be made for longer periods when authorized by law.
        4. No action shall be taken by or in behalf of the tribe which conflicts with regulations authorized by section 6 of the act of June 18, 1934, or in any way operates to destroy or injure the tribal grazing lands, timber, or other natural resources of the Flathead Reservation.
        5. No distribution of corporate property to members shall be made except out of net income.
    - (*c*) To issue interests in corporate property in exchange for restricted Indian lands.

(*d*) To borrow money from the Indian credit fund in accordance with the terms of section 10 of the act of June 18, 1934 (48 Stat. 984), or from any other governmental agency, or from any member or association of members of the tribe, and to use such funds directly for productive tribal enterprises, or to loan money thus borrowed to individual members or associations of members of the tribe: *Provided*, That the amount of indebtedness to which the tribe may subject itself shall not exceed $100,000, except with the express approval of the Secretary of the Interior.

(*e*) To engage in any business that will further the economic well-being of the members of the tribe or to undertake any activity of any nature whatever, not inconsistent with law or with any provisions of this charter.

(*f*) To make and perform contracts and agreements of every description, not inconsistent with law or with any provisions of this charter, with any person, association, or corporation, with any municipality or any county, or with the United States or the State of Montana, including agreements with the State of Montana for the rendition of public services and including contracts with the United States or the State of Montana or any agency of either for the development of water-power sites within the reservation: *Provided*, That all contracts involving payment of money by the corporation in excess of $5,000 in any one fiscal year, or involving the development of water-power sites within the reservation, shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.

(*g*) To pledge or assign chattels or future tribal income due or to become due to the tribe under any notes, leases, or other contracts, whether or not such notes, leases, or contracts are in existence at the time: *Provided*, That such agreements of pledge or assignment shall not extend more than 10 years from the date of execution and shall not cover more than one-half the net tribal income in any 1 year: *And provided further*, That any such agreement shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.

(*h*) To deposit corporate funds, from whatever source derived, in any National or State bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation, or secured by a surety bond, or other security, approved by the Secretary of the Interior; or to deposit such funds in the postal savings bank or with a bonded disbursing officer of the United States to the credit of the tribe.

(*i*) To sue and to be sued in courts of competent jurisdiction within the United States; but the grant or exercise of such power to sue and to be sued shall not be deemed a consent by the said tribe or by the United States to the levy of any judgment, lien, or attachment upon the property of the tribe other than income or chattels specially pledged or assigned.

(*j*) To exercise such further incidental powers, not inconsistent with law, as may be necessary to the conduct of corporate business.

Termination of Supervisory Powers.

6. At any time after 10 years from the effective date of this charter, upon the request of the tribal council of the Confederated Tribes for the termination of any supervisory power reserved to the Secretary of the Interior under sections 5b (3), 5d, 5f, 5g, 5h, and section 8 of this charter, the Secretary of the Interior, if he deems it wise and expedient so to do, shall thereupon submit the question of such termination or grant for ratification by the tribe. If the Secretary of the Interior shall approve such termination, it shall be effective upon ratification by a majority vote of the adult members of the tribe residing on the reservation, at an election in which at least 30 percent of the eligible voters vote. If the Secretary shall disapprove such termination, or fail to approve or disapprove it within 90 days after its receipt, it may then be submitted by the Secretary or by the tribal council to popular referendum of the adult members of the tribe actually living within the reservation, and if approved by two-thirds of the eligible voters shall be effective.

Corporate Property.

7. No property rights of the Confederated Salish and Kootenai Tribes, as heretofore constituted, shall be in any way impaired by anything contained in this charter, and the tribal ownership of unallotted lands, whether or not assigned to the use of any particular individuals, is hereby expressly recognized. The individually owned property of members of the tribe shall not be subject to any corporate debts or liabilities, without such owners' consent. Any existing lawful debts of the tribe shall continue in force, except as such debts may be satisfied or cancelled pursuant to law.

Corporate Dividends. 8. The tribe may issue to each of its members a nontransferable certificate of membership evidencing the equal share of each member in the assets of the tribe and may distribute per capita, among the recognized members of the tribe, all profits of corporate enterprises over and above sums necessary to defray corporate obligations to members of the tribe or to other persons and over and above all sums which may be devoted to the establishment of a reserve fund, the construction of public works, the costs of public enterprises, the expenses of tribal government, the needs of charity, or other corporate purpose. Any such distribution of profits in any 1 year amounting to a per capita cash payment of $100 or more, or amounting to a distribution of more than one-half of the accrued surplus, shall not be made without the approval of the Secretary of the Interior.

Corporate Accounts. 9. The officers of the tribe shall maintain accurate and complete public accounts of the financial affairs of the tribe, which shall clearly show all credits, debts, pledges, and assignments, and shall furnish an annual balance sheet and report of the financial affairs of the tribe to the Commissioner of Indian Affairs. The treasurer of the tribe shall be the custodian of all moneys which come under the jurisdiction or control of the tribal council. He shall pay out money in accordance with the orders and resolutions of the council, and no disbursements shall be made without the signature or approval of the treasurer. He shall keep accounts of all receipts and disbursements and shall make written reports of same to the tribal council at each regular and special meeting. He shall be bonded in such an amount as the council by resolution shall provide, such bond to be approved by the Commissioner of Indian Affairs. The books of the treasurer shall be audited at the direction of the council or of the Commissioner of Indian Affairs, and shall be open to inspection by members of the tribe or duly authorized representatives of the Government at all reasonable times.

AUDIT

Amendments. 10. This charter shall not be revoked or surrendered except by act of Congress, but amendments may be proposed by resolutions of the council which, if approved by the Secretary of the Interior, to be effective shall be ratified by a majority vote of the adult members living on the reservation at a popular referendum in which at least 30 percent of the eligible voters vote.

Ratification. 11. This charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Confederated Salish and Kootenai Tribes living on the Flathead Reservation,

> provided at least 30 percent of the eligible voters shall vote, such ratification to be formally certified by the superintendent of the Flathead Agency and the chairman of the tribal council of the Confederated Tribes.

Submitted by the Secretary of the Interior for ratification by the Confederated Salish and Kootenai Tribes of the Flathead Reservation in a popular referendum to be held on April 25, 1936.

T. A. Walters,
Acting Secretary of the Interior.

[SEAL]

Washington, D. C., *April 21, 1936.*

CERTIFICATION

Pursuant to section 17 of the act of June 18, 1934 (48 Stat. 984), this charter, issued on April 21, 1936, by the Secretary of the Interior to the Confederated Salish and Kootenai Tribes of the Flathead Reservation, was duly submitted for ratification to the adult Indians living on the reservation and was on April 25, 1936, duly ratified by a vote of 425 for and 129 against, in an election in which over 30 percent of those entitled to vote cast their ballots.

Edwin Dupuis,
Chairman of the Tribal Council.

L. W. Shotwell,
Superintendent, Flathead Agency.

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5/5/1960

CONSTITUTION AND BYLAWS
of the
SALISH AND KOOTENAI TRIBES
of the
FLATHEAD RESERVATION
MONTANA

Amendment II

Article II of the Constitution entitled "Membership" is hereby amended in its entirety to read as follows:

"Section 1. Confirmation of Rolls - The membership of the Confederated Tribes of the Flathead Reservation is confirmed in accordance with the per capita rolls as from time to time prepared.

"Section 2. Present Membership - Membership in the Tribes on and after the date of the adoption of this amendment shall consist of all living persons whose names appear on the per capita roll of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, as prepared for the per capita distribution as shown on the per capita roll paid in February 1959 together with all children of such members, born too late to be included on such per capita roll and prior to the effective date of this section who possess one-fourth (1/4) or more Salish or Kootenai blood or both and are born to a member of the Confederated Tribes of the Flathead Indian Reservation. Subject to review by the Secretary of the Interior, the Tribal Council shall make any necessary corrections in this 1959 membership roll so that no one eligible for membership under prior constitutional provisions shall be excluded therefrom.

1/4 → BLOOD PURITY LINEAGE

RACISM

"Section 3. Future Membership - Future membership may be regulated from time to time by ordinance of the Confederated Tribes subject to review by the Secretary of the Interior. Until and unless an ordinance is adopted any person shall be enrolled as a member who shall (a) apply, or have application made on his behalf, establishing eligibility under this provision; (b) show that he is a natural child of a member of the Confederated Tribes; (c) that he possesses one-quarter (1/4) degree or more blood of the Salish or Kootenai Tribes or both, of the Flathead Indian Reservation, Montana; (d) is not enrolled on some other reservation.

1/4 BLOOD →

"Section 4. Adoption - The Tribal Council shall have the power to enact and promulgate ordinances, subject to review by the Secretary of the Interior, governing the adoption of persons as members of the Confederated Salish and Kootenai Tribes.

"Section 5. Loss of Membership - Membership in the Confederated Tribes may be lost (1) by resignation in writing to the Tribal Council; (2) by enrollment of the member with another Indian tribe; (3) by establishing a legal residence in a foreign country; (4) upon proof of lack of eligibility for enrollment, or fraud in obtaining enrollment, with due notice and opportunity to be heard and to defend before the Tribal Council, subject to appeal to the Secretary of the Interior, whose decision shall be confined to the record made in such proceeding which, if supported by substantial evidence, shall be binding.

"Section 6. Definitions - Wherever the term "Indian Blood" shall have been used herein or in tribal ordinances, unless the context shall require a different meaning, it shall be determined to mean the blood of either or both the Kootenai or the Salish Tribes of the Flathead Reservation.

"Section 7. Current Membership Roll - The membership roll of the Confederated Salish and Kootenai Tribes of the Flathead Reservation shall be kept current by striking therefrom the names of persons who have died or have lost membership pursuant to this Constitution and adding thereto the names of persons who shall have established eligibility or been adopted. The roll so prepared shall be the basis for determining the right of persons whose names appear thereon to share in annual per capita distribution of funds or in any other tribal property, subject to Secretarial approval.

"Section 8. Rules of Procedure - The Tribal Council shall have the authority to prescribe rules to be followed in compiling a membership roll in accordance with the provisions of this article, the completed roll to be approved by the Tribal Council of the Confederated Salish and Kootenai Tribes. In case of distribution of tribal assets, the roll shall be submitted to the Secretary of the Interior for final approval as may be provided by law.

"Section 9. Rights of Members are Prospective - No person shall be entitled to receive a per capita payment or share in any other tribal assets which were distributed prior to the date of his actual enrollment."

CERTIFICATION OF ADOPTION

Pursuant to an order approved January 20, 1960, by the Assistant Secretary of the Interior, the attached amendment to the Constitution of the Confederated Salish and Kootenai Tribes of the Flathead Reservation was submitted for ratification to the qualified voters of the Salish and Kootenai Indian Tribes and was on April 1, 1960 duly ratified by a vote of 762 for, and 187 against, in an election in which at least 30 percent of those entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

(sgd) Jerome Hewankorn
Vice-Chairman, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd) E. W. Morigeau
Actg. Secretary, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd) Charles S. Spencer
Superintendent, Flathead Agency

APPROVAL

I, Fred A. Seaton, Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendment II to the Constitution of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, to be effective as of April 1, 1960, the date of the ratification by the qualified voters of the tribes.

Approval recommended:

(sgd) Glenn L. Emmons
Commissioner, Bureau of Indian Affairs

(sgd) Fred A. Seaton
Secretary of the Interior
(SEAL)

May 5, 1960

Washington, D. C.

5|5|1960

CONSTITUTION AND BYLAWS
of the
SALISH AND KOOTENAI TRIBES
of the
FLATHEAD RESERVATION
MONTANA

Amendment III

Article VIII of the Constitution entitled "Land" is hereby amended in its entirety to read as follows:

"Section 1. Land Transactions - Subject to any limitations imposed by this Constitution and Bylaws, to any applicable Federal statute and to the approval of the Secretary of the Interior, the Tribal Council may:

(1) Purchase or receive by gift or relinquishment land or any interest therein, and may lease, exchange (with or without the giving or receipt of other consideration), encumber, and assign tribal lands or any interest therein; and

(2) Adopt ordinances or resolutions governing any or all such transactions.

"Section 2. Saving Clause - Nothing herein shall be held to impair rights heretofore acquired in any allotment or assignment held by any individual."

CERTIFICATION OF ADOPTION

Pursuant to an order approved January 20, 1960, by the Assistant Secretary of the Interior, the attached amendment to the Constitution of the Confederated Salish and Kootenai Tribes of the Flathead Reservation was submitted for ratification to the qualified voters of the Salish and Kootenai Indian Tribes and was on April 1, 1960, duly ratified by a vote of 617 for, and 329 against, in an election in which at least 30 percent of those entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

(sgd.) Jerome Hewankorn
Vice-Chairman, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd.) E. W. Morigeau
Actg. Secretary, Tribal Council,
Confederated Salish and Kootenai Tribes

(sgd) Charles S. Spencer
Superintendent, Flathead Agency

APPROVAL

I, Fred A. Seaton, Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendment III to the Constitution of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, to be effective as of April 1, 1960, the date of the ratification by the qualified voters of the tribes.

Approval recommended:

(sgd) Glenn L. Emmons
Commissioner, Bureau of Indian Affairs

(sgd) Fred A. Seaton
Secretary of the Interior
(SEAL)

May 5, 1960 Washington, D. C.

5/5/1960

CONSTITUTION AND BYLAWS
# of the
SALISH AND KOOTENAI TRIBES
# of the
FLATHEAD RESERVATION
MONTANA

Amendment IV

Section 7 of Article I of the Bylaws entitled "The Tribal Council" is hereby amended to read as follows:

> "Section 7. Regular meetings of the Tribal Council shall be held on the first Friday of January, April, July, and October, at 9:00 o'clock a.m., at the Flathead Agency."

CERTIFICATION OF ADOPTION

Pursuant to an order approved January 20, 1960, by the Assistant Secretary of the Interior, the attached amendment to the Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation was submitted for ratification to the qualified voters of the Salish and Kootenai Indian Tribes and was on April 1, 1960, duly ratified by a vote of 825 for, and 117 against, in an election in which at least 30 percent of those entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat. 378).

(sgd) Jerome Hewankorn
Vice-Chairman, Tribal Council,
Confederated Salish and Kootenai Trib

(sgd) E. W. Morigeau
Actg. Secretary, Tribal Council,
Confederated Salish and Kootenai Tribe

(sgd) Charles S. Spencer
Superintendent, Flathead Agency

APPROVAL

I, Fred A. Seaton, Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendment IV to the Bylaws of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, to be effective as of April 1, 1960, the date of the ratification by the qualified voters of the tribes.

Approval recommended:

(sgd) Glenn L. Emmons
Commissioner, Bureau of Indian Affairs

(sgd) Fred A. Seaton
Secretary of the Interior
(SEAL)

May 5, 1960   Washington, D. C.

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION
National Archives and Records Service
Washington, D.C. 20408

DATE: August 5, 1970

REPLY TO ATTN OF: NNR

SUBJECT: Request for certain information about the Flathead Indian Reservation.

St. Ignatius, Montana 59865

The enclosed electrostat of a listing of the laws and treaties relating to the Flathead Indian reservation which appears in The House Resolution Authorizing the Committee on Interior to Conduct an Investigation of the Bureau of Indian Affairs (House of Representatives No. 2503, Union Calendar 790, 82d Congress, 2d Session) is for your information.

If you wish to order copies of any of the documents listed in the enclosure, may we suggest that you write to the Photo Duplication Service, Library of Congress, Washington, D. C. 20540.

Richard S Maxwell
RICHARD S. MAXWELL
Assistant Director
Social and Economic Records Division

Enclosure

FLATHEAD OR SALISH INDIANS

Flathead or Jocko Reservation, Mont.

There were 3,630 Flathead or (Salish) and Kutenay Indians on this reservation in 1945[1] and an estimated 3,894 Indians in 1950. In 1929, Bitter Root, Carlos band, Lower Kalispel and (Upper) Pend d'Oreille Indians were also listed as being on the reservation.[2] The original area was 1,248,000 acres, of which 664,372 acres of allotted lands had been patented in fee, sold or otherwise alienated in 1934.[3] In 1950, the area consisted of 629,922 acres (232,102 acres, trust allotted; 397,820 acres, tribal; 1,283 acres, reserved by the government).

A treaty of July 16, 1855, with the Flathead Nation, consisting of the Confederated Tribes of Flathead, Kutenay and Upper Pend d'Oreille Indians, ceded certain lands in Montana and Idaho to the United States in return for a reservation in Montana for the confederated tribes and friendly tribes of Washington, who wished to consolidate with them under the designation of "Flathead Nation", certain payments, etc., over a period of years and exclusive fishing rights in the reservation. The President was authorized to have lands allotted in severalty, allotments to consist of from one-eighth to one section, or more, and to issue patents therefor conditioned on non-alienation, leases limited to two years and tax exemption, etc. (12 Stat. 975–979).

A treaty of October 17, 1855, with the Flathead Nation and the Nez Perce Indians, west of the Rocky Mountains, and the Blackfoot Nation, east of the Rocky Mountains permitted the Flathead Nation to hunt east of the Rockies (11 Stat. 657–662).

An act of June 5, 1872, amended June 22, 1874, provided for removal of the Flatheads from Bitter Root Valley in Montana to the Jocko Reservation, Mont., set apart under the treaty of July 16, 1855, above. Lands in Bitter Root Valley were to be opened for settlement and proceeds from sale paid into the Treasury and an annual appropriation of $5,000 made for ten years, to be expended by the President for the benefit of the Indians who settled on the Jocko reservation (17 Stat. 226–227, c. 308; 18 Stat. 173, c. 389).

An act of July 4, 1884, ratified an agreement of September 2, 1882, with the Flatheads authorizing a right of way through the reservation and appropriated $16,000 to pay the Flatheads (23 Stat. 89, c. 180).

An act of March 2, 1889, amended July 1, 1898, provided for sale of lands allotted to Flatheads in Bitter Root Valley, Mont., with consent of the individual Indians, and deposit of proceeds in the Treasury to the credit of the individual Indians. The Secretary was authorized to pay cash to them or expend the money for their benefit. The Indians were to be moved to the Jocko Reservation in Montana (25 Stat. 871–872, c. 391; 30 Stat. 596, c. 545, § 9).

An act of April 23, 1904, amended March 3, 1905, June 21, 1906, May 29, 1908, March 3, 1909, April 12, 1910, and February 28, 1919, provided for allotments to be made to the Confederated Tribes of Flathead, Kootenai, and Upper Pend d'Oreille Indians and other Indians on the reservation, including Lower Pend d'Oreille or Kalispel Indians. Residue of lands was to be opened to settlement, except for certain lands reserved for missions, government agencies, etc., a biological station for the University of Montana and 5,000 acres of timber lands for use of said Indians. Proceeds from sale of lands were to be deposited in the Treasury and after deducting funds for irrigation, one-half of the remaining funds were to be expended by the Secretary for the benefit of the Indians and the other half was to be paid to the Indians on the reservation, semiannually, as the same became available, share and share alike, except that the Secretary was authorized to withhold pro rata shares for irrigation charges. The amending act of 1906 authorized the Secretary to reserve town sites and 160 acres at hot springs near Camas, moneys derived from the springs to be for the benefit of the Indians. The amending act of 1909 permitted the Secretary to reserve lands for power or reservoir sites (45,714 acres were reserved). Under the amendment of 1910, sale of not more than 60 acres of allotted lands, upon application of the allottee, was authorized, half of proceeds to be paid to the allottee and half to be held in trust at three percent interest, which interest was to be paid to the allottee annually and the remaining principal paid to the allottee or heirs when the trust patent expired, or sooner in the discretion of the Secretary. Lieu lands were to be given for allotments on power or reservoir sites, to be enforced by condemnation proceedings if necessary. The amendment of 1919 provided for designation of land as valuable for stock-watering and required existing trails to be kept open to same (33 Stat. 302–306, c. 1495; 1080–1081, c. 1479, § 9; 34 Stat. 354–355, c. 3504; 35 Stat. 449–450, c. 216, 795–796, c. 263; 36 Stat. 296–297, c. 156; 40 Stat. 1203, c. 71).

An act of May 23, 1908, amended March 4, 1909, authorized reservation of 20,000 acres of the reservation for the National Bison Range and $30,000 was appropriated to pay the Indians on the reservation for their lands (35 Stat. 267, c. 192, 927, c. 298, 1051, c. 301).

An act of April 4, 1910, provided for reimbursement of appropriations for irrigation systems for allotted and unallotted irrigable lands (36 Stat. 277, c. 140).

An executive order of February 15, 1912, reserved certain lands in the reservation for a town site and an executive order of April 13, 1912, reserved other lands.

An act of July 10, 1912, authorized sale of lands to the city of Ronan, proceeds to be credited to the Flathead Indians, to draw interest at the rate provided by law and to be used for the benefit of said Indians (37 Stat. 192, c. 229).

Executive Order 1682 of January 14, 1913, reserved certain lands on the reservation for administrative purposes.

Timber

An act of May 18, 1916, authorized the opening of lands on the reservation, formerly classified as timber lands, to homestead entry; payment was to be made for timber in addition to the price of the land (39 Stat. 139, c. 125).

IRRIGATION

An act of May 18, 1916, regulated the payment of irrigation charges on lands allotted in severalty and allotted lands that had been sold; tribal funds which had been covered into the Treasury for irrigation construction charges were to be placed to the credit of the tribe and to be available for expenditure for the benefit of the tribe (39 Stat. 141, c. 125, § 11).

An act of June 27, 1918, authorized the Secretary to convey 120 acres of land in the reservation to a certain individual, said land to remain under government control (40 Stat. 616–617, c. 106).

An act of January 7, 1919, authorized sale of land to a school district, proceeds to be deposited to the credit of the Flathead

Indians, to draw interest as provided by law and to be used for the benefit of the Indians on the reservation, provided Indian children were admitted to attend school on equality with white children (40 Stat. 1053, c. 5).

An act of February 14, 1920, authorized exchange of 200 acres of land with the State, in lieu of a portion of the reservation reserved for school lands (41 Stat. 421, c. 75, § 10).

An act of February 25, 1920, amended June 16, 1950, authorized allotments to all unallotted living children enrolled or entitled to enrollment with the tribe; 40 acres of each allotment was to be designated as a homestead and was to be inalienable and nontaxable during minority; the first cutting of timber on timber land allotments was to be reserved for tribal benefit and title to residual timber was to pass to the allottees, etc. (41 Stat. 452, c. 87; Public Law 557, 81st Cong.).

NONTAXABLE DURING MINORITY

An act of May 31, 1924, authorized addition of certain descendants of the Confederated tribes, to the final roll and per capita payments to such Indians (43 Stat. 246, c. 215).

FINAL ROLLS PER CAPITA PMTS

An act of March 13, 1924, amended February 3, 1931, conferred jurisdiction on the Court of Claims to determine claims of Flathead, Kootenai, and Upper Pend d'Oreille Tribes on the reservation under treaty of July 16, 1855, above, and provided that the amount of any judgment was to be deposited in the Treasury to the credit of the Indians and was to draw interest at four percent (43 Stat. 21, c. 54; 46 Stat. 1060, c. 101).

COURT OF CLAIMS

An act of May 10, 1926, required contracts for repayment of irrigation construction charges and also required disposal of holdings in excess of 160 acres of land on the reservation, but trust patent Indian lands were not to be subject to these provisions until issuance of a fee patent (44 Stat. 465, c. 277).

REPAYMENT OF IRRIGATION

An act of March 7, 1928, authorized the Federal Power Commission to issue licenses for water power developments on the reservation; rentals were to be paid to the Indians as a tribe and deposited in the Treasury at four percent interest (45 Stat. 212, c. 87).

3/7/28 FEDERAL POWER COMM LICENSE

An act of March 7, 1928, directed the Federal Power Commission to waive fees for issuance of water power permits or licenses on the reservation (45 Stat. 1640, c. 707). *

WAIVE FEES →

An act of April 4, 1938, authorized lease of lands for agricultural and grazing, etc., purposes, on irrigation projects, reserves, etc., funds derived therefrom to be deposited to the credits of the tribe; consent of the tribe to lease of tribal lands was required if the tribe was organized (52 Stat. 193, c. 63).

An act of June 24, 1946, provided that tribal funds of the Confederated Salish and Kootenai Tribes on the reservation were to be available for purposes designated by the tribal council and approved by the Secretary (60 Stat. 302, c. 460).

An act of July 30, 1946, conferred jurisdiction on the Court of Claims to adjudicate claims of the Confederated Salish and Kootenai Tribes on this reservation. The amount of any judgment was to be placed in the Treasury to the credit of the Indians, at four percent interest, and was to be subject to appropriation by Congress for the benefit of the Indians (60 Stat. 715-716, c. 701).

COURT OF CLAIMS

An act of May 20, 1948, authorized conveyance of certain lands on the reservation to the State of Montana (62 Stat. 248, c. 325).

An act of May 25, 1948, authorized reimbursable appropriations of $64,570.56 to repay the Confederated Salish and Kootenai Tribes of the Reservation amounts due them under the act of May 18, 1916, above, and $400,000 in settlement of claims for use of tribal lands for irrigation and power systems or wildlife refuges; the tribes were to have the right to use such tribal lands and grant leases or concessions thereon, for purposes not inconsistent with such permanent easements (62 Stat. 272, c. 340, § 5).

$400,000.
SETTLEMENT
FOR IRRIGATION
& POWER

An act of August 18, 1949, authorized a patent in fee to about five acres of land to be issued to Lake County, Mont., with the consent of the tribal council (63 Stat. 614, c. 472; Public Law 245, 81st Congress).

An act of August 19, 1949, authorized an appropriation for repair, etc., of the drainage system for lands within the city of Polson, Mont., on the reservation; the city was to operate same in perpetuity (63 Stat. 621, c. 487; Public Law 255, 81st Congress).

EXHIBIT 49
DATE 4/11/15
SB 262

Quantification of Indian Federal Reserved Water Rights in the United States *

RESERVATION / TRIBE	STATE	Acre Feet / Yr
Ak Chin	AZ	85,000
Blackfeet (U.S. has Not Ratified)	MT	86,880
Colorado River Tribes (4)	AZ	783,134
Colorado Ute	CO	70,000
Crow (Under Allottee legal challenge)	MT	800,000
Fallon Paiute	NV	10,588
Flathead (proposed compact)	MT	** 27,744,657
Fort Belknap (U.S has not Ratified)	MT	500,000
Fort Hall	ID	581,331
Fort McDowell	AZ	36,350
Fort Peck (U.S. has not ratified)	MT	1,052,472
Gila River	AZ	655,000
Jicarilla Apache	NM	40,000

RESERVATION / TRIBE	STATE	Acre Feet / Yr
Las Vegas Paiute	NV	2,000
Nez Perce (Settled Litigation)	ID	50,000
Northern Cheyenne	MT	91,330
Northern Ute	UT	481,000
Pyramid Lake Paiute	NV	520,000
Rocky Boy	MT	20,000
Salt River Pima Maricopa	AZ	122,400
San Carlos Apache	AZ	77,435
Shivwit Paiute	UT	4,000
Tohono O'Odham	AZ	66,000
Warm Springs	OR	325,800
White Mtn Apache	AZ	99,000
Wind River (Litigation)	WY	490,000

Total All Other Tribes Combined	**7,065,720**
Flathead Water Compact (Proposed)	**** 27,744,657**

Sources: Negotiating Tribal Water Rights, Colby, Thorson, Britton, 2005; Arizona Water Atlas; Settlements Approved by Congress 2011 (www.westgov.org); 2015 CSKT Water Compact Abstracts

Notes

* Indian Federal Reserved Rights Quantification determined through litigation or negotiation

** Flathead partial Quantification was determined using (Appendices 5,15 (FIP & Reservoirs), Appendix 9 (Hungry Horse only), Appendix 18 (Flathead Lake less Kerr), Appendix 25 (Kootenai), and Appendix 27 (Lower Clark Fork) . Control points for Flathead instream flow claims would preclude the use of between 28 and 48 million acre feet of water for consumptive and non-consumptive uses. The state has not provided a total volume of water as of 03/31/2015.

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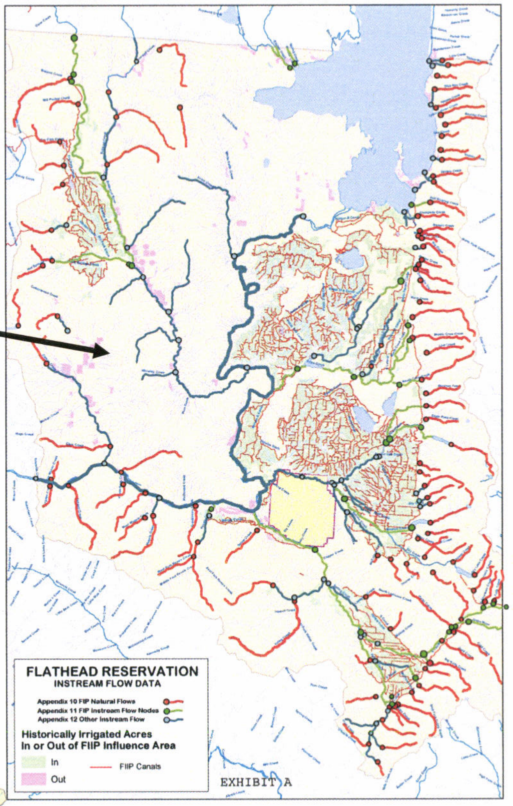
FLATHEAD RESERVATION INSTREAM FLOW CLAIMS

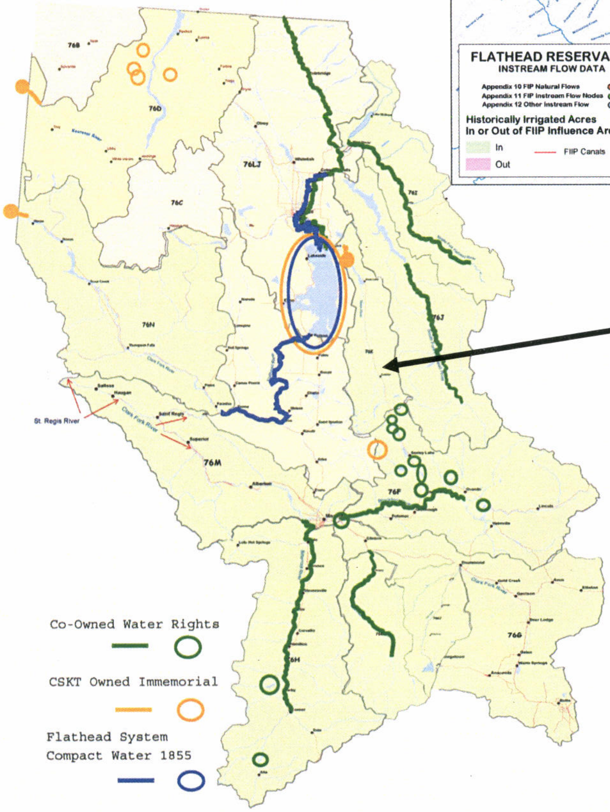

FLATHEAD RESERVATION
INSTREAM FLOW DATA
Appendix 10 FIP Natural Flows
Appendix 11 FIP Instream Flow Nodes
Appendix 12 Other Instream Flow
Historically Irrigated Acres
In or Out of FIIP Influence Area
In
Out
FIIP Canals
EXHIBIT A

CSKT WATER COMPACT: JUST SAY NO

The Water Compact for the **FLATHEAD INDIAN RESERVATION** consists of 1,500 pages of legal documents and maps making it impossible to understand its adverse impacts and far reaching implications. The legislature intended it to be a negotiation of the Confederated Salish and Kootenai Tribe's Federal Reserved Water Rights within the reservation. This compact goes well beyond that mandate to create a new kind of water right, allowing the tribe to claim vast amounts of water both on and off the reservation throughout western Montana.

The most troublesome aspects of the compact include:

- It cedes vast amounts of state water to the federal government and tribes with time immemorial priority dates giving the federal government control over the waters of western Montana.
- It awards to the tribe control and ownership of all water flowing through, under and over the Flathead Reservation, in spite of the fact that the reservation was opened to settlement in 1909 and 1/2 of the land is privately owned.
- It creates a water right to fulfill a treaty right to take fish.
- It transfers bare legal title to 100% of irrigation project water to the tribe although 90% of the lands served by it are privately owned.
- It awards to one tribe at least 4 times more water than all other tribes in the United States combined.


76B
76D
76LJ
76C
76I
76J
76N
76M
76F
76G
76H
St Regis River
Co-Owned Water Rights
CSKT Owned Immemorial
Flathead System
Compact Water 1855

MONTANA CLAIMS WEST OF THE CONTINENTAL DIVIDE 99% FOR INSTREAM FLOW, 1% FOR OTHER USES

CSKT COMPACT PARTIAL QUANTIFICATION

Description	Appendix	Priority	Volume (ACF)
Flathead Irrigation Project	5	1855	179,539
Hungry Horse	9	1855	90,000
FIP Storage	15	1855	29,544
Flathead Lake (2,883 elevation)	18	Immemorial	17,575,800
Kootenai Mainstem	25	Immemorial	6,249,774
Lower Clark Fork	27	Immemorial	3,620,000
Total			**27,744,657**

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Testimony of Terry Backs, St. Ignatius, MT

Chairman Bennett and Committee Members

I appreciate the opportunity to speak in opposition to SB262.

This compact was supposed to quantify the federal reserved water rights for the Flathead Reservation. But instead of determining a specific and limited amount of water for that purpose, you are being asked to ratify something far more complicated and overreaching than a simple settlement of water claims.

- You have already heard that it will transfer bare legal title for irrigation project water to the tribe, and reduce historic deliveries by 50-70%.
- In addition to taking irrigation water, this compact proposes to convey a hypothetical "tribal reserved water right," to the United States and CSKT giving them control over the waters of western Montana.

Quantification of the tribe's claims is the whole purpose of settlement. **Other compacts provided that information up front.** In CSKT however, it is buried in 1,000 pages of abstracts that are not part of the bill in front of you.

With that in mind, I will focus on just three claims in the appendices, all with a time immemorial priority date. The state recently published a summary of water rights showing the volume of water associated with these claims as not available.[1] The volume of water for these claims is not only available, it is astounding.

Appendix 18 for FLATHEAD LAKE claims a whopping 17.6 million acre feet of water.[2]

- This single claim is 2 ½ times more water than awarded to 31 other tribes combined.[3]
- Is 100% of Flathead Lake a reasonable or equitable settlement of water claims?

Appendix 25 for the KOOTENAI RIVER claims 6.3 million acre feet.[4]

- Is a water right to two thirds of the annual flow of the Kootenai River, off the reservation, reasonable? [5]

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[1] Summary of Water Rights Quantified by CSKT Montana Compact, 2015, Legislator Information Packet

[2] 2014 Clark Fork and Kootenai River Basins Water Plan page 50 (18,788,352 acf less Kerr Dam storage 1,200,000 acf)

[3] Quantification of Indian Federal Reserved Water Rights in the United States 2015, Concerned Citizens of Western Montana

[4] CSKT Water Compact Appendix 25 daily values converted to acre feet per year (6,249,774)

[5] 2014 Clark Fork and Kootenai River Basins Water Plan, page 53 – Kootenai River annual flow (10,044,398)

Appendix 27 for the LOWER CLARK FORK RIVER claims 3.6 million acre feet.[6]

- Why would the state award a water right off the reservation and outside of the tribe's ceded territory?

These three claims, 6 pages out of 1,500, barely touch the surface of this compact. Their combined volume is 28 million acre feet of water per year.

This compact is not even in the same universe as 31 other tribal water settlements approved by congress to date whose combined claims total 7 million acre feet of water per year.

Instead of determining a specific quantification of federal reserved water rights on the reservation, for the purpose of the reservation, this compact advances a time immemorial "tribal reserved" water right with tentacles reaching all over western Montana.

I mentioned three claims, but what about the rest? How much water is awarded in this compact, and why has the state failed to provide that information?

Without fully understanding how much water is in this "settlement", you are literally being asked to sign a blank check and cannot possibly understand the human or financial impacts of this forever document.

Please SAY NO to SB 262.

Thank you.

---

[6] CSKT Water Compact Appendix 28, 5,000 cubic feet per second x 724,447 = 3,622,235 acre feet per year

Summary of Water Rights Quantified by CSKT-Montana Compact 2015

Description	Priority Date	Count	Purpose	Appendix	Water Right	Description in Practical Terms	Flow Rate (cfs)	Volume (acre-feet)
On-Reservation Water Rights								
Flathead Indian Irrigation Project (FIIP) Water Use Right	1855	3	Irrigation	Appendix 5	76L 30052930 - 76L 30052932	May serve up to, but not more than 135,000 acres (currently 128,242 acres); Exercise of this right satisfied by meeting the RDA values for each RDA Area described in Appendix 3.2. FIIP Irrigators entitled to delivery of water pursuant to Article IV.D.2.	220 Individual Points of Diversion	Maximum Diverted: 360,950
Flathead System Compact Water Right	1855	1	Any	Appendix 9	76LJ 30063812	Direct flow water right from the Flathead River, including Flathead Lake; Up to 90,000 AF per year of storage water from Hungry Horse Reservoir; state has ability to issue leases for 11,000 AF for DCMI mitigation off Reservation; Additional water can be leased from Tribes for any beneficial purpose (on or off Reservation) and is available for FIIP during Shared Shortages.	Details in Abstract	Diverted: 229,383 Consumed: 128,158
Instream Flow - Natural Sites	Time Immemorial	102	Fish & Wildlife	Appendix 10	76LJ 30052674- 76L 30052775	Nonconsumptive instream use; cannot be changed; located in headwaters above existing uses; no existing uses subject to call.	Individual Monthly Values	N/A
Instream Flow - FIIP Sites	Time Immemorial	33	Fish & Wildlife	Appendix 11	76L 30052776- 76L 30052808	Nonconsumptive instream use; cannot be changed; administered with regard to FIIP diversions according to Article IV.C-F of Compact; administered with regard to existing non-project irrigation uses according to Article III.G.3 of the Compact.	Individual Monthly Values	N/A
Instream Flow - Other Sites	Time Immemorial	49	Fish & Wildlife	Appendix 12	76LJ 30052818- 76L 30052866	Nonconsumptive instream use; cannot be changed; enforcement schedules developed per UMO section 2-1-115 must allow for exercise of all valid existing water rights.	Individual Monthly Values	N/A
FIIP Reservoir Minimum Pool	1855	2	Fish & Wildlife	Appendix 15	76L 30052927 & 76L 30052929	Pool minimums designated to protect reservoir biology.	54 Individual Points of Diversion	Evaporation
Wetlands - Protective	Time Immemorial	12	Fish & Wildlife	Appendix 16 Appendix 21 Appendix 23	76L 30052661-667, 76L 30052922, 76LJ 30052924-926	Cannot be used to make call on any water right; no artificial means of diversion or control of water that can be used to manipulate or otherwise affect the water supply, these water rights serve to protect existing Wetlands from adverse effects from new permits and changes to existing water rights.	N/A	N/A
High Mountain Lakes	Time Immemorial	6	Fish & Wildlife	Appendix 17	76L 30052668- 76L 30052673	No artificial means of diversion or control of water; Located in headwaters above all existing water uses, therefore no existing uses will be subject to call.	N/A	N/A
Flathead Lake	Time Immemorial	1	Fish & Wildlife	Appendix 18	76LJ 30052867	Nonconsumptive minimum lake elevation water right that protects the natural elevation level of Flathead Lake, below elevations maintained by Kerr Dam. No artificial means of diversion or control of water. Enforceable at natural lake level 2883' in elevation; Does not affect any existing water users or allow Tribes to drain the lake to that level.	N/A	N/A
Power Generation - Boulder & Hellroaring	1855	3	Hydropower	Appendix 19 Appendix 20	76LJ 30052870- 76LJ 30052872	Non consumptive hydro power water rights.	8 6	nonconsumptive

Summary of Water Rights Quantified by CSKT-Montana Compact 2015

Description	Priority Date	Count	Purpose	Appendix	Water Right	Description in Practical Terms	Flow Rate (cfs)	Volume (acre-feet)
Off-Reservation Instream Flow Water Rights								
Kootenai River	Time Immemorial	1	Instream Fishery	Appendix 25	76D 30063810	Nonconsumptive instream flow right. Enforceable daily flow schedule based on seasonal water supply under dry year conditions. Not enforceable up tributaries or at all so long as Libby Dam remains in existence, and the Army Corps is in compliance with 2008 Biological Opinion.	Individual Daily Values	N/A
Swan River	Time Immemorial	1	Instream Fishery	Appendix 26	76K 30063809	Nonconsumptive instream flow right. Enforceable daily flow schedule based on seasonal water supply under dry year conditions. Enforceable only against surface water irrigation and over 100 gallons per minute hydrologically connected groundwater irrigation rights. Water right does not affect legal availability for new permit applicants under current DNRC regs.	Individual Daily Values	N/A
Clark Fork River	Time Immemorial	1	Instream Fishery	Appendix 27	76N 30063808	Nonconsumptive instream flow right that equals the Cabinet Gorge and Noxon Dam minimum FERC requirement currently established at 5,000 cfs. Should the FERC requirement be lowered, the enforceable flow rate for this water right must be reduced to match. Enforceable only against mainstem (not tributary) surface water irrigation and over 100 gallons per minute hydrologically connected groundwater irrigation rights. Right does not affect legal availability for new permit applicants under current DNRC water right permitting regulations.	5,000	N/A
North Fork Placid Creek	Time Immemorial	1	Instream Fishery	Appendix 35	76F 30063811	Nonconsumptive instream flow right. There is only one (FIIP) diversion upstream of the protected stream reach; historic diversion levels for this right are maintained.	10	N/A
Kootenai Tributaries: Big, Steep, Sutton, and Boulder Creeks	Time Immemorial	4	Instream Fishery	Appendix 36	76D 30063807, 76D 30052869, 76D 30063806, & 76D 30052868	Nonconsumptive instream use; Cannot be changed; Located in headwaters above all existing water uses, therefore no existing uses subject to call.	Individual Daily Values	N/A
Former Milltown Dam Water Right	1904	2	Instream Fishery	Appendix 30 Appendix 31	76M 94404 01 & 76M 94404 02	Former Milltown Dam hydroelectric water right is changed by the Compact into 2 nonconsumptive instream flow rights. Enforceable daily flow schedule based on seasonal water supply under dry year conditions. Enforceable only against junior surface water irrigation and > 100 gallons per minute groundwater irrigation rights after 4 of 5 consecutive days below minimum flow. Requires 10 years stakeholder planning effort.	Individual Daily Values	N/A
Total Water Rights Recognized		222						

- This summary does not include existing water rights to be co-owned by the Tribes and DFW enumerated in appendices 22, 24, 28
- For more information email: dnrrwrcc@mt.gov or call 406-444-5700

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052867 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE WATER IN FLATHEAD LAKE UP TO THE SHORELINE ELEVATION OF 2883 FEET ABOVE MEAN SEA LEVEL.

Source Name: SWAN RIVER

Source Type: SURFACE WATER

Source Name: FLATHEAD RIVER (FLATHEAD LAKE)

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER (FLATHEAD LAKE)
Diversion Means: INLAKE
Diversion Type: PRIMARY

2						FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER (FLATHEAD LAKE)
Diversion Means: INLAKE
Diversion Type: PRIMARY

3						LAKE

Period of Diversion:
Source Name: SWAN RIVER
Diversion Means: INLAKE
Diversion Type: PRIMARY

4						FLATHEAD

Period of Diversion:
Source Name: SWAN RIVER
Diversion Means: INLAKE
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

THE PLACE OF USE IS FLATHEAD LAKE, BOTH ON AND OFF OF THE FLATHEAD INDIAN RESERVATION.

Remarks:

SEE 30052867 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE PURPOSE OF THIS WATER RIGHT IS FOR THE MAINTENANCE AND ENHANCEMENT OF FISH HABITAT. THIS WATER RIGHT SHALL NOT BE CHANGED TO ANY OTHER OR ADDITIONAL PURPOSE.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE SOURCES FOR THIS WATER RIGHT INCLUDE ALL NAMED AND UNNAMED TRIBUTARIES THAT DRAIN DIRECTLY INTO FLATHEAD LAKE.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76D 30063810 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): INSTREAM FISHERY
Maximum Flow Rate: 38,573.00 CFS

THE ENFORCEABLE LEVELS OF THIS WATER RIGHT ARE INDIVIDUAL FOR EACH CALENDAR DAY OF THE YEAR AND ARE IDENTIFIED IN THE TECHNICAL REPORT FILED WITH THIS WATER RIGHT (SEE APPENDIX 36 OF SCANNED FILING).

CALL MAY BE INITIATED ON THE DAY FOLLOWING A 24-HOUR PERIOD WHERE AVERAGE DAILY RIVER FLOWS FALL BELOW THEIR RESPECTIVE DAILY ENFORCEABLE VALUE.

ENFORCEABLE LEVELS OF THIS WATER RIGHT SHALL BE MEASURED AT THE USGS GAGE #12305000 LOCATION ON THE KOOTENAI RIVER AT LEONIA, IDAHO (48°37'04"N, 116°02'47"W, NAD83) (NWNWNW SEC 20 T33N R34W). IF USGS GAGE #12305000 IS DISCONTINUED OR OTHERWISE RENDERED NONFUNCTIONAL, MEASUREMENTS SHALL BE TAKEN EITHER AT THIS SAME LOCATION OR AS NEAR TO THAT POINT AS IS REASONABLY PRACTICABLE.

Maximum Volume:
Source Name: KOOTENAI RIVER
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			5	32N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

2			20	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

3			21	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

4			27	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

5			28	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
6			34	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	**Acres**	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
1				5	32N	34W	LINCOLN
2				20	33N	34W	LINCOLN
3				21	33N	34W	LINCOLN
4				27	33N	34W	LINCOLN
5				28	33N	34W	LINCOLN
6				34	33N	34W	LINCOLN

Remarks:

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE REACH OF THE KOOTENAI RIVER STARTING AT THE POINT WHERE THE KOOTENAI RIVER CROSSES THE MONTANA IDAHO STATE BORDER (48°37'04"N, 116°02'47"W, NAD83) (NWNWNW SEC 20 T33N R34W) AND EXTENDING UPSTREAM TO THE CONFLUENCE OF THE KOOTENAI AND YAAK RIVERS (48°33'38"N, 115°58'40"W, NAD83) (SWSWSE SEC 5 T32N R34W).

THE ABILITY TO ENFORCE THIS RIGHT SHALL BE SUSPENDED SO LONG AS LIBBY DAM REMAINS IN EXISTENCE AND THE ARMY CORPS OF ENGINEERS' (ACOE) OPERATION OF THAT DAM ARE CONDUCTED CONSISTENTLY WITH THE 2008 FEDERAL COLUMBIA RIVER POWER SYSTEM BIOLOGICAL OPINION, AND THE 2010 UPDATED BIOLOGICAL OPINION, SPECIFICALLY AS DESCRIBED IN REASONABLE AND PRUDENT ALTERNATIVE ACTION (RPA) NO. 4 (STORAGE PROJECT OPERATIONS), TABLE NO. 1 (LIBBY DAM), INCLUDING THE NORTHWEST POWER AND CONSERVATION COUNCIL'S 2003 MAINSTEM AMENDMENTS TO THE COLUMBIA RIVER BASIN FISH AND WILDLIFE PROGRAM, OR ANY SUBSEQUENT BIOLOGICAL OPINION(S) GOVERNING THE SAME RPA(S) AND OPERATIONS.

IN THE EVENT OF CHANGES TO THE ACOE'S RESPONSIBILITIES UNDER THE ENDANGERED SPECIES ACT OF 1973, 16 U.S.C. 1531, ET SEQ. (ESA), SUCH AS THE DELISTING OF RESIDENT AND ANADROMOUS FISH SPECIES, THAT NO LONGER REQUIRE THE ACOE TO OPERATE LIBBY DAM PURSUANT TO ESA SECTION 7 BIOLOGICAL OPINIONS OR OTHER SUBSTANTIVE ESA REQUIREMENTS, THE UNITED STATES, ACTING THROUGH THE ACOE, THE TRIBES, AND THE STATE SHALL ESTABLISH WRITTEN PROTOCOLS AND UNDERSTANDINGS ON MEETING AND ENFORCING THE TRIBES' MAINSTEM INSTREAM FLOW RIGHT ON THE KOOTENAI RIVER WHILE ALSO ENSURING THAT THE ACOE OPERATIONS OF LIBBY DAM MEET ALL FEDERAL STATUTORY AND REGULATORY REQUIREMENTS AND OBLIGATIONS. PROVIDED HOWEVER, THAT ANY SUCH ENFORCEMENT PROTOCOL SHALL NOT ALTER THE LIMITATIONS ON CALL SET FORTH IN ARTICLE III SECTION F OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SHOULD THE SUSPENSION ON ENFORCEMENT SET FORTH PURSUANT ARTICLE III.F.1.E OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA BE LIFTED, THE OWNER OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL, IN ACCORDANCE WITH STATE LAW, TO ENFORCE THIS WATER RIGHT ONLY AGAINST JUNIOR WATER RIGHTS IN BASIN 76D (KOOTENAI DRAINAGE) WHOSE POINT OF DIVERSION IS FROM THE MAINSTEM OF THE KOOTENAI RIVER AND NOT ITS TRIBUTARIES, THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION AND WHOSE SOURCE OF SUPPLY IS SURFACE WATER, OR AGAINST JUNIOR USERS THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION, WHOSE SOURCE OF SUPPLY IS GROUNDWATER CONNECTED TO THE MAINSTEM OF THE KOOTENAI RIVER AND WHOSE FLOW RATE IS GREATER THAN 100 GALLONS PER MINUTE.

THE DESIGNATION OF A PLACE OF USE OF THIS WATER RIGHT IS A DESIGNATION FOR PURPOSES OF MEASUREMENT OF THE ENFORCEABLE LEVELS AND IS NOT A GEOGRAPHIC LIMITATION ON THE LOCATION OF JUNIOR WATER RIGHTS AGAINST WHOM THIS RIGHT MAY BE ENFORCED.

THIS IS A NONCONSUMPTIVE INSTREAM WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

January 28, 2015
76N 30063808
Category: COMPACTED OFF RESERVATION

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76N 30063808 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): INSTREAM FISHERY

Purpose Clarification: INSTREAM

Maximum Flow Rate: 5,000.00 CFS

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE MEASURED AT THE USGS GAGE #12391950 LOCATION ON THE CLARK RIVER BELOW CABINET GEORGE DAM, IDAHO (48°05'17"N, 116°04'22"W, NAD83) (NWSENE SEC 27 T55N R3E). IF USGS GAGE #12391950 IS DISCONTINUED OR OTHERWISE RENDERED NONFUNCTIONAL, MEASUREMENTS SHALL BE TAKEN EITHER AT THIS SAME LOCATION OR AS NEAR TO THAT POINT AS IS REASONABLY PRACTICABLE.

CALL MAY BE INITIATED ON THE DAY FOLLOWING A 24-HOUR PERIOD WHERE AVERAGE DAILY RIVER FLOWS FALL BELOW THE ENFORCEABLE LEVEL OF THIS WATER RIGHT.

FOR SO LONG AS THE CABINET GORGE AND NOXON DAMS REMAIN IN EXISTENCE, THE ENFORCEABLE LEVEL OF THIS RIGHT IS A FLOW RATE EQUAL TO THE LESSER OF 5,000 CFS OR THE MINIMUM FLOW LEVEL ESTABLISHED BY THE FERC AS A CONDITION ON THE LICENSE FOR THE CABINET GORGE AND NOXON DAMS AS THAT LICENSE CONDITION MAY BE MODIFIED OVER TIME.

Maximum Volume:

Source Name: CLARK FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			19	27N	34W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2			24	27N	35W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	27N	34W	SANDERS
2				24	27N	35W	SANDERS

Remarks:

THE OWNER OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL, IN ACCORDANCE WITH STATE LAW, TO ENFORCE THIS WATER RIGHT ONLY AGAINST JUNIOR WATER RIGHTS IN BASIN 76N (LOWER CLARK FORK DRAINAGE) AND IN BASIN 76M (MIDDLE CLARK FORK DRAINAGE) WHOSE POINT OF DIVERSION IS FROM THE MAINSTEM OF THE CLARK FORK RIVER AND NOT ITS TRIBUTARIES, THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION AND WHOSE SOURCE OF SUPPLY IS SURFACE WATER, OR AGAINST JUNIOR USERS THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION, WHOSE SOURCE OF SUPPLY IS GROUNDWATER CONNECTED TO THE MAINSTEM OF THE CLARK FORK RIVER AND WHOSE FLOW RATE IS GREATER THAN 100 GALLONS PER MINUTE.

Remarks:

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE REACH OF THE CLARK FORK RIVER STARTING AT THE POINT WHERE THE CLARK FORK RIVER CROSSES THE MONTANA IDAHO STATE BORDER (48°05'21"N, 116°02'56"W, NAD83) (NWSENW SEC 24 T27N R35W) AND EXTENDING UPSTREAM TO THE CONFLUENCE OF THE CLARK FORK RIVER AND BLUE CREEK (48°05'46"N, 116°01'39"W, NAD83) (SWNWSE SEC 18 T27N R35W).

THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE DESIGNATION OF A PLACE OF USE OF THIS WATER RIGHT IS A DESIGNATION FOR PURPOSES OF MEASUREMENT OF THE ENFORCEABLE LEVELS AND IS NOT A GEOGRAPHIC LIMITATION ON THE LOCATION OF JUNIOR WATER RIGHTS AGAINST WHOM THIS RIGHT MAY BE ENFORCED.

THIS IS A NONCONSUMPTIVE INSTREAM WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

EXHIBIT 50
DATE 4/11/15
SB 262

Jerry O'Neil
985 Walsh Road
Columbia Falls, Montana 59912
406-892-7602; oneil@centurytel.net

April 11, 2015

Honorable Chairman and Members of the
Montana House or Representatives
Judiciary Committee

THE PROPOSED COMPACT TAKES AWAY MONTANA'S SOVEREIGNTY TO CONTROL FISHING AND RECREATION IN THE FLATHEAD RIVER BASIN

The Proposed Compact with the Confederated Salish and Kootenai Tribes gives the CSKT the authority to make statutes, rules and regulations on the Flathead River north of the reservation and on other rivers in Western Montana. Please look at the attached page 24, of the proposed CSKT Water Compact where it states:

> b. As co-owners, the Tribes and MFWP shall meet and confer on a biennial basis, or on such other timeframe as the Tribes and MFWP may mutually agree, to discuss the exercise of the rights identified in Article III.D.4.a, with a goal of establishing a joint plan for the exercise of these rights. Notwithstanding this planning process, the Tribes and MFWP each retain(s) the unilateral right to exercise each water right identified in Article III.D.4.a (on the drainages identified in Appendix 28 and 29) as each (they) deem(s) appropriate, but neither the Tribes nor MFWP

has any affirmative duty to take any particular action in regard to the exercise of any of these rights.

While this provision has yet to be defined by a court, it will allow the tribes to make rules and laws pertinent to the Flathead River and its tributaries north of the reservation, and to other rivers in Western Montana. These rules and laws could include: 1) whether or not to leave lake trout in the drainage, 2) who can guide fishing parties on these rivers, 3) the amount for fees for fishing guides and fishing licenses, and 4) what horsepower boat motors will be allowed on these rivers.

Quite possibly they could mandate that one-half of all fishing guides on these rivers be members of the CS&K Tribes and that a portion of all fees collected go to the Tribes.

If you think about it you might be able come up with other possibilities. If this disturbs you as it does me, please vote against the propose CSKT Water Compact.

Yours truly,

Jerry O'Neil

Jerry O'Neil

Appendix 28 Confederated Salish and Kootenai Tribes – Montana Water Rights Compact

FWP Claims co-owned by the CSKT to be finally decreed as part of the Compact:

Flathead Basin

Middle Fork Flathead River

76I 134924 00, 76I 134925 00, 76I 134926 00, 76I 134927 00, 76I 134928 00, 76I 134929 00

South Fork Flathead River

76J 134968 00, 76J 134969 00, 76J 134970 00, 76J 134971 00, 76J 134972 00, 76J 134973 00, 76J 179244 00, 76J 179245 00

Rock Creek Basin

Rock Creek

76E 133208 00, 76E 133209 00, 76E 133210 00, 76E 133211 00, 76E 133212 00, 76E 133213 00, 76E 133214 00, 76E 133215 00, 76E 133216 00, 76E 133217 00, 76E 133218 00, 76E 133219 00

Blackfoot Basin

Ward Creek (Browns L.)	76F 167411 00
Upsata Lake	76F 167412 00
Harpers Lake	76F 149231 00
Clearwater (Salmon L.)	76F 149469 00
Owl Creek (Placid Lake)	76F 149472 00
Clearwater (Seeley Lake)	76F 149471 00
Clearwater (Lake Inez)	76F 149466 00
Clearwater (Lake Alva)	76F 149467 00
Clearwater (Rainy Lake)	76F 149468 00
Clearwater Lake	76F 149470 00

Appendix 29 Confederated Salish and Kootenai Tribes – Montana Water Rights Compact

FWP Claims co-owned by the CSKT NOT to be finally decreed as part of the Compact:

Bitterroot Basin

Bitterroot River Reach 1 (Confluence with the Clark Fork River upstream to the Stevensville Bridge)

76H 151313 00, 76H 151306 00, 76H 151311 00, 76H 151312 00

Bitterroot River Reach 2 (Stevensville Bridge up stream to confluence with Sleeping Child Creek)

76H 151316 00, 76H 151309 00, 76H 151310 00, 76H 151305 00

Bitterroot River Reach 3 (From the confluence with Sleeping Child Creek upstream to the confluence of E. & West Forks)

76H 151314 00, 76H 151307 00, 76H 151315 00, 76H 151308 00

Flathead Basin

Flathead River – Mainstem

76LJ 147029 00, 76LJ 147030 00, 76LJ 147031 00, 76LJ 147032 00, 76LJ 147033 00, 76LJ 147034 00, 76LJ 147036 00, 76LJ 147037 00, 76LJ 147038 00, 76LJ 147039 00

North Fork Flathead River

76LJ 147018, 76LJ 147019 00, 76LJ 147020 00, 76LJ 147021 00, 76LJ 147022 00, 76LJ 147023 00, 76LJ 147024 00, 76LJ 147025 00, 76LJ 147026 00, 76LJ 147027 00, 76LJ 147028 00, 76LJ 147035 00

Blackfoot River

Blackfoot River Murphy Rights

76F 98984 00, 76F 98985 00, 76F 98986 00, 76F 98987 00, 76F 98988 00, 76F 98989 00, 76F 149459 00, 76F 149460 00, 76F 149461 00, 76F 149462 00, 76F 149463 00, 76F 149464 00, 76F 149465 00

Concerned Citizens of North West Montana

P.O. Box 3601
Kalispell, MT 59903

EXHIBIT 52
DATE 4/11/15
SB 262

WHEREAS, the proposed compact will give the CSKT legal title to all water in the Flathead Irrigation Project (FIP) although 90% of the lands under the project are not tribally owned, and water deliveries to the irrigators will be reduced by as much as 70%,

WHEREAS, the off reservation water claims in this compact are out of the scope of the compact commission and are not Federal Reserved Water Rights,

WHEREAS, the compact documents have far reaching environmental and economic implications that have been largely ignored by the state,

WHEREAS, I adamantly do not agree with, oppose and will oppose in any way possible any government or legislative action that will result in the United States in trust for the CSKT, or the CSKT owning or controlling any aspect of the property rights of others up to and including the fee title and associated water rights.

THEREFORE, we, the undersigned, demand our legislature:

- To vote against the approval of the CSKT Water Compact brought before the legislature In this current 2015 session.
- To allow the compact commission to sunset and move the tribal federal reserved water Right decisions into the Montana General Stream Adjudication Process.
- To take the necessary steps to affirm the rights of Montanans to control the natural resource of water within the boundaries of the State of Montana as is guaranteed by our state Constitution.

COMPACT

Concerned Citizens of North West Montana

EXHIBIT NO 52
DATE 4.11.15
BILL NO. 262

Donald T. Wedell

Ashley Godbold

Claire F Ryan

Patricia Elmore

Russell Miller - opposed

Rick Mitchell - opposed

Dee Boon

Herb & Vonnie Koenig

Lefty Knight

Keith Regier

Jill Shepherd

Le Ann Sacrasin

Lucinda K. Handy

Mark Blasdel

~~Debbie Stoen~~

J Laskody

Christine Laskody

Rick Jore

Trudy Samuelson

Sheila Vallejo

Ross J Middlemist

J Reed

Roy Vallejo

Clarice Ryan

Douglas J Clark

Hope M. Crofoot

COMPACT

Concerned Citizens of North West Montana

G M Hudson

Mark Holm Palmquist

Bruce Warren

Harvey Sejck

Frances Young

Leo Gallis

Bill Shiffer

Connie Baldwin

Carolyn Palmquist

Jenny O'Neil

Nancy Jore

Brenda E Hamlink

Dean Blakey

Elizabeth Dwyer

Robin L Blakeney

Christopher Breese

Jeanne O'Neil

Kelly D. Kouch

Nancy Yeager

Gayle M Sejck

Laura Lee

Rick Jore

COMPACT

Concerned Citizens of North West Montana

VANESSA HORNER

Amy Baber

Helene Robinson

Linda Schoonover

Hannah DeLapp

Kitty Roberge

Ron Roberge

Ann Reetz

Sgreskowiak

Josh Imkelly

John Embry III

Jeff Gsell

Charlie Baldwin

Dave O'Brien

Abigail Nase

Cale Wilbeck

Emily Baber

Samantha J. Stover

DON CHIDECKEL

Nancy O'Brien

Pat Horner

Gary Horner

Maryann Deane

George A. Yurcho

COMPACT

Concerned Citizens of North West Montana

Lette Schmitz
Julia Fehss
Gloria Klempel
Bobby Lord
Dennis C.
Nathan Embrey
Jenny Gentry
Judy Jackson
Shirley McHenry
Susan McHenry
Hannah Embry
William Embry
Noah Embry
Kara Walters
Elizabeth K. Sweet

Dorothy C. Huff
James E. Huff, Pastor
Bonita S. Hensleigh (pianist)
Brenda
James Gayler
B H Chowning "TRAPPER"
Mike Campbell
John Secrest
Deborah M. Wilson
Elaine
Dana Taylor
Russell B.
Amy Yager
Melissa Secrest

COMPACT

Concerned Citizens of North West Montana

Ben Stobel

Barbara Stobel

Aaron Vodaskey

P. J Portanova

Patti Eggers

Naomi Eggers

Lucas Eggers

Larry Eggers

Crystal Conner

Alan Conn

Cornelis J. Fabricius

LYDIA james

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FREDERICK J. HAMMEL

Dale W. Haarr

Verdell Jackson

LEONARD FALK

Barbara L. Stobel

[illegible] Bigenso

Mark Steve

Greg Wel

Dan Banegan

Teresa Ready

Kristie Ready

[illegible] L. Bauly

COMPACT

THE FOLLOWING IS

EXHIBIT 53

THIS IS A VERY LARGE FILE
SOME PORTIONS HAVE BEEN MINMIZED TO REDUCE SCAN SIZE.

IF YOU WANT TO VIEW THEM ALL

THEY CAN BE SEEN AT THE

Montana Historical Society Archives,

225 N. Roberts, Helena, MT 59620-1201;

phone (406) 444-4774.

Montana Historical Society Archives, 225 N. Roberts, Helena, MT 59620-1201; phone (406) 444-4774.
E-DOCUMENT SCANNING done by: Susie Hamilton

EXHIBIT 53
DATE 4/11/15
SB 262

PROPOSED
WATER RIGHTS COMPACT
ENTERED INTO BY
THE CONFEDERATED SALISH AND KOOTENAI TRIBES,
THE STATE OF MONTANA, AND
THE UNITED STATES OF AMERICA

January 2015

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PROPOSED WATER RIGHTS COMPACT
ENTERED INTO BY
THE CONFEDERATED SALISH AND KOOTENAI TRIBES,
THE STATE OF MONTANA, AND
THE UNITED STATES OF AMERICA

This Compact is entered into by and among the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, the State of Montana, and the United States of America to settle all existing claims to water of or on behalf of the Confederated Salish and Kootenai Tribes within the State of Montana.

ARTICLE I – RECITALS

WHEREAS, pursuant to the Hellgate Treaty of 1855, 12 Stat. 975, the Confederated Salish and Kootenai Tribes reserved the Flathead Indian Reservation; and

WHEREAS, the Confederated Salish and Kootenai Tribes claim aboriginal water rights and, pursuant to said Treaty, reserved water rights to fulfill the purposes of the Treaty and the Reservation; and

WHEREAS, in 1979, the United States, on its own behalf and on behalf of the Confederated Salish and Kootenai Tribes, their members and Allottees brought suit in the United States District Court for the District of Montana to obtain a final determination of the Tribes' water rights claims, see *United States v. Abell*, No. CIV-79-33-M (filed April 5, 1979); and

WHEREAS, as a result of Congressional action and subsequent judicial interpretation, state courts have been found to possess, under certain circumstances, adjudicatory jurisdiction over federal reserved water rights held in trust by the United States for the benefit of Indians; see, McCarran Amendment 43 U.S.C. 666; *Colorado River Conservation District v. United States*, 424 U.S. 800 (1976); *Arizona v. San Carlos Apache Tribe*, 463 U.S. 545 (1983); and

WHEREAS, the State of Montana initiated a general stream adjudication pursuant to the provisions of Chapter 697, Laws of Montana 1979, which includes claims regarding the Confederated Salish and Kootenai Tribes' water rights; and

WHEREAS, the Montana Reserved Water Rights Compact Commission, under 85-2-702(1), MCA, is authorized to negotiate settlement of water rights claims filed by Indian tribes or filed on their behalf by the United States claiming reserved waters within the State of Montana; and

WHEREAS, the Federal district court litigation was stayed in 1983 pending the outcome of Montana State court water adjudication proceedings, see *Northern Cheyenne v. Adsit*, 721 F.2d 1187 (9th Cir.1983); and

WHEREAS, the adjudication of Confederated Salish and Kootenai Tribes' water rights in the State court proceeding has been stayed while negotiations are proceeding to conclude a compact resolving all water rights claims of the Confederated Salish and Kootenai Tribes; and

WHEREAS, the Confederated Salish and Kootenai Tribes, or their duly designated representatives, have authority to negotiate the Compact and the Tribal Council has the authority to execute this Compact pursuant to Article 6, Section 1, subsections (a), (c), and (u) of the Constitution and Bylaws of the Confederated Salish and Kootenai Tribes said Constitution adopted and approved under Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended; and

WHEREAS, the United States Attorney General, or a duly designated official of the United States Department of Justice, has authority to execute this Compact on behalf of the United States pursuant to the authority to settle litigation contained in 28 U.S.C. 516-17 and the Federal legislation ratifying this Compact identified in Article VIII.B; and

WHEREAS, the Secretary of the Interior, or a duly designated official of the United States Department of the Interior, has authority to execute this Compact on behalf of the United States Department of the Interior pursuant to 43 U.S.C. 1457, inter alia, and appropriate Federal legislation ratifying this Compact as identified in Article VIII.B; and

WHEREAS, the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States agree that the Tribal Water Right and other water rights described in this Compact, subject to the provisions of the Act of Congress identified in Article VIII.B, is in satisfaction of the water rights claims of the Tribes, their members and Allottees, and of the United States on behalf of the Tribes and their members and Allottees; and

WHEREAS, the Parties agree that it is in the best interest of all Parties that the water rights claims of the Confederated Salish and Kootenai Tribes be settled through agreement between and among the Tribes, the State of Montana, and the United States; and

WHEREAS, the Parties agree that there is a clear hydrological interrelationship between the surface water and Groundwater of the Reservation, and each use of water on the Reservation may affect water use by all water users on the Reservation; and

WHEREAS, the Parties agree that prudent and knowledgeable conservation, management, and protection of the water resources of the Reservation are essential to the health and welfare of all residents of the Reservation; and

WHEREAS, the Parties seek to secure to all residents of the Reservation the quiet enjoyment of the use of waters of the Reservation for beneficial uses; and

WHEREAS, the Parties agree to protect Tribal Instream Flows, Existing Uses, and Historic Farm Deliveries to Flathead Indian Irrigation Project irrigators; and

WHEREAS, the Parties desire to create a unitary administration system that would provide a single system for the appropriation and administration of the waters of the Reservation and for the establishment and maintenance of a single system of centralized records for all water uses of the Reservation regardless of whether the use is based on State or Federal law.

NOW THEREFORE, the Parties agree to enter into the Compact for the purpose of settling the water rights claims of the Confederated Salish and Kootenai Tribes, their members, and Allottees of the Flathead Indian Reservation, and of the United States on behalf of the Tribes, their members and Allottees, and to provide the necessary foundation for the establishment of a board composed of Tribal and State appointed representatives to provide for the unified administration of all water resources on the Reservation.

ARTICLE II - DEFINITIONS

The following definitions shall apply for purposes of the Compact:

1. "Acre-foot" or "Acre-feet" means the amount of water necessary to cover one acre to a depth of one foot and is equivalent to 43,560 cubic feet of water.

2. "Adaptive Management" means an ongoing process of decision-making, based on water measurement and accounting designed to continuously manage and improve the allocation of water between Instream Flows, Minimum Reservoir Pool Elevations, and FIIP Water Use Rights pursuant to the Adaptive Management Appendix 3.5.

3. "Allottee" or "Allottees" means an owner of an interest in a tract of land held in trust by the United States which was allotted pursuant to the Act of April 23, 1904, 33 Stat. 302, as amended, or the Act of February 25, 1920, 41 Stat. 452, as amended.

4. "Alternate Value" means, as applied to the consensual agreements provided for by Article III.G.3, the quantity of water allowed under a claim decreed by the Montana Water Court or water right granted by the DNRC.

5. "Appropriation Right" means a right to appropriate water issued by the Water Management Board pursuant to the terms of this Compact and the Law of Administration.

6. "Arising Under State Law" means, as applied to a water right, a water right created under Montana law or a water right held by a nonmember of the Tribes on land not held in trust by the United States for the Tribes or a Tribal member and for which a claim was required to be filed in the Montana general stream adjudication.

7. "Basin 76D" means the hydrologic Basin 76D, including the Kootenai River and its tributaries, as shown in Appendix 1.

8. "Basin 76E" means the hydrologic Basin 76E, including Rock Creek and its tributaries, as shown in Appendix 1.

9. "Basin 76F" means the hydrologic Basin 76F, including the Blackfoot River and its tributaries, as shown in Appendix 1.

10. "Basin 76G" means the hydrologic Basin 76G, including the Clark Fork River above the Blackfoot River, and its tributaries, as shown in Appendix 1.

11. "Basin 76GJ" means the hydrologic Basin 76GJ, including Flint Creek and its tributaries, as shown in Appendix 1.

12. "Basin 76H" means the hydrologic Basin 76H, including the Bitterroot River and its tributaries, as shown in Appendix 1.

13. "Basin 76I" means the hydrologic Basin 76I, including the Middle Fork of the Flathead River and its tributaries, as shown in Appendix 1.

14. "Basin 76J" means the hydrologic Basin 76J, including the South Fork of the Flathead River and its tributaries, as shown in Appendix 1.

15. "Basin 76K" means the hydrologic Basin 76K, including the Swan River and its tributaries, as shown in Appendix 1.

16. "Basin 76L" means the hydrologic Basin 76L, including the Flathead River below Flathead Lake, and its tributaries, as shown in Appendix 1.

17. "Basin 76LJ" means the hydrologic Basin 76LJ, including the Flathead River to and including Flathead Lake, and its tributaries, as shown in Appendix 1.

18. "Basin 76M" means the hydrologic Basin 76M, including the Clark Fork River between the Blackfoot River and the Flathead River, and its tributaries, as shown in Appendix 1.

19. "Basin 76N" means the hydrologic Basin 76N, including the Clark Fork River below the Flathead River, and its tributaries, as shown in Appendix 1.

20. "Call" means the right of the holder of a water right with a senior priority date and an immediate need for a use of water to require a holder of a water right with a junior priority date to refrain from appropriating water otherwise physically available until the senior water right is satisfied.

21. "cfs" means cubic feet per second.

22. "Change in Use" means an authorized change in the point of diversion, the place of use, the period of use, the purpose of use, or the place of storage of an Appropriation Right issued by the Water Management Board under this Compact and the Law of Administration, or of an Existing Use. A changed water right retains the original priority date of that right.

23. "Compact" means this water rights settlement entered into by the Confederated Salish and Kootenai Tribes, the State and the United States.

24. "Compact Implementation Technical Team" or "CITT" means the entity established by this Compact to plan and advise the Project Operator on the implementation of FIIP Operational Improvements, Rehabilitation and Betterment, and Adaptive Management. The CITT duties and responsibilities are defined in more detail in Appendix 3.5.

25. "Compact Management Committee" or "CMC" means the entity described in Article IV.G.5 formed to provide policy and administrative oversight of the CITT.

26. "Court of Competent Jurisdiction" means a State or Tribal court that otherwise has jurisdiction over the matter so long as the parties to the dispute to be submitted to that court consent to its exercise of jurisdiction, but if no such court exists, a Federal court.

27. "DNRC" means the Montana Department of Natural Resources and Conservation, or any successor agency.

28. "Effective Date" means the date on which the Compact is finally approved by the Tribes, by the State, and by the United States, and on which the Law of Administration has been enacted and taken effect as the law of the State and the Tribes, whichever date is latest.

29. "Existing Use" means a use of water under color of Tribal, State or Federal law in existence as of the Effective Date, including uses in existence on that date that are eligible for either of the registration processes set forth in the Law of Administration; provided that any portion of a Water Right Arising Under State Law within the Reservation that is, at any point after the date the ratification of the Compact by the Montana Legislature takes effect under State law, voluntarily relinquished or is legally determined to be abandoned, relinquished, or have otherwise ceased to exist, shall be stricken from the relevant basin decree as a Water Right Arising Under State Law and be entitled to no further protection as such a right or as an Existing Use.

30. "Flathead Indian Irrigation Project" or "FIIP" means the irrigation project developed by the United States to irrigate lands within the Reservation pursuant to the Act of April 23, 1904, Public Law 58-159, 33 Stat. 302 (1904), and the Act of May 29, 1908, Public Law 60-156, 35 Stat. 441 (1908), and includes, but is not limited to, all lands, reservoirs, easements, rights-of-way, canals, ditches, laterals, or any other FIIP facilities (whether situated on or off the Reservation), headgates, pipelines, pumps, buildings, heavy equipment, vehicles, supplies, records or copies of records and all other physical, tangible objects, whether of real or personal property, used in the management and operation of the FIIP.

31. "FIIP Influence Area" means the lands influenced by the operations of the FIIP as identified on the map attached hereto as Appendix 2.

32. "FIIP Water Use Right" means the water right set forth in Article III.C.1.a that is dedicated to use by the FIIP and FIIP irrigators and includes uses of water for irrigation and Incidental Purposes allowed by the FIIP through water service contracts. This water right is the source for the entitlement to delivery of available irrigation water for assessed parcels as provided by Article IV.D.2.

33. Flathead Indian Reservation" or "Reservation" means all land within the exterior boundaries of the Indian Reservation established under the July 16, 1855 Treaty of Hellgate (12 Stat. 975), notwithstanding the issuance of any patent, and including rights-of-way running through the Reservation.

34. "Flathead Reservation Water Management Board," "Water Management Board," or "Board" means the entity established by this Compact and the Law of Administration to administer the use of all water rights on the Reservation upon the Effective Date.

35. "Flathead System Compact Water" means that portion of the Tribal Water Right consisting of 229,383 Acre-feet per year that the Tribes may withdraw from the Flathead River or Flathead Lake, which includes up to 90,000 Acre-feet per year stored in Hungry Horse Reservoir, with a maximum total volume consumed of 128,158 Acre-feet per year.

36. "Historic Farm Deliveries" means the aggregate annual volume of water for irrigation and Incidental Purposes on the FIIP that was delivered to all farm turnouts within an individual River Diversion Allowance Area prior to the date the ratification of the Compact by the Montana Legislature takes effect under State law. Historic Farm Deliveries include historic crop consumption and estimated standard rates of on-farm conveyance and irrigation application inefficiencies and are used to evaluate RDA values pursuant to Article IV.D.1.e. Historic Farm Delivery volumes are specified in Appendix 3.3.

37. "Groundwater" means any water that is beneath the surface of the earth.

38. "High Mountain Lakes" means those lakes shown in Appendix 17.

39. "Hungry Horse Dam" means the dam that is a part of the Hungry Horse Project.

40. "Hungry Horse Project" means that project authorized by the Act of June 5, 1944 (58 Stat. 270, Public Law 78-329) to be constructed and operated by the US Bureau of Reclamation. The Act of May 29, 1958 (Public Law 85-428) amended the authorizing act to make Hungry Horse a Reclamation project subject to Reclamation laws.

41. "Hungry Horse Reservoir" means the reservoir that is a part of the Hungry Horse Project.

42. "Incidental Purpose(s)" means water delivered through or diverted from FIIP facilities for purposes incidental to irrigation, including but not limited to Rehabilitation and Betterment, and lawn and garden purposes allowed by the FIIP through water service contracts.

43. "Individual Indian Owner" means a Tribal member and his or her heirs or an Allottee and his or her heirs who is an owner of an interest in trust or restricted lands and who has a documented use of the Tribal Water Right registered pursuant to the terms of this Compact and the Law of Administration.

44. "Instream Flow" means a stream flow retained in a watercourse to benefit the aquatic environment. Instream Flow may include Natural Flow or streamflow affected by regulation, diversion, or other modification. A water right for Instream Flow purposes is quantified for a stream reach and measured for enforcement purposes at a specified point.

45. "Law of Administration" or "Unitary Administration and Management Ordinance" means the body of laws enacted by both the State and the Tribes to provide for the administration of surface water and Groundwater within the Reservation, that are both materially consistent with the substantive provisions of Appendix 4.

46. “Lease” means, as applied to the Tribal Water Right, an authorization for a Person or Persons to use any part of the Tribal Water Right through a service contract, temporary assignment, or other similar agreement of limited duration.

47. “MFWP” means the Montana Department of Fish, Wildlife, and Parks, or any successor agency.

48. “Minimum Enforceable Instream Flows” or “MEFs” means the schedule of monthly minimum enforceable streamflow levels that are set forth in Appendix 3.1.

49. “Minimum Reservoir Pool Elevations” means the minimum pool water elevations for FIIP reservoirs specified in the table attached hereto as Appendix 3.1 and abstracts of water right attached hereto as Appendix 15.

50. “Natural Flow” means the rate and volume of water movement past a specified point on a natural stream, produced from a drainage area for which there have been no effects caused by diversion, storage, import, export, return flow, or changes in consumptive use.

51. “New Development” means the development of a use of the Tribal Water Right set forth in the Compact, from any source, commencing after the Effective Date, and encompasses all uses of the Tribal Water Right not included within the definition of Existing Use.

52. “Operational Improvements” means practices that improve the ability of the Project Operator to plan for and manage water storage and allocation between Instream Flows and FIIP Water Use Rights. Operational Improvements address water supply planning, reservoir management, Instream Flow management, water accounting and reporting, Stock Water delivery, irrigation wastewater, measurement at diversion works, water measurement at farm delivery locations, and water measurement at irrigation wasteways. Operational Improvements are set forth in the schedule attached hereto as Appendix 3.4.

53. “Parties” means the Tribes, the State, and the United States.

54. “Person” means an individual or any other entity, public or private, including the Tribes, the State, and the United States, and all officers, agents and departments of each sovereign.

55. “Project Operator” means the entity with the legal authority and responsibility to operate the Flathead Indian Irrigation Project.

56. "Reallocated Water" means the water from that portion of any given FIIP diversion or RDA that is made available through increased efficiency resulting from Rehabilitation and Betterment projects.

57. "Rehabilitation and Betterment" means both irrigation facility upgrades that improve water management and operational control at irrigation diversion works, and irrigation facility upgrades to reduce losses in conveyance of water from irrigation sources of supply to irrigation points of use. Rehabilitation and Betterment actions include, but are not limited to, reconstruction, replacement, and automation at irrigation diversion works; lining of open canals; and placement of open canals in pipe.

58. "River Diversion Allowance" or "RDA" means initially the volume of water identified in Appendix 3.2 and defined for wet, normal and dry Natural Flow years that is necessary to be diverted or pumped to supply the FIIP Water Use Right. As Reallocated Water is made available through Rehabilitation and Betterment, the RDA is the amount defined in Appendix 3.2, reduced by the volume of Reallocated Water made available by a particular Rehabilitation and Betterment project.

59. "River Diversion Allowance Area" or "RDA Area" means geographic divisions of the FIIP to which water is diverted. RDA Areas are depicted in Appendix 3.2.

60. "Secretary" means the Secretary of the United States Department of the Interior, or the Secretary's duly authorized representative.

61. "Shared Shortages" means a water management procedure to be applied when water supply is insufficient to satisfy both MEFs and RDAs simultaneously.

62. "State" means the State of Montana and all officers, agencies, departments and political subdivisions thereof.

63. "Stock Water" means water used for livestock.

64. "Target Instream Flows" or "TIFs" means the schedule of monthly Instream Flow levels, defined for normal and wet Natural Flow years that are identified in Appendix 3.1.

65. "Tribal Council" means the duly elected governing body of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

66. "Tribal Natural Resources Department" means the governmental subdivision of the Tribes authorized by Tribal Ordinance No. 78-B, as amended, or any successor agency.

67. "Tribal Water Right" means the water rights of the Confederated Salish and Kootenai Tribes, including any Tribal member or Allottee, the basis of which are federal law, as set forth in Article III.A, Article III.C.1.a through j, Article III.C.1.k.i, Article III.C.1.l.i, Article III.D.1 through 3 and Article III.D.7 and 8. The term "Tribal Water Right" also includes those rights identified in Article III.H that are appurtenant to lands taken into trust by the United States on behalf of the Tribes.

68. "Tribes" means the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, and all officers, agencies, and departments thereof.

69. "United States" means the Federal government and all officers, agencies and departments thereof.

70. "Water Rights Arising Under State Law" means those valid water rights Arising Under State Law existing as of the Effective Date and not subsequently relinquished or abandoned, as those rights are: decreed or to be decreed by the Montana Water Court pursuant to 85-2-234, MCA; permitted by the DNRC; exempted from filing in the Montana general stream adjudication pursuant to 85-2-222, MCA; or excepted from the permitting process pursuant to 85-2-306, MCA.

71. "Wetland" means an area that is inundated or saturated by surface water or Groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

ARTICLE III –WATER RIGHTS OF THE TRIBES

The water rights of the Tribes quantified in Article III are composed of two parts: water rights whose basis is Federal law that are defined and referred to as the Tribal Water Right and those Water Rights Arising Under State Law identified in Article III.C.1.k.ii, III.C.1.l.ii, III.D.4, 5, and 6, and III.H.

A. Religious or Cultural Uses. The Tribal Water Right described in this Article III includes all traditional, religious, or cultural uses of water by members of the Confederated Salish and Kootenai Tribes within Montana. Individual exercises of traditional, religious, or cultural uses are exempt from the Registration process contained in the Law of Administration.

B. Abstracts of Water Right. Abstracts of water right appended to this Compact are a substantive element of this Compact. The language of the abstracts, including all informational remarks, shall control in the event of any inconsistency between the

Compact and the abstracts of water right; provided however, that the Parties upon written mutual agreement may make technical corrections to the abstracts prior to the Parties submission to the Montana Water Court of the motion for entry of the Proposed Decree identified in Article VII.B. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

C. Basins 76L and 76 LJ and Flathead Indian Irrigation Project Irrigation Water Diversions from Basins 76F and 76N.

1. Quantification.

a. Flathead Indian Irrigation Project. The Tribes have the right to water that is supplied to the Flathead Indian Irrigation Project to be used for such purposes in such volumes and flow rates and from such sources of supply as identified in the abstracts of water right attached hereto as Appendix 5. The FIIP will serve up to, but not more than 135,000 acres. The exercise of this portion of the Tribal Water Right shall be satisfied by meeting the RDA values for each RDA Area described in Appendix 3.2 as evaluated pursuant to Article IV.D.1.e, and is subject to Article IV.D through F.

The priority date for the portion of the Tribal Water Right used by the FIIP is July 16, 1855.

b. Existing Uses by the Tribes, their Members and Allottees.

i. The Tribal Water Right includes all Existing Uses by the Tribes, their members and Allottees that are not Water Rights Arising Under State Law and are not otherwise specifically quantified in other sections of this Article III.

ii. Water Rights Arising Under State Law held by the Tribes, their members and Allottees will be satisfied pursuant to their own terms as finally decreed by the Montana Water Court or permitted by the DNRC.

iii. For each Existing Use identified in Article III.C.1.b.i to be valid and enforceable, the Tribes, or each Tribal member or Allottee claiming such an Existing Use, shall complete the process for the registration of uses of the Tribal Water Right set forth in the Law of Administration. Such uses include but are not limited to irrigation, Stock Water, domestic, commercial, municipal and industrial purposes, as well as those historically irrigated allotments that are held for individuals in trust by the

United States that are not served by the FIIP and that are identified on the map and table attached hereto as Appendix 6.

iv. Uses of the Tribal Water Right for which abstracts are appended to this Compact, including uses on the FIIP, are exempt from the registration requirement set forth in Article III.C.1.b.iii.

v. The priority date for water uses registered pursuant to Article III.C.1.b.iii and the Law of Administration is July 16, 1855.

c. **Flathead System Compact Water**. The Tribes have a direct flow water right from the Flathead River with the following elements:

Source of Water: Flathead River, Flathead Lake, and the South Fork of the Flathead River up to Hungry Horse Reservoir
Point of Diversion: From Flathead Lake or the Flathead River, either on or off of the Reservation
Purpose: Any beneficial use
Diversion Volume: 229,383 Acre-feet per year
Depletion Volume: 128,158 Acre-feet per year
Period of Diversion and Depletion: January 1 through December 31

i. As part of the Tribal Water Right quantified in this Article III.C.1.c, the Tribes shall be entitled to an allocation of 90,000 Acre-feet per year, as measured at the Hungry Horse Dam, of storage water in Hungry Horse Reservoir.

ii. This water right shall be used in a manner that ensures impacts associated with the exercise of this water right are no greater than those identified in model run: Natural Q + 90K of the United States Bureau of Reclamation's Final Flathead Basin Depletions Study (USBR, October 2012), attached hereto as Appendix 7. In the event that the impacts exceed those identified in model run: Natural Q + 90K of the United States Bureau of Reclamation's Final Flathead Basin Depletions Study, the use of the water right set forth in this Article III.C.1.c shall be reduced in such amounts as are necessary to immediately achieve impacts that are no greater than those identified in model run: Natural Q + 90K of the United States Bureau of Reclamation's Final Flathead Basin Depletions Study.

iii. The releases of the stored water identified in Article III.C.1.c.i shall be limited in accordance with the "Biological Impact Evaluation and Operational Constraints for a proposed 90,000 Acre-foot withdrawal"

(State of Montana, September 14, 2011) attached hereto as Appendix 8. The Parties upon mutual written agreement, and in conformance with other applicable provisions of law including but not limited to the Endangered Species Act of 1973, 16 U.S.C. 1531, *et seq.* (ESA), may amend the Biological Impact Evaluation Constraints identified in the September 14, 2011 report. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

iv. The exercise of this water right shall conform with the minimum instream flow schedules, as measured at the USGS gaging station on the Flathead River at Columbia Falls (12363000) and the USGS gaging station on the Flathead River at Polson (12372000) as identified in Tables 3 through 6 of Appendix 7, as well as the minimum flow requirements set forth in Table 5 that must also be met downstream at the USGS gaging station on the Flathead River at Perma (123887000). The exercise of this water right shall also conform to the ramping rates, as measured below Kerr and Hungry Horse Dams, and identified in Tables 3 through 6 of Appendix 7. In the event that the minimum instream flow schedules or ramping rates are not met, the use of the water right set forth in this Article III.C.1.c shall be suspended until such time as those minimum instream flow schedules and ramping rates are achieved. The Parties upon mutual written agreement, and in conformance with applicable ESA and Federal Energy Regulatory Commission licensing requirements for the three previously identified sites, may amend the limitations for releases from Hungry Horse Reservoir that are required to conform with minimum instream flow and ramping rate schedules at these sites. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

v. The exercise of this water right shall also conform with the Flathead Lake filling criteria identified on page 12 of Appendix 7.

vi. The Tribes may use any amount of the stored water identified in Article III.C.1.c.i that is not necessary to be released each year pursuant to the provisions of Article III.C.1.c.ii through v, for any beneficial purpose, subject to the terms and conditions of this Compact.

vii. Use of the 90,000 Acre-feet of water from Hungry Horse Reservoir is subject to the approval of, and any terms and conditions specified by, Congress.

viii. The priority date for Flathead System Compact Water is July 16, 1855.

ix. Any development by the Tribes of this Flathead System Compact Water Right outside the boundaries of the Reservation shall be pursuant to Article IV.B.5.c.

x. The Parties agree that nothing in this Compact precludes the Tribes from leasing Flathead System Compact Water to FIIP irrigators.

xi. The abstract of water right for this Flathead System Compact Water Right is attached hereto as Appendix 9.

d. Instream Flow Rights on Reservation.

i. Natural Instream Flows. The Tribes have Instream Flow rights in the quantities and locations identified in the abstracts of water right attached hereto as Appendix 10.

ii. FIIP Instream Flows. The Tribes have Instream Flow rights in the quantities and locations identified in the abstracts of water right attached hereto as Appendix 11. The exercise of this portion of the Tribal Water Right is subject to Article IV.C through F.

iii. Other Instream Flows. The Tribes have Instream Flow rights in the quantities and locations identified in the abstracts of water right attached hereto as Appendix 12. The Parties agree that a right identified in Appendix 12 shall only become enforceable on the date that an enforceable flow schedule for that right has been established pursuant to the process set forth in the Law of Administration, Section 2-1-115, for the development of such enforceable schedules.

iv. Interim Instream Flows. Until such time as the Instream Flow water rights set forth in Article III.C.1.d.ii become enforceable pursuant to Article IV.C, the Tribes shall be entitled to enforce the interim Instream Flows contained in Appendix 13 consistent with the provisions in Article IV.C and IV.E. The Tribes and the United States shall enforce these interim Instream Flows pursuant to Appendix 13 or existing practice as of December 31, 2014, and as described in the protocols in Appendix 14.

v. The priority date for the Instream Flow water rights set forth in this Article III.C.1.d is time immemorial.

e. Minimum Reservoir Pool Elevations in Flathead Indian Irrigation

Project Reservoirs.

- **i.** The Tribes have the right to water necessary to maintain Minimum Reservoir Pool Elevations for FIIP reservoirs in the quantities and locations set forth in the table and abstracts of water right attached hereto as Appendix 15. The exercise of this portion of the Tribal Water Right is subject to Article IV.C and E and superseding Federal law allowing for regulation of reservoir elevations.
- **ii.** The Minimum Reservoir Pool Elevations will become enforceable according to the schedule attached hereto as Appendix 3.4.
- **iii.** The priority date for the water rights set forth in this Article III.C.1.e is July 16, 1855.
- **iv.** Until such time as the Minimum Reservoir Pool Elevations set forth in Article III.C.1.e become enforceable pursuant to Article IV.C, the Tribes shall be entitled to enforce those interim reservoir pool elevations identified in Appendix 13. The Tribes and the United States shall enforce these interim reservoir pool elevations only pursuant to Appendix 13 or existing practice as of December 31, 2014, and subject to superseding Federal law allowing for regulation of reservoir elevations.

f. **Wetland Water Right.** The Tribes have the right to all naturally occurring water necessary to maintain the Wetlands identified in the abstracts of water right attached hereto as Appendix 16.

The priority date for the Wetland water rights set forth in this Article III.C.1.f is time immemorial.

g. **High Mountain Lakes Water Right.** The Tribes have the right to all naturally occurring water necessary to maintain the High Mountain Lakes identified in the abstracts of water right attached hereto as Appendix 17.

The priority date for the High Mountain Lakes water rights set forth in this Article III.C.1.g is time immemorial.

h. **Flathead Lake.** The Tribes have the right to all naturally occurring water necessary to maintain the level of the entirety of Flathead Lake at an elevation of 2,883 feet as described in the abstract of water right attached hereto as Appendix 18.

The priority date for the Flathead Lake water right set forth in this Article III.C.1.h is time immemorial.

i. **Boulder Creek Hydroelectric Project.** The Tribes have the right to water necessary to operate the Boulder Creek Hydroelectric Project as identified in the abstracts of water right attached hereto as Appendix 19.

   The priority date for the Boulder Creek Hydroelectric Project water right set forth in this Article III.C.1.i is July 16, 1855.

j. **Hellroaring Hydroelectric Project.** The Tribes have the right to water necessary to operate the Hellroaring Hydroelectric Project as identified in the abstracts of water right attached hereto as Appendix 20.

   The priority date for the Hellroaring Hydroelectric Project water right set forth in this Article III.C.1.j is July 16, 1855.

k. **Wetlands Appurtenant to Lands Owned by Montana Fish Wildlife and Parks.**

   i. The Tribes and Montana Fish Wildlife and Parks (MFWP) have the right to all naturally occurring water necessary to maintain the Wetlands identified in the abstracts of water right attached hereto as Appendix 21.

      The priority date for Wetland water rights appurtenant to lands owned by MFWP is time immemorial.

   ii. Upon the Effective Date, the Tribes shall be added as a co-owner with MFWP of water right number 76L 153988-00, the abstract of which is attached hereto as Appendix 22. MFWP shall make reasonable efforts to defend this right in the Montana general stream adjudication. The Tribes have the right but not the duty to participate in the defense of this right in the Montana general stream adjudication.

   iii. The Tribes shall be added in an expeditious manner as a co-owner to any water right with a fish or fish and wildlife purpose that is appurtenant to land acquired by MFWP on the Reservation after the Effective Date.

   iv. The Tribes shall be added in an expeditious manner as a co-owner to any Wetlands water right acquired by MFWP pursuant to the Law of Administration after the Effective Date.

v. MFWP shall be the sole entity entitled to manage the water rights identified in Article III.C.1.k. The recognition of these co-owned water rights does not confer on the Tribes any authority over the management of the MFWP-owned lands to which these water rights are appurtenant.

vi. MFWP shall meet and confer with the Tribes on a biennial basis, or on such other timeframe as the Tribes and MFWP may mutually agree, to discuss the exercise of these water rights. Such modifications to the meeting schedule are pursuant to, and shall not be deemed an amendment of, this Compact.

l. Wetlands Appurtenant to Lands Owned by Department of Interior Fish and Wildlife Service.

i. The Tribes and the Department of the Interior's Fish and Wildlife Service (FWS) have the right to all naturally occurring water necessary to maintain the Wetlands identified in the abstracts of water right attached hereto as Appendix 23.

The priority date for Wetland water rights appurtenant to lands owned by FWS is time immemorial.

ii. Upon the Effective Date, the Tribes shall be added as a co-owner with FWS of water right numbers 76L 99338 00, 76L 99339 00, and 76L 99340 00, the abstracts of which are attached hereto as Appendix 24. FWS shall make reasonable efforts to defend these rights in the Montana general stream adjudication. The Tribes have the right but not the duty to participate in the defense of these rights in the Montana general stream adjudication.

iii. The Tribes shall be added in an expeditious manner as a co-owner to any water right with a fish or fish and wildlife purpose that is appurtenant to land acquired by FWS on the Reservation after the Effective Date.

iv. The Tribes shall be added in an expeditious manner as a co-owner to any Wetlands water right acquired by FWS pursuant to the Law of Administration, after the Effective Date.

v. FWS shall be the sole entity entitled to manage the water rights identified in this Article III.C.1.l. The recognition of these co-owned water rights does not confer on the Tribes any authority over the management of the FWS-owned lands to which these water rights are appurtenant.

vi. FWS shall meet and confer with the Tribes on a biennial basis, or on such other timeframe as the Tribes and FWS may mutually agree, to discuss the exercise of these water rights. Such modifications to the meeting schedule are pursuant to, and shall not be deemed an amendment of, this Compact.

D. Instream Flow Water Rights Off of the Reservation.

1. **Mainstem Instream Flow Right in the Kootenai River (Basin 76D).** The Tribes have an Instream Flow water right for the mainstem of the Kootenai River for the reach and with the associated flow rates set forth in the abstract of water right attached hereto as Appendix 25. The measurement point for this water right is USGS streamflow gage #12305000 located at Leonia, Idaho.

    a. The priority date for this water right is time immemorial.

    b. The period of use of this water right is January 1 to December 31 of each year.

    c. The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

    d. The point of diversion and place of use for this water right is instream. This water right shall not be exercised in conjunction with any artificial diversion.

    e. The ability to enforce this right shall be suspended so long as Libby Dam remains in existence and the Army Corps of Engineers' operations of that dam are conducted consistently with the 2008 Federal Columbia River Power System Biological Opinion, the 2010 updated Biological Opinion, and the 2014 Supplemental Federal Columbia River Power System Biological Opinion, specifically as described in Reasonable and Prudent Alternative Action (RPA) No. 4 (Storage Project Operations), Table No. 1 (Libby Dam), including the Northwest Power and Conservation Council's 2003 mainstem amendments to the Columbia River Basin Fish and Wildlife Program, or any subsequent Biological Opinion(s) governing the same RPAs and Operations.

    f. In the event of changes to the U.S. Army Corps of Engineers' (Corps) responsibilities under the ESA, such as the delisting of resident and anadromous fish species, that no longer require the Corps to operate Libby Dam pursuant to ESA section 7 biological opinions or other substantive ESA requirements, the United States, acting through the Corps, the Tribes, and the

State shall establish written protocols and understandings on meeting and enforcing the Tribes' mainstem Instream Flow right in the Kootenai River while also ensuring that the Corps' operations of Libby Dam meet all Federal statutory and regulatory requirements and obligations. Provided however, that any such enforcement protocol shall not alter the limitations on Call set forth in Article III.D.1.g. The establishment of such protocols and understandings are pursuant to, and shall not be deemed an amendment of, this Compact.

g. Should the suspension on enforcement set forth in Article III.D.1.e be lifted due to the removal of Libby Dam, this water right may be exercised to make a Call only against junior users whose point of diversion is from the mainstem of the Kootenai River and not its tributaries, the purpose of whose rights is irrigation and whose source of supply is surface water, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater that is connected to the mainstem of the Kootenai River, and whose flow rate is greater than 100 gallons per minute.

h. Call may be made only when the average daily flow drops below the enforceable level for the previous 24-hour period.

2. **Mainstem Instream Flow Right in the Swan River (Basin 76K).** The Tribes have an Instream Flow water right for the reach of the mainstem of the Swan River with the associated flow rates set forth in the abstract of water right attached hereto as Appendix 26. The measurement point for this water right is USGS streamflow gage #12370000 located immediately below Swan Lake near Big Fork, Montana.

a. The priority date for this water right is time immemorial.

b. The period of use of this water right is January 1 to December 31 of each year.

c. The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

d. The point of diversion and place of use for this water right is instream. This water right shall not be exercised in conjunction with any artificial diversion.

e. The Tribes, and/or the United States on behalf of the Tribes, shall be entitled to make a Call to enforce this water right only against junior users the purpose of whose rights is irrigation and whose source of supply is surface water, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater connected to surface sources in Basin 76K and whose flow rate is greater than 100 gallons per minute.

- **f.** Call may be made only when the average daily flow drops below the enforceable level for the previous 24-hour period.

3. **Mainstem Instream Flow Right in the Lower Clark Fork River (Basins 76M and 76N).** The Tribes have a 5000 cfs Instream Flow water right for the reach of the mainstem of the Clark Fork River as set forth in the abstract of water right attached hereto as Appendix 27. The measurement point for this water right is USGS streamflow gage #12391950 located immediately below Cabinet Gorge Dam in Idaho.

   - **a.** The priority date for this water right is time immemorial.

   - **b.** The period of use of this water right is January 1 to December 31 of each year.

   - **c.** The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

   - **d.** The point of diversion and place of use for this water right is instream. This water right shall not be exercised in conjunction with any artificial diversion.

   - **e.** The Tribes, and/or the United States on behalf of the Tribes, shall be entitled to make a Call to enforce this water right only against junior users whose point of diversion is from the mainstem of the Clark Fork River and not its tributaries, the purpose of whose rights is irrigation and whose source of supply is surface water, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater connected to the mainstem of the Clark Fork River and whose flow rate is greater than 100 gallons per minute.

   - **f.** Call may be made only when the average daily flow drops below the enforceable level for the previous 24-hour period.

   - **g.** For so long as the Cabinet Gorge and Noxon Dams remain in existence, the enforceable level of this right is a flow rate equal to the lesser of 5000 cfs or the minimum flow level established by the FERC as a condition on the license for the Cabinet Gorge and Noxon Dams as that license condition may be modified over time.

4. Co-ownership of Instream and Public Recreation Water Rights Held by MFWP.

a. Upon the Effective Date, the Tribes shall be added as a co-owner with MFWP of the Water Rights Arising Under State Law held by MFWP for Instream Flow and recreation purposes that are identified on the tables attached hereto as Appendix 28 and Appendix 29. Nothing in this co-ownership changes any of the other elements of these Water Rights Arising Under State Law, including their priority dates or flow rates.

i. The Water Rights Arising Under State Law identified in Appendix 28 shall be included as part of the proposed decree to be filed with the Montana Water Court pursuant to Article VII.B.1.

ii. The Water Rights Arising Under State Law identified in Appendix 29 shall proceed through the Montana general stream adjudication as though they were not included in this Compact. MFWP shall make reasonable efforts to defend each of these rights identified in Appendix 29 in the Montana general stream adjudication. The Tribes have the right but not the duty to participate in the defense of these rights in the Montana general stream adjudication.

b. As co-owners, the Tribes and MFWP shall meet and confer on a biennial basis, or on such other timeframe as the Tribes and MFWP may mutually agree, to discuss the exercise of the rights identified in Article III.D.4.a, with a goal of establishing a joint plan for the exercise of these rights. Notwithstanding this planning process, the Tribes and MFWP each retain(s) the unilateral right to exercise each water right identified in Article III.D.4.a as each deem(s) appropriate, but neither the Tribes nor MFWP has any affirmative duty to take any particular action in regard to the exercise of any of these rights.

5. Co-ownership of Water Right Number 76M 94404-00 (Milltown Dam) in Basin 76G (Upper Clark Fork).

a. Upon the date the ratification of this Compact by the Montana Legislature becomes effective under State law, Water Right Arising Under State Law number 76M 94404-00 is changed as follows: the right is split into two separate active and enforceable Water Rights Arising Under State Law, 76M 94404-01 and 76M 94404-02, and the original water right elements are changed to support the maintenance and enhancement of fish habitat and take the form of two enforceable hydrographs. The elements of the changed and split water right are set forth in the two water rights abstracts attached hereto as Appendix 30. The measurement point for 76M 94404-01 is the USGS gage #12334550 at Turah, Montana, and the measurement point for 76M 94404-02 is the USGS gage #1234000 at Bonner, Montana.

i. The period of use of these water rights is January 1 to December 31 of each year.

ii. The point of diversion and place of use for these water rights is instream.

iii. These water rights shall not be exercised in conjunction with any artificial diversion.

iv. MFWP, and the Tribes after they become co-owners, and subject to the limitation on enforcement set forth in Article III.D.5.c, shall be entitled to make a Call to enforce these water rights only against junior users the purpose of whose rights is irrigation and whose source of supply is surface water, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater and whose flow rate is greater than 100 gallons per minute.

v. The enforceable levels of these water rights are identified in the table attached hereto as Appendix 31. The minimum enforceable level of this right is 700 cfs at the location of USGS gage #1234000 at Bonner, and 500 cfs at the location of USGS gage #12334550 at Turah.

vi. Call may be initiated on the day following a five-consecutive-day-period in which four out of five average daily river flows fall below their respective daily enforceable hydrograph values. Call may persist until such time as two average daily flows of the previous five-consecutive-day-period are in excess of their respective enforceable hydrograph values.

b. Upon the Effective Date, the Tribes shall be a co-owner with MFWP of these water rights. As co-owners, the Tribes and MFWP shall meet and confer on a biennial basis, or on such other timeframe as the Tribes and MFWP may mutually agree to, regarding the exercise of these rights, with a goal of establishing a joint plan for the exercise of these rights. The establishment of such a plan is pursuant to, and shall not be deemed an amendment of, this Compact. Notwithstanding this planning process, the Tribes and MFWP each retains the unilateral right to exercise these water rights as each deems appropriate, but neither the Tribes nor MFWP has any affirmative duty to take any particular action in regard to the exercise of these rights.

c. The ability to enforce these rights shall be suspended for a period of 10 years from the date the ratification of this Compact by the Montana Legislature becomes effective under State law. During and after this period, the Tribes and MFWP shall engage with other stakeholders in the Upper Clark Fork Basin on water management subjects including, but not limited to, drought planning and the exercise of these water rights in conjunction with the other water rights in the Upper Clark Fork Basin.

d. For any analysis of the legal availability of water in the Upper Clark Fork Basin, these rights shall be considered to have a combined year-round flow rate of 2,000 cfs as measured at the location of USGS gauge #12340500 below the confluence of the Blackfoot and Clark Fork Rivers.

e. No owner of these water rights, acting independently or jointly, shall be entitled to lease, sell or change the purpose of these water rights.

f. The Water Rights Arising Under State Law identified in this Article III.D.5 shall be finally decreed as part of the decree of this Compact that will be proposed to the Montana Water Court pursuant to Article VII.B.1.

6. Contract Rights to Stored Water Held by MFWP in Basin 76H (Bitterroot).

a. MFWP is a party to two contracts for the delivery of stored water from Painted Rocks Reservoir: MFWP Water Purchase Contract Painted Rocks, between MFWP and DNRC, July 12, 2004 (attached hereto as Appendix 32); and Water Purchase Contract, March 5, 1958, as amended on March 5, 1958 (attached hereto as Appendix 33). In the event that MFWP obtains an ownership interest in any water rights pursuant to these contracts or obtains an ownership interest in any water rights pursuant to any future contract for the delivery of water from Painted Rocks Reservoir, MFWP shall expeditiously take all steps necessary to add the Tribes as a co-owner of said water rights.

b. MFWP is a party to a contract for the delivery of stored water from Lake Como: Agreement Between the Bitterroot Irrigation District and the United States Department of the Interior, Bureau of Reclamation for the Operation of the Enlarged Storage Pool at Lake Como, July, 1994 (attached hereto as Appendix 34). In the event that MFWP obtains an ownership interest in any water rights pursuant to this contract, or obtains an ownership interest in any water rights pursuant to any future contract for delivery of water from Lake

Como, MFWP shall expeditiously take all steps necessary to add the Tribes as a co-owner of said water rights.

c. MFWP shall manage the Painted Rocks and Como contract rights, in a prudent, biologically based and environmentally sound manner, and within the terms and conditions of these contracts. MFWP will manage in the same manner any future contracts for the delivery of water from Painted Rocks or Lake Como to which MFWP becomes a party. The Tribes are an intended beneficiary of MFWP's management of these contracts, and have the right to challenge MFWP's management decisions in a Court of Competent Jurisdiction.

d. MFWP shall meet and confer with the Tribes on a biennial basis, or on such other timeframe as the Tribes and MFWP may mutually agree to, regarding the management of these contract rights. Such modifications to the meeting schedule are pursuant to, and shall not be deemed an amendment of, this Compact. If the Tribes become co-owners of any water right pursuant to this Article III.D.6 of the Compact, the Tribes and MFWP shall each retain the independent right to exercise each water right as each deems appropriate. Neither the Tribes nor MFWP has any affirmative duty to take any particular action in regard to the exercise of any of such rights. The Tribes do not assume any liability arising out of or resulting from any of the contracts identified in this Article III.D.6 pertaining to co-ownership of rights to stored water in Basin 76H.

7. **Instream Flow Right on the North Fork of Placid Creek (Basin 76F).** The Tribes have an Instream Flow water right for the upper reach of the North Fork of Placid Creek with the associated flow rates set forth in the abstract of water right attached hereto as Appendix 35. The measurement point for this water right shall be within the main channel of the North Fork of Placid Creek, below the North Fork Placid Creek FIIP Diversion located within the SE ¼ of the NW ¼ of the SE ¼ of Section 29 in Township 17 North Range 16 West.

   a. The priority date for this water right is time immemorial.

   b. The period of use of this water right is January 1 to December 31 of each year.

   c. The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

- **d.** The point of diversion and place of use for this water right is instream. This water right shall not be exercised in conjunction with any artificial diversion.

- **e.** The Tribes, and/or the United States on behalf of the Tribes, shall be entitled to make a Call to enforce this water right only against junior users the purpose of whose rights is irrigation and whose source of supply is surface water of Placid Creek, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater connected to Placid Creek and whose flow rate is greater than 100 gallons per minute.

- **f.** Call may be made only when the average daily flow drops below the enforceable level for the previous 24-hour period.

8. Instream Flow Rights on Kootenai River Tributaries (Basin 76D). The Tribes have Instream Flow water rights for the reaches of the Kootenai River tributaries Big Creek, Boulder Creek, Steep Creek and Sutton Creek, with the associated flow rates set forth in the abstracts of water right attached hereto as Appendix 36.

- **a.** The priority date for this water right is time immemorial.

- **b.** The period of use of this water right is January 1 to December 31 of each year.

- **c.** The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

- **d.** The point of diversion and place of use for this water right is instream. This water right shall not be exercised in conjunction with any artificial diversion.

- **e.** Water rights held by the United States Forest Service pursuant to the United States Forest Service-Montana Water Rights Compact, 85-20-1401, MCA, shall not be subject to Call by the Tribes and/or the United States on behalf of the Tribes.

- **f.** The recognition of the Instream Flow water rights in this Article III.D.8 does not confer on the Tribes any authority over the management of National Forest System lands within Basin 76D, or any claim to ownership or other rights in that land. With the exception of future diversionary uses by the United States on National Forest System lands in excess of the Forest Service's reserved rights identified in Article III.D.8.e, the Tribes hold the

United States harmless for delivery of water or maintenance of flows to meet this Instream Flow water right in Basin 76D.

E. **Period of Use.** The period of use of the Tribal Water Right set forth in this Article III shall be January 1 to December 31 of each year, provided however, that any portion of that water right that is dedicated to seasonal use, including irrigation use, shall have a period of use as set forth in the abstracts attached hereto as Appendix 5 or as set forth in the registration of such right pursuant to the Law of Administration, as applicable.

F. **Points and Means of Diversion.** The points and means of diversion for use of the Tribal Water Right set forth in this Article III are as set forth in the abstracts of water rights attached to this Compact or as may be provided for under the Law of Administration.

G. Call Protection.

1. **Non-Irrigators.** The Tribes, on behalf of themselves and the users of any portion of the Tribal Water Right set forth in this Compact, and the United States agree to relinquish their right to exercise the Tribal Water Right to make a Call against any Water Right Arising Under State Law whose purpose(s) do(es) not include irrigation.

2. **Groundwater Irrigators with Flow Rates Less Than or Equal to 100 Gallons Per Minute.** The Tribes, on behalf of themselves and the users of any portion of the Tribal Water Right set forth in this Compact and the United States agree to relinquish their right to exercise the Tribal Water Right to make a Call against any Water Right Arising Under State Law whose purpose is irrigation and whose source of supply is Groundwater and whose flow rate is less than or equal to 100 gallons per minute.

3. **Irrigators Within the FIIP Influence Area.**

   a. The Tribes, the United States, and the Project Operator, agree to relinquish their right to exercise the Tribal Water Right to make a Call against that portion of any Water Right Arising Under State Law identified in Article III.G.3.b that is equal to the quantity of water established as the annual FIIP quota for the current irrigation season, or an equivalent farm delivery amount within the FIIP as implemented by the Project Operator within the applicable RDA Area, or the quantity allowed under a claim decreed by the Montana Water Court or water right granted by the DNRC (an Alternate Value), whichever is less, whose owner enters into a consensual agreement as described in this Article III.G.3.

b. Water Rights Arising Under State Law whose owners are eligible to enter into consensual agreements as described in this Article III.G.3 are those rights:

  i. whose purpose is irrigation;

  ii. whose point(s) of diversion or place(s) of use are within the FIIP Influence Area; and

  iii. whose source of supply is surface water; or

  iv. whose source of supply is Groundwater and whose flow rate is greater than 100 gallons per minute.

c. The Tribes, the United States, and the Project Operator, agree to enter into the consensual agreement described in this Article III.G.3 with every owner of a Water Right Arising Under State Law described in Article III.G.3.b who wishes to enter into such an agreement. The following conditions shall apply to any such consensual agreement:

  i. the owner of a Water Right Arising Under State Law that meets the criteria described in Article III.G.3.b shall measure all diversions, report the measured amount of those diversions to the Project Operator, agree to divert no more water each year than the lesser of the quantity established as the annual FIIP quota or an Alternate Value, and shall not expand water use beyond the terms of the agreement;

  ii. the owner of a Water Right Arising Under State Law does not acquire any entitlement to any delivery or diversion of water from the FIIP, whether the water is stored or run of the river, by entering into a consensual agreement as described in this Article III.G.3;

  iii. irrigation use pursuant to any Water Right Arising Under State Law whose owner enters into a consensual agreement as set forth in this Article III.G.3 shall be limited to the irrigation season identified annually by the FIIP and to such period of use limitation as may apply to FIIP irrigators;

  iv. the method and frequency of measurement of the diversion must be described and occur at a reasonable level of accuracy and frequency to demonstrate that the diversion does not exceed the lesser of the annual FIIP quota for a given irrigation season or an Alternate Value, and;

- **v.** the agreement is permanent and is binding on the heirs and assigns of the owner of each Water Right Arising Under State Law who enters into such agreement.

d. The entering into a consensual agreement as set forth in this subsection (3) does not relieve the owner of any claim to a Water Right Arising Under State Law that is at issue in the Montana general stream adjudication from the obligation of prosecuting that water right claim through the Montana general stream adjudication.

e. If a consensual agreement is entered into among the Tribes, United States, the Project Operator and the owner of a Water Right Arising Under State Law described in Article III.G.3.b prior to the issuance of the final decree for Montana Water Court Basin 76L and 76 LJ, as applicable, that agreement shall terminate as a matter of law if the claimed Water Right is terminated as a result of proceedings conducted in the Montana general stream adjudication.

f. If a consensual agreement is entered into among the Tribes, the United States, the Project Operator, and the owner of a Water Right Arising Under State Law described in Article III.G.3.b prior to the issuance of the final decree for Montana Water Court Basin 76L and 76 LJ, as applicable, and such owner has a claim in the Montana general stream adjudication that is ultimately decreed a quantity of water for that claim less than the quantity established in the agreement, the consensual agreement shall protect only the lesser amount of water.

g. If the owner of a Water Right Arising Under State Law described in Article III.G.3.b ceases to use that portion of that water right in excess of the lesser of the annual FIIP quota for a given irrigation season, or an Alternate Value, pursuant to a consensual agreement as set forth in Article III.G.3:

- **i.** that nonuse does not represent an intent by the owner of that water right to wholly or partially abandon that water right or to not comply with the terms and conditions of that right; and

- **ii.** the period of nonuse may not create or may not be added to any previous period of nonuse to create a presumption of abandonment.

h. Any use of a Water Right Arising Under State Law subject to a consensual agreement described in this Article III.G.3 exceeding the volume of water specified in the consensual agreement shall be subject to Call by the Tribes, the United States, or the Project Operator for that amount of water in excess of the terms of the consensual agreement.

- **i.** A Person who has both an entitlement to the delivery of water from the FIIP and a Water Right Arising Under State Law to serve the same acreage may only protect from Call, by entering into a consensual agreement pursuant to this Article III.G.3, a total quantity of water equal to the lesser of the annual FIIP quota for a given irrigation season, or an Alternate Value, for each acre served, irrespective of whether the water applied to each acre is pursuant to that Person's FIIP delivery right or that Person's Water Right Arising Under State Law.

4. **Water Rights Upstream of the Reservation (Basins 76I, 76J, and 76LJ).** The Tribes, on behalf of themselves and the users of any portion of the Tribal Water Right set forth in this Compact, and the United States agree to relinquish their right to exercise the Tribal Water Right to make a Call against any water right located upstream of the Flathead Reservation in Basins 76I, 76J, and 76LJ, except for those Water Rights Arising Under State Law:

   - **a.** Whose purpose is irrigation and whose source of supply is surface water, and whose point of diversion is:

     - **i.** the mainstem of the Flathead River, including Flathead Lake;
     - **ii.** the North Fork of the Flathead River;
     - **iii.** the Middle Fork of the Flathead River; or
     - **iv.** the South Fork of the Flathead River.

   - **b.** Whose purpose is irrigation, whose source of supply is Groundwater connected to one of the sources identified in Article III.G.4.a, and whose flow rate is greater than 100 gallons per minute.

   - **c.** The Tribes and the United States agree that the Tribal Water Right recognized in the Compact may not be exercised to make Call against any Water Right Arising Under State Law upstream of the Flathead Reservation and located on a tributary to the Flathead River not identified in Article III.G.4.a.

5. **Water Rights on the Little Bitterroot River Outside the Reservation (Basin 76L).** The Tribes, on behalf of themselves and the users of any portion of the Tribal Water Right set forth in this Compact, and the United States agree to relinquish their right to

exercise the Tribal Water Right to make a Call against any Water Right Arising Under State Law whose point of diversion is outside the Flathead Reservation and whose source of supply is the Little Bitterroot River or its tributaries.

6. Any Water Right Arising Under State Law the purpose of which is irrigation and that is susceptible to Call by the Tribes pursuant to Article III.D.1.g, III.D.2.e, III.D.3.e, III.D.5.a.iv, III.D.7.e, III.G.4.a, or III.G.4.b whose purpose is changed after the Effective Date to something other than irrigation shall remain susceptible to Call pursuant to the terms and conditions of this Compact as though the purpose of the Water Right Arising Under State Law was still irrigation.

H. **Water Rights Arising Under State Law Appurtenant to Lands Acquired by the Tribes.** For lands acquired by the Tribes within the Reservation, the Tribes have the right to any Water Right Arising Under State Law acquired as an appurtenance to the land. Starting upon the Effective Date of the Compact, the Tribes may file a Trust Transfer form with the Board for any lands acquired by the Tribes with appurtenant Water Rights Arising Under State Law that have been taken into trust by the United States on behalf of the Tribes, as provided in the Law of Administration and the water right appurtenant to the land shall be transferred to the Tribal Water Right quantified in this Compact with a priority date of July 16, 1855, provided that the Tribes shall continue to use the acquired water right as it was historically used or may change the use of the acquired water right pursuant to the provisions for change of use set forth in Article IV.B.4 and the Law of Administration. Such transfer does not shield the underlying right from abandonment based on acts or omissions of the holder of that water right prior to its acquisition by the Tribes.

ARTICLE IV – IMPLEMENTATION OF COMPACT

A. **Trust Status of Tribal Water Right.** The Tribal Water Right shall be held in trust by the United States for the benefit of the Tribes, their members and Allottees.

B. Use of Tribal Water Right.

1. **Persons Entitled to Use the Tribal Water Right.** The Tribal Water Right may be used by the Tribes, their members, Allottees, or their lessees or assigns. FIIP customers who have assessed land within the FIIP who are in compliance with the applicable BIA rules and guidelines are entitled to have delivered an equitable share of the FIIP Water Use Right as provided by Article IV.D.2.

2. **Effect of Non-Use of the Tribal Water Right.** Non-use of all or any portion of the Tribal Water Right described in Article III shall not constitute a relinquishment, forfeiture, or abandonment of such right.

3. **Review of Registration of Existing Uses of the Tribal Water Right.**

   a. Within five (5) years after the Effective Date, the Board shall provide the DNRC with a report, in a form materially consistent with that of abstracts of water rights decreed by the Montana Water Court, of the Tribal Water Right registered pursuant to the Law of Administration as being in existence as of the Effective Date.

   b. Within six (6) months after receipt of the report, the DNRC must agree, agree in part, or disagree with the report. If the DNRC takes no action by the end of the six-month period after the report is received, the report shall be deemed accepted. If the DNRC agrees in part or disagrees with the report, the State, the Tribes, and the United States shall meet within ninety (90) days of issuance of the DNRC's notice of disagreement in an effort to resolve the issue(s) giving rise to the disagreement. If, after meeting and conferring, the State, the Tribes, and the United States are still unable to come to agreement on the list of Existing Uses, all disagreements over the contents of the list must be brought to the Water Management Board for resolution of the dispute under Article IV.I.4.c within 180 days of the issuance of the DNRC's notice of disagreement.

4. **Changes in Use of the Tribal Water Right.**

   Any user of a portion of the Tribal Water Right who proposes a change of such use must seek authorization to change the use of that portion of the right. Such applications for authorization to change a use shall be heard and decided by the Board pursuant to Article IV.I.4.b of the Compact and the Law of Administration, provided that the Board may not consider any change application of Flathead System Compact Water unless the applicant has secured the written consent of the Tribal Council to apply for a Change in Use authorization.

5. **New Development of the Tribal Water Right.**

   a. The Tribes, or any Person with authorization from the Tribes, may develop a new use of the Tribal Water Right on the Reservation after the Effective Date. Such development may only proceed upon the issuance of an Appropriation Right for the New Development by the Board pursuant to Article IV.I.4.a and the Law of Administration.

b. The Tribes, or any Person with authorization from the Tribes, may develop a new use of the Flathead System Compact Water Right set forth in Article III.C.1.c off the Reservation after the Effective Date, but only after complying with the provisions of Article IV.B.5.c.

c. Any New Development by the Tribes of a portion of the Tribes' Flathead System Compact Water Right off the Reservation shall be treated as a change in use. The DNRC shall process each change application pursuant to the provisions of 85-2-302, 307-310 and 314, MCA. Prior to developing Flathead System Compact Water for beneficial use off the Reservation, the Tribes must comply with the provisions of subsections (1) through (3) and (8) through (17) of 85-2-402, MCA, as those provisions read on December 31, 2014.

d. In the event that, after the date the ratification of the Compact by the Montana Legislature takes effect under State law, the Montana Legislature substantively amends or repeals any of the sections identified in Article IV.B.5.c, the Tribes and the DNRC shall meet no later than 60 days after the effective date of the State legislative action amending or repealing to determine if they can agree whether the provisions of State law set forth in Article IV.B.5.c or the new provisions of State law shall govern the process for off-Reservation development of new uses of the Flathead System Compact Water Right set forth in Article III.C.1.c. In the event that the Tribes and the DNRC are unable to agree, the provisions of State law identified in Article IV.B.5.c shall remain in effect. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact

e. If the Tribes' use of Flathead System Compact Water off the Reservation involves diversion works or facilities for the transport of water located off the Reservation, the Tribes shall apply for and obtain all permits, certificates, variances and other authorizations required by State laws regulating, conditioning or permitting the siting, construction, operation, alteration or use of any equipment, device, facility or associated facility proposed to use or transport water, prior to exercising a use of the Flathead System Compact Water Right off the Reservation.

6. Lease of the Tribal Water Right.

a. Lease of the Tribal Water Right generally.

i. Pursuant to the terms and conditions of this Compact, the Tribes may Lease, for use on or off the Reservation, any portion of the Tribal Water

Right set forth in Article III.C.1.a, b, i, and j; provided, that either the Tribes or its assignee, on behalf of the Tribes, first comply with the procedures for changing the use of water rights set forth in subsections iii and iv of this Article IV.B.6.a, as applicable.

ii. The Tribes may make or authorize a Lease of the Tribal Water Right for use within or outside the Reservation; provided that, any Lease shall be for a term not to exceed 99 years, and may include provisions authorizing renewal for an additional term not to exceed 99 years. The off-Reservation use of any portion of the Tribal Water Right is limited to a place of use within the Flathead or Clark Fork River Basins in Montana.

iii. A Lease of the Tribal Water Right shall not adversely affect a Water Right Arising Under State Law with a priority date before the date of the Lease or an Appropriation Right issued pursuant to this Compact with a priority date before the date of the Lease. Uses of the Tribal Water Right being exercised prior to the date of the Lease shall not be adversely affected by a Lease of the Tribal Water Right, except that the Tribes may allow uses of the Tribal Water Right on Tribally owned land to be adversely affected by declining to object to the Change in Use application associated with the Lease.

1. If the Lease is for use on the Reservation, the determination of adverse effect shall be made by the Water Management Board pursuant to the process set forth regarding applications for Change in Use authorizations under the Law of Administration.

2. If the Lease is for use off the Reservation, the Lease shall be treated as a change in use. The DNRC shall process each change application pursuant to the provisions of 85-2-302, 307 through 310, and 314, MCA. Prior to the lessee putting leased water to beneficial use, the Tribes or their assignee, on behalf of the Tribes, must comply with the following provisions of State law as those provisions read on December 31, 2014:

   a. Subsections (1) through (3) and (8) through (17) of 85-2-402, MCA;

   b. Subsections (1) through (8) of 85-2-407, MCA, provided, that the term of any such Lease may be for up to 99 years, and the DNRC may approve the renewal of such a Lease for a period of up to 99 years; and

c. 85-2-408, MCA, as limited by the provisions of Article IV.B.6.a.iii.2.a.

iv. In the event that, after the date the ratification of the Compact by the Montana Legislature takes effect under State law, the Montana Legislature substantively amends or repeals any of the sections identified in Article IV.B.6.a.iii.2, the Tribes and the DNRC shall meet, no later than 60 days after the effective date of the State legislative action amending or repealing, to determine if they can agree whether the provisions set forth in Article IV.B.6.a.iii.2 or the new provisions of State law shall govern the process for off-Reservation Leases under this Compact. In the event that the Tribes and the DNRC are unable to agree, the provisions of Article IV.B.6.a.iii.2 shall remain in effect. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

v. The Tribes or any Person using diversion works or facilities for the transportation of water located off the Reservation in connection with a use of the Tribal Water Right shall apply for and obtain all permits, certificates, variances and other authorizations required by State laws regulating, conditioning or permitting the siting, construction, operation, alteration or use of any equipment, device, or facility proposed to use or transport water, prior to exercising a use of the Tribal Water Right off the Reservation.

b. Lease of the Tribal Water Right by an Individual Indian Owner.

i. An Individual Indian Owner may enter into a Lease to authorize a Person or Persons to use the Individual Indian Owner's allocated portion of the Tribal Water Right on the Reservation.

ii. If the lessee intends to put the water to beneficial use in a manner different than how the Individual Indian Owner had been using the water prior to the date of the Lease, the Individual Indian Owner or the lessee must comply with the provisions of the Law of Administration pertaining to securing Change in Use authorizations from the Water Management Board before the use of water may be changed.

iii. Any Lease entered into pursuant to subsection b of this section may be for a term not to exceed 25 years, and may include provisions authorizing renewal for an additional term not to exceed 25 years.

iv. A Lease of the Tribal Water Right by an Individual Indian Owner shall not adversely affect a Water Right Arising Under State Law with a priority date before the date of the Lease or an Appropriation Right issued pursuant to this Compact with a priority date before the date of the Lease. Uses of the Tribal Water Right being exercised prior to the date of the Lease shall not be adversely affected by a Lease of the Tribal Water Right by an Individual Indian Owner, except that the Tribes may allow uses of the Tribal Water Right on Tribally owned land to be adversely affected by declining to object to the Change in Use application associated with the Lease.

c. Lease of the Flathead System Compact Water Right.

i. Pursuant to the terms and conditions of this Compact, the Tribes may Lease Flathead System Compact Water for use on or off the Reservation, provided that either the Tribes or their lessee comply with the Law of Administration and the relevant provisions of this section, as applicable.

ii. The Tribes shall make available Flathead System Compact Water for short-term Lease within the FIIP or the FIIP Influence Area pursuant to the Shared Shortages provisions set forth at Article IV.E. The Lease term may not exceed the period during which Shared Shortage provisions are in effect. The baseline annual price for this water shall be $8 per Acre-foot plus a $25 administrative fee per Lease as of July 1, 2015. From that date, the baseline annual price and the administrative fee shall be indexed for inflation and consequently adjusted annually on July 1st of each successive year thereafter (the Adjustment Date) by the percentage change over the previous twelve months in the most recent monthly Consumer Price Index for All Urban Consumers (CPI-U) published by the United States Department of Labor, Bureau of Labor Statistics, or such other index as the Parties may agree to use. The initial price for each Lease of any portion of the Flathead System Compact Water entered into during that year pursuant to the Shared Shortage provisions contained in Article IV.E shall be the adjusted baseline price. During the term of any given Lease, the price per Acre-foot shall continue to adjust annually on the Adjustment Date by the percentage change in the CPI-U, or such other index as the Parties may agree to use, of the previous twelve-month period. The foregoing provisions regarding the adjusted baseline price and per-Lease administrative fee shall constitute the sole and exclusive price terms of each Lease entered under this Article IV.B.6.c.ii. Any modifications of the index are pursuant to, and shall not be deemed an amendment of, this Compact.

iii. The Tribes may make or authorize a Lease of the Tribal Water Right for use within or outside the Reservation; provided that, any Lease shall be for a term not to exceed 99 years, and may include provisions authorizing renewal for an additional term not to exceed 99 years. The off-Reservation use of any portion of the Tribal Water Right is limited to a place of use within the Flathead or Clark Fork River Basins in Montana.

iv. If the Lease is for a portion of the Tribes' Flathead System Compact Water right to be delivered wholly from water stored in Hungry Horse Reservoir, the Tribes shall provide notice to the DNRC and the Water Management Board, in advance of the effective date of the Lease, of the terms of the Lease and any modifications thereto or termination thereof. For Leases lasting one irrigation season or less, notice to the DNRC and the Water Management Board shall be provided as far in advance as practicable. For Leases lasting longer than one year, notice shall be provided to the DNRC and the Water Management Board by the later of 120 days prior to the date on which the Lease is to take effect or March 31 of the year in which the Lease is to take effect. The point of delivery for a Lease shall be the outlet works at the Hungry Horse Dam. If disputes arise between or among holders of Water Rights Arising Under State Law as to the reasonable transmission and carriage losses from the point of delivery to the place of use of the Lease, the district court pursuant to its powers and duties under Title 85, Chapter 5, MCA, shall calculate such losses.

v. Any Lease or portion of a Lease to be delivered from water stored in Hungry Horse Reservoir is subject to reduction due to conditions defined in Appendix 8 on a pro rata basis as set forth in Article III.C.1.c.iii.

vi. If the Lease is for the off-Reservation use of a portion of the Tribes' Flathead System Compact Water right to be delivered from a combination of stored water and direct flow water from the Flathead River, or exclusively from direct flow water from the Flathead River, the Lease shall be treated as a change in use as it pertains to the use of the direct flow water. The DNRC shall process each change application pursuant to the provisions of 85-2-302, 307-310 and 314, MCA. Prior to the lessee putting leased water to beneficial use, the Tribes or the lessee must comply with the following provisions of State law as those provisions read on December 31, 2014:

1. Subsections (1) through (3) and (8) through (17) of 85-2-402, MCA;

2. Subsections (1) through (8) of 85-2-407, MCA, provided, however, that the term of any such Lease may be for up to 99 years, and the DNRC may approve the renewal of such a Lease for a period of up to 99 years; and

3. 85-2-408, MCA, as limited by the provisions of Article IV.B.6.c.vi.1.

vii. In the event that, after the date the ratification of the Compact by the Montana Legislature takes effect under State law, the Montana Legislature substantively amends or repeals any of the sections identified in Article IV.B.6.c.vi.1 through 3, the Tribes and the DNRC shall meet no later than 60 days after the effective date of the State legislative action amending or repealing to determine if they can agree whether the provisions set forth in Article IV.B.6.c.vi.1 through 3 or the new provisions of State law shall govern the process for off-Reservation Leases under this Compact. In the event that the Tribes and the DNRC are unable to agree, the provisions of Article IV.B.6.c.vi.1 through 3 shall remain in effect. Any agreed upon modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

viii. The Tribes or any Person using diversion works or facilities for the transportation of water located off the Reservation in connection with a use of the Flathead System Compact Water Right shall apply for and obtain all permits, certificates, variances and other authorizations required by State laws regulating, conditioning or permitting the siting, construction, operation, alteration or use of any equipment, device, or facility proposed to use or transport water, prior to exercising a use of the Flathead System Compact Water Right off the Reservation.

7. Lease of 11,000 Acre-Feet per Year of Water From Hungry Horse Reservoir for Off-Reservation Mitigation.

a. The Tribes shall make available for Lease off the Reservation 11,000 Acre-feet of the water identified in Article III.C.1.c.i stored in Hungry Horse Reservoir pursuant to the process, and subject to the terms and conditions, set forth in this Article IV.B.7.

b. The water identified in Article IV.B.7.a shall be available for the mitigation of net depletions arising from new or existing domestic, commercial, municipal and/or industrial uses of water at any point in the Flathead or Clark Fork

Basins in Montana for which the 11,000 Acre-feet per year of water is capable of providing mitigation.

c. The DNRC, under Title 85, MCA, shall retain the responsibility for determining if, when, where, and how much mitigation water is needed for any proposed new development and if the water identified in Article IV.B.7.a meets the appropriate mitigation criteria for any proposed mitigation plan.

d. The water identified in Article IV.B.7.a is subject to reduction due to conditions defined in Appendix 8 on a pro rata basis as set forth in Article III.C.1.c.iii.

e. The mechanism for entering into a Lease for any portion of the water set forth in this Article IV.B.7.a shall be as follows:

  i. Any interested Person may approach the Tribes, through the Tribal Lands Department or successor Tribal department, to negotiate a Lease of a portion of this water;

  ii. The baseline annual per Acre-foot price for this water shall be set at $40 as of July 1, 2015. From that date, the baseline price shall be indexed for inflation and consequently adjusted annually on July 1st of each year thereafter (the Adjustment Date) by the percentage change over the previous year in the most recent monthly Consumer Price Index for All Urban Consumers (CPI-U) published by the United States Department of Labor, Bureau of Labor Statistics, or such other index as the Parties may agree. The initial price for each Lease of any portion of the 11,000 Acre-feet identified in this Article IV.B.7 entered into during that year shall be the adjusted baseline price. During the term of any given Lease, the price per Acre-foot shall continue to adjust annually on the Adjustment Date by the percentage change in the CPI-U, or such other index as the Parties may agree to use, of the previous twelve-month period. The foregoing provisions regarding the adjusted baseline price shall constitute the sole and exclusive price term of each Lease;

  iii. Each Lease between the Tribes and a lessee shall be for a term of 99 years, with the lessee holding an option to renew for an additional 99 years, unless the Tribes and the lessee affirmatively agree on an alternate duration not to exceed 99 years. Any Lease including a term of alternate duration may also include an option to renew for a term not to exceed 99 years; and

iv. The Tribes and each prospective lessee shall negotiate any and all other non-price terms of the Lease arrangement.

f. In the event of an impasse between the Tribes and a prospective lessee over any non-price term, the prospective lessee may file a notice of impasse with the Water Management Board, invoking the Board's authority to resolve any such impasse pursuant to the process set forth in Article IV.B.7.g.

g. Process for resolving disputes over Lease terms.

i. Upon receipt of a notice of impasse, the Board shall date stamp it. Within three days of the filing of a notice of impasse, the Board shall provide notice of the filing to the Tribes, with a copy to the prospective lessee, identifying a date certain between 30 and 60 days from the date of receipt of the notice for the Tribes and the prospective lessee each to submit a last, best offer concerning all of the non-price terms.

ii. No later than the date set by the Board, the Tribes and the prospective lessee shall file a last, best offer with the Board in the form of a proposed Lease agreement and shall serve the same on each other. To be filed, the offer must be placed in the custody of the Board within the time fixed for filing. Filing may be accomplished by mail addressed to the Board, but filing shall not be timely unless the papers are actually received within the time fixed for filing. Immediately upon receipt by the Board, the offers shall be date stamped. If the Tribes fail to timely file an offer, the offer filed by the prospective lessee shall become the terms of the Lease. If the prospective lessee fails to timely file an offer, no Lease shall be concluded.

iii. The Board shall issue a decision selecting one side's offer or the other's between 15 and 45 days after the filing of the offer. At any time prior to the Board's decision, the prospective lessee may choose to withdraw the prospective lessee's offer and decline to enter into the Lease.

iv. The Board shall provide notice of its decision to both the Tribes and the prospective lessee. The Lease shall be concluded on the terms selected by the Board, but must include the price term identified in Article IV.B.7.e.ii of this Compact. The effective date of the Lease shall be ten days after the Board's issuance of its decision.

v. The Tribes or a prospective lessee dissatisfied with a decision of the Board made pursuant to this Article IV.B.7.g may appeal that decision by filing a petition for judicial review with a Court of Competent Jurisdiction within 30 days of the issuance of the Board's decision. The court shall review the Board's decision for abuse of discretion.

C. Exercise of Certain Portions of the Tribal Water Right Related to the FIIP.

1. **Priority for the Exercise of the FIIP Instream Flow and FIIP Water Use Rights.** Once the water rights described in Article III.C become enforceable, the following relative priorities among those rights shall apply:

    - **a.** Minimum Enforceable Instream Flows.

    - **b.** Minimum Reservoir Pool Elevations.

    - **c.** River Diversion Allowances.

    - **d.** Target Instream Flows.

2. Reallocated Water in excess of Target Instream Flows will be split as equally as hydrologically practicable between the Instream Flow water rights set forth in Article III.C.1.d.ii and the FIIP Water Use Right set forth in Article III.C.1.a.

3. **MEF and TIF implementation and schedule**. Exercise of FIIP Instream Flow Rights set forth in Article III.C.1.d.ii shall be accomplished through the implementation and enforcement of MEFs and TIFs and is subject to the Shared Shortage and Adaptive Management provisions set forth in Article IV.E and F and Appendix 3.5.

    - **a.** MEFs and TIFs shall be enforceable at the values set forth in Appendix 3.1.

    - **b.** Implementation and enforceability of MEFs and TIFs.

        - **i.** Incremental implementation of Operational Improvements will result in additional FIIP Instream Flow.

        - **ii.** MEFs and TIFs shall be enforceable following the completion of Operational Improvements according to the schedule attached hereto as Appendix 3.4.

        - **iii.** Reallocated Water from Rehabilitation and Betterment Projects shall be used to incrementally achieve FIIP Instream Flows set forth in Article III.C.1.d.ii.

iv. If the schedule attached hereto as Appendix 3.4 cannot be met due to lack of available funding or other circumstances outside of the control of the Parties or Project Operator, the Parties may agree to adjust the schedule as necessary to allow for timely implementation of MEFs and TIFs. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

v. If the Project Operator fails to implement the schedule attached hereto as Appendix 3.4 due to acts, errors, or omissions of the Project Operator, MEFs and TIFs will be enforceable as though the schedule had been implemented.

c. Until an MEF has become enforceable, the interim Instream Flow, where applicable, for that location shall be the enforceable Instream Flow. Where the Instream Flow has been incrementally increased above the interim Instream Flow level as a result of the partial completion of actions listed in the Implementation Schedule attached hereto as Appendix 3.4, the incrementally achieved level may be maintained until the MEF is achieved.

d. Until a Minimum Reservoir Pool Elevation has become enforceable, the interim reservoir pool elevation, where applicable, for that location shall be enforced.

e. TIFs shall be determined seasonally according to Appendix 3.5, and will vary between the wet and normal year levels attached hereto as Appendix 3.1.

4. Minimum Reservoir Pool Elevations. Minimum Reservoir Pool Elevations attached hereto as Appendix 3.1 shall be enforceable according to the schedule specified in Appendix 3.4. Enforceability of Minimum Reservoir Pool Elevations is subject to Article IV.E, Appendix 3.5, and superseding Federal law allowing for regulation of reservoir elevations.

D. Exercise of the FIIP Water Use Right.

1. FIIP Water Use Right.

a. The FIIP Water Use Right shall be satisfied by meeting the RDA values for each RDA Area attached hereto as Appendix 3.2 and as evaluated pursuant to Article IV.D.1.e.

b. RDAs shall be enforceable according to the schedule attached hereto as Appendix 3.4, subject to evaluation pursuant to Article IV.D.1.e.

c. Headworks diversion amounts shall be progressively adjusted to achieve the RDAs as Operational Improvements are completed pursuant to Appendix 3.4.

d. Once RDAs are achieved through completion of Operational Improvements, headworks diversion amounts shall be progressively adjusted as Rehabilitation and Betterment is completed pursuant to Appendix 3.6. The enforceable RDA for the location in which a particular Rehabilitation and Betterment project has been completed is the amount defined in Appendix 3.2, reduced by the volume of Reallocated Water made available by that Rehabilitation and Betterment project. The amount actually diverted may be adjusted pursuant to the evaluation process described in Article IV.D.1.e.

e. RDA values shall be evaluated to ensure their adequacy to meet Historic Farm Deliveries. Initial evaluation of RDAs shall occur once the Parties and Project Operator have completed all Operational Improvements in a given RDA Area according to the schedule attached hereto as Appendix 3.4. Evaluation of RDAs will continue as part of the responsibilities of the CITT described in Appendix 3.5 as follows:

  i. The Project Operator must measure and record farm turnout deliveries within a given RDA Area.

  ii. If the aggregate measured deliveries to farm turnouts do not meet Historic Farm Deliveries for a given RDA Area, actual diversions shall be adjusted to assure that Historic Farm Deliveries are met for wet, normal and dry water years. If water in excess of the RDA is needed to meet Historic Farm Deliveries, it will be provided through an increase of the Flathead River pumping plant diversion allowed by the Flathead Pumping Station RDA attached hereto as Appendix 3.2. If the aggregate measured deliveries to farm turnouts exceed Historic Farm Deliveries within an RDA Area, the actual diversions shall be reduced accordingly.

  iii. Any adjustment of actual diversions pursuant to this section shall not result in decrease of the MEFs, TIFs, or Minimum Reservoir Pool Elevations.

f. RDAs are quantified for wet, normal, and dry Natural Flow years, attached hereto as Appendix 3.2, and shall be set each year according to the process specified in Appendix 3.5.

2. **FIIP Delivery Entitlement Statement.** Assessed land within the FIIP is entitled to have water delivered by the Project Operator if the FIIP customer is in compliance with the applicable BIA rules and guidelines for FIIP. Beginning on the Effective Date, an owner of assessed land within the FIIP may request of the Project Operator a delivery entitlement statement, which must be tendered within 90 days of the request or denied for cause. Beginning on the date one year after the Effective Date, the delivery entitlement statement must be tendered or denied within 30 days. The delivery entitlement runs with the land and is valid so long as the land remains assessed and the FIIP customer is in compliance with the applicable BIA rules and guidelines for FIIP.

E. Shared Shortages Provision.

1. In the event that water supplies are inadequate to simultaneously satisfy an enforceable Instream Flow water right and a corresponding RDA, the provisions of Article IV.E govern the exercise of the water rights set forth in Articles III.C.1.a and III.C.1.d.ii and iv at that location. The CITT shall determine when Shared Shortages conditions begin and end as specified in Appendix 3.5.

2. For purposes of Article IV.E, once MEFs and RDAs have become enforceable, they shall be maintained at the levels set forth in Appendices 3.1 and 3.2, as adjusted pursuant to Article IV.D.1.e. Prior to enforceability of the MEF and RDA levels attached hereto as Appendices 3.1 and 3.2, Instream Flows will be maintained as provided by Article IV.C.3.c and RDAs will be maintained as provided by Article IV.D.1.b and c.

3. Subject to the priority system set forth in Article IV.C.1, RDAs shall be maintained by implementing the following measures in the order of priority set forth below:

a. Available Natural Flow or regulated streamflow shall be diverted by the Project Operator to satisfy RDAs.

b. If the application of Article IV.E.3.a does not satisfy RDAs, Flathead River pumping plant diversions shall be increased as allowed by the Flathead Pumping Station RDA attached hereto as Appendix 3.2.

   - **c.** If the application of Article IV.E.3.a and b does not satisfy RDAs, FIIP reservoirs may be reduced below the Minimum Reservoir Pool Elevations specified in Appendix 3.1 to supply RDAs, subject to Article IV.E.5.
   - **d.** If the application of Article IV.E.3.a through c does not satisfy RDAs, the Tribes shall make available for short-term lease Flathead System Compact Water for use within the FIIP as provided by Article IV.B.6.c.ii.

4. Within the Basin 76LJ portion of the Little Bitterroot Valley, RDAs shall be maintained by sequentially applying the procedures in Article IV.E.3.a through c, where applicable.

5. As set forth in Article IV.E.3.c, FIIP reservoirs may be reduced below the Minimum Reservoir Pool Elevations set forth in Article III.C.1.e to support RDAs as follows:

   - **a.** FIIP reservoirs may be reduced pursuant to this section for no more than four consecutive years.
   - **b.** Article IV.E.3.c does not apply to Mission Reservoir.
   - **c.** FIIP reservoirs may not be reduced below the interim reservoir pool elevations set forth in Article III.C.1.e.iv and attached hereto as Appendix 13.
   - **d.** RDAs may be met from carryover reservoir storage, at the discretion of the Project Operator.

F. Requirement to Implement Adaptive Management and Water Measurement.

1. The Parties agree that Adaptive Management and a comprehensive water measurement program, as described in Appendix 3.5, are essential to the successful implementation of this Compact.

2. The Parties, upon mutual written agreement, and in conformance with the Compact and other applicable provisions of law, may amend Appendix 3.5. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

G. Compact Implementation Technical Team.

Within six months of the date the ratification of the Compact by the Montana Legislature takes effect under State law, the Parties shall establish a Compact Implementation Technical Team (CITT) to allow planning for and implementation of Operational Improvements, Rehabilitation and Betterment, and Adaptive Management prior to and following the

Effective Date.

1. The CITT membership shall be as provided for in Appendix 3.5.

2. The CITT shall carry out the duties specified by Appendix 3.5.

3. The CITT shall develop criteria for prioritizing and selecting projects.

4. Public Meetings and Records:

    a. All regularly scheduled meetings of the CITT shall be open to the observation of the general public pursuant to State and Tribal open meeting laws. Where there is a conflict of laws, the law that provides for greater openness to the public applies.

    b. CITT records are public records and shall be made available to the public for inspection under such reasonable terms and conditions as the CITT shall establish.

5. Disputes Related to the Compact Implementation Technical Team. The Parties agree to perform each obligation set forth in this Compact in good faith and with diligence and loyalty to this agreement. The Parties shall form a Compact Management Committee (CMC) comprised of the Director of the Montana Department of Natural Resources, the Chairman of the CSKT Tribal Council, and the Regional Director of the Northwest Region of the Bureau of Indian Affairs or their designees. The CMC will provide policy and administrative oversight of the CITT.

    a. The CITT shall attempt to reach consensus on all of its actions.

    b. Where consensus is not achieved, the CITT will resolve disputed issues by majority vote.

    c. If the CITT vote results in a tie, or is appealed, the disputed issue will be referred to the CMC. The CMC will review and attempt to reach consensus on the disputed issue and if consensus is not possible, will resolve the issue by majority vote.

    d. A majority vote of the CMC may be appealed using the following procedures:

        i. Disputes arising out of any act, failure to act, error or omission of the BIA or Project Operator involving Operational Improvements or Rehabilitation and Betterment or otherwise affecting real property owned by the United States may be appealed under Title 25, Part 2, Code of Federal Regulations.

- **ii.** For disputes raising questions of Compact interpretation, the CMC shall immediately seek a determination of those questions from the Water Management Board, which determination will be provided in writing within 30 days.
- **iii.** All other disputes may be appealed to a Court of Competent Jurisdiction. In considering a petition for relief, a Court of Competent Jurisdiction will review the CMC's legal conclusions for correctness and its factual findings for abuse of discretion.

H. Power Provisions

1. Low-Cost Block of Power

The Parties recognize that Article 40 of the Kerr Project License, as amended, jointly issued to the Montana Power Company and the Tribes for the Kerr Project, Project No. 5, requires Montana Power Company, through its successor-in-interest, NorthWestern Energy, to make available the capacity and energy up to 3.734 megawatts at up to 100 percent load factor during the months of April through October to the United States, for and on behalf of the FIIP, at the rates set forth in and adjusted in accordance with such Article.

The Parties agree that the Kerr Project License Article 40 Low Cost Block of Power is equivalent to the delivery of 19,178,000 kilowatt hours of electricity per year, and generally supplies electricity necessary to pump approximately 46,000 Acre-feet of water per year to the FIIP. If the operation and maintenance, and all other rights and responsibilities for the Kerr Project are assumed by the Tribes or their wholly-owned corporation, the Tribes agree, to the extent permitted under applicable license(s) and Federal law, to make the Low Cost Block of Power available in the same manner and at the same rates, as adjusted, as NorthWestern Energy. If the Tribes seek a new license for the Kerr Project, the Tribes or their wholly-owned corporation, agree that their license application will request authority from FERC to make the Low Cost Block of Power available in the same manner and at the same rates, as adjusted, as NorthWestern Energy.

2. Net Power in Excess of Low Cost Block

For purposes of Article IV.E, power required to run the Flathead Pumping Station in excess of the Low Cost Block of Power identified in Article IV.H.1 shall be purchased at the price at which Mission Valley Power sells power for irrigation purposes.

3. Net Power Revenues

The State and Tribes agree to seek provisions in the Federal legislation ratifying this Compact for Mission Valley Power to budget annually for an anticipated amount of $200,000 of Net Power Revenues to be made available in the subsequent year to meet the needs of both the power system and the FIIP with an initial allocation of the Net Power Revenue that provides fifty percent to the Project Operator and fifty percent to the Tribes. These funds shall only be used for work on the FIIP that has significant fisheries, water conservation, or water management benefits. If on an annual basis such work by the Project Operator or the Tribes does not require the full amount of such net revenues the remainder shall be set aside and accumulated for future expenditure for these purposes. This initial allocation may be changed by mutual agreement of the Parties within nine (9) years of the Effective Date, with any subsequent agreement to become effective on the tenth (10th) anniversary of the Effective Date. Any such modification is pursuant to, and shall not be deemed an amendment of, this Compact.

I. Administration: Establishment of Flathead Reservation Water Management Board.

1. **Establishment of Board.** There is hereby established the Flathead Reservation Water Management Board. Upon the Effective Date, the Board shall be the exclusive regulatory body on the Reservation for the issuance of Appropriation Rights and authorizations for Changes in Use of Appropriation Rights and Existing Uses, and for the administration and enforcement of all Appropriation Rights and Existing Uses. The Board shall also have exclusive jurisdiction to resolve any controversy over the meaning and interpretation of the Compact on the Reservation, and any controversy over the right to the use of water as between the Parties or between or among holders of Appropriation Rights and Existing Uses on the Reservation except as explicitly provided otherwise in Article IV.G.5. The jurisdiction of this Board does not extend to any water rights whose place of use is located outside the exterior boundaries of the Reservation.

2. **Membership.**

    a. **Voting Members**. The Board shall consist of five voting members: two members selected by the Governor of the State pursuant to Article IV.I.2.b, after consultation with holders of Water Rights Arising Under State Law located on the Reservation; two members appointed by the Tribal Council; and one member selected by the other four members. All members shall be appointed within six months of the Effective Date.

b. Appointment by Governor. Within 90 days of the Effective Date, or 15 days of any vacancy in one or more of the Board positions selected by the Governor, the commissioners of each county whose boundaries include any portion of the Reservation shall nominate individuals for the Governor's consideration for appointment to the Board as follows:

- **i.** The Commissioners of Lake County shall choose five (5) nominees;
- **ii.** The Commissioners of Sanders County shall choose three (3) nominees;
- **iii.** The Commissioners of Missoula County shall choose two (2) nominees;
- **iv.** The Commissioners of Flathead County shall choose one (1) nominee; and
- **v.** Each nominee must meet the eligibility requirements of Article IV.I.2.f.

The Governor shall choose two Board members from the group of nominees. If the county commissioners fail to nominate a minimum of seven (7) individuals for selection by the Governor within the time set forth in Article IV.I.2.b, the Governor may select any two individual(s) who meet the eligibility requirements set forth in Article IV.I.2.f after consultation with Holders of Water Rights Arising Under State Law located on the Reservation.

c. Should the four appointed members fail to agree on the selection of a fifth voting member within sixty days of the date of appointment of the fourth member, or within thirty days after any vacancy in that fifth position occurs, the following procedure shall be utilized:

- **i.** Within five days thereafter the two members appointed by the Tribal Council shall nominate three individuals to serve as a member of the Board and the two members appointed by the Governor shall nominate three individuals to serve as a member of the Board;
- **ii.** Within fifteen days thereafter the two members appointed by the Tribal Council shall reject two of the individuals nominated by the two members appointed by the Governor, and the two members appointed by the Governor shall reject two of the individuals nominated by the two members appointed by the Tribal Council; and

    - **iii.** Within five days thereafter, the remaining two nominees shall be submitted to the Chief Judge of the United States District Court for the District of Montana for selection of the fifth member of the Board.

- **d. Ex Officio Member**. The Board shall also have a sixth, non-voting member appointed by the Secretary.

- **e. Term.** Initially, three voting members of the Board shall serve for four years, and two shall serve for two years. One member appointed by the Governor, one member appointed by the Tribal Council and the fifth voting member shall serve for four years. One member appointed by the Governor and one member appointed by the Tribal Council shall serve for two years. The member appointed by the Secretary shall be appointed for four years. At the expiration of the initial two-year appointments, all subsequently appointed Board members shall serve four year terms.

- **f. Eligibility.** To be eligible to serve on the Board, an individual must be over 18 years of age and be a Reservation resident. For the purposes of filling a position on the Water Management Board, a Reservation resident is an individual who:

    - **i.** does business within Flathead Indian Reservation boundaries;

    - **ii.** is domiciled within Flathead Indian Reservation boundaries; or

    - **iii.** owns and maintains a seasonal residence within Flathead Indian Reservation boundaries.

  An eligible individual must also have education and experience in one or more of the following fields: natural resources management, public administration, agriculture, engineering, commerce or finance, hydrology, biological sciences, water law or water policy.

  No elected official of the State of Montana, or any political subdivision thereof, or of the United States, or of the Tribes is eligible for nomination to the Board while holding such elective office. However, a nominee for Board membership shall not be disqualified by reason of the fact that he or she is an employee or contractor of the State of Montana or any political subdivision thereof, or of the Tribes, or of the United States.

  No Board member may vote on any application or appeal that the member participated in personally and substantially in any non-Board capacity.

g. **Vacancies**. Subject to the provisions of Article IV.I.2.a and c regarding the filling of a vacancy of the fifth member of the Board, upon the occurrence of any other vacancy in a Board position, the Tribal Council, if the vacancy is in a position appointed by the Tribal Council, or the Governor, if the vacancy is in a position appointed by the Governor, shall name a new Board member within 30 days of the occurrence of the vacancy. Should Board action be required during the period of any such vacancy, the Department Head of the Tribal Natural Resources Department, if the vacancy is in a position appointed by the Tribal Council, or the Director of the DNRC, if the vacancy is in a position appointed by the Governor, shall fill the vacant position on an acting basis until a new appointment is made.

h. **Compensation and Expenses of the Board.** Each Board member shall receive such compensation for services and reimbursement for expenses for attendance at Board meetings as shall be fixed by the State and the Tribal Council for the Board members appointed by the same. The compensation for the fifth Board member shall be set jointly by the State and the Tribal Council. The expenses of the Federal *ex officio* member shall be covered by the United States.

3. **Quorum and Vote Required**. Four Board members appointed pursuant to Article IV.I.2.a shall constitute a quorum. No Board action may be voted upon in the absence of a quorum. All Board decisions shall be by affirmative vote of a majority of the Board, except as set forth in Article IV.I.5.d for the appointment of water commissioners. If a proposal put to a vote of a quorum of Board members ends in a tie vote, the proposal is deemed disapproved or denied.

4. **Jurisdiction of the Board**.

a. **Issuance of Appropriation Rights.** Upon the Effective Date, the Board shall have exclusive jurisdiction over the issuance of all new Appropriation Rights on the Reservation. The process for the consideration, issuance or denial of all Appropriation Rights is set forth in the Law of Administration.

b. **Authorizations for Changes in Use.** Upon the Effective Date, the Board shall have exclusive jurisdiction over the issuance of authorizations for Changes in Use of all water rights on the Reservation. The process for the consideration, issuance or denial of such Change in Use authorizations is set forth in the Law of Administration.

c. **Enforcement.** Upon the Effective Date, the Board shall have the jurisdiction to enforce the terms of this Compact as provided by Article IV.I.1. All controversies cognizable under this subsection shall be heard and resolved pursuant to the Compact and the Law of Administration.

d. **Water Right Ownership Updates**. The Board shall not have jurisdiction over water right ownership updates on water rights appurtenant to fee lands, which shall remain with the DNRC as set forth in 85-2-421 through -424, 85-2-426, and 85-2-431, MCA.

5. **Powers and Duties.**

a. **In General.** The Board shall have the power to promulgate procedures, prescribe forms, develop additional materials and implement amendments thereto as may be necessary and proper to exercise its jurisdiction and carry out its assigned functions under this Compact and the Law of Administration. A set of forms for initial use by the Board in the implementation of the Law of Administration is attached hereto as Appendix 37. The Board may amend these forms at its discretion. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

b. **Hearings.** Pursuant to the procedures set forth in the Law of Administration, the Board shall hold hearings upon notice in proceedings before it and shall have the power to administer oaths, take evidence and issue subpoenas to compel attendance of witnesses or production of documents or other evidence, and to appoint technical experts. The Tribes and the State shall enforce the Board's subpoenas in the same manner as prescribed by the laws of the Tribes and the State for enforcing a subpoena issued by the courts of each respective sovereign in a civil action. The Persons involved in the controversy may present evidence and cross-examine any witnesses. The Board shall cause all hearings to be recorded, and shall determine the controversy and grant any declaratory or injunctive relief allowed by the Law of Administration, including a temporary order. The Board shall not have power to award money damages, attorneys' fees or costs; however it shall have the power to impose fines pursuant to the terms of the Law of Administration and award any kind of equitable relief. All decisions of the Board shall be in writing, and, together with a written justification for the decision and any dissenting opinions, shall be served personally or by certified mail on all Persons involved in the proceeding before the Board. All records of the Board shall be open to public inspection.

c. **Employment of Water Engineer**. The Board shall have the authority to employ a Water Engineer to carry out such functions as assigned by the Board pursuant to the Law of Administration, including the supervision of any water commissioners appointed by the Board. As set forth in the Law of Administration, the Engineer shall hold hearings upon notice in proceedings before the Engineer and shall have the power to administer oaths, take evidence and issue subpoenas to compel attendance of witnesses or production of documents or other evidence, and to appoint technical experts. The Tribes and the State shall enforce the Engineer's subpoenas in the same manner as prescribed by the laws of the Tribes and the State for enforcing a subpoena issued by the courts of each respective sovereign in a civil action. The Persons involved in the controversy may present evidence and cross examine any witnesses. The Engineer shall cause all hearings to be recorded, and shall determine the controversy and grant any relief allowed by the Law of Administration, including a temporary order. All decisions of the Engineer shall be in writing, and, together with a written justification for the decision, shall be served personally or by certified mail on all Persons involved in the proceeding before the Engineer. All records of the Engineer shall be open to public inspection.

d. Appointment of Water Commissioner(s)

i. The Board shall have the authority, upon a unanimous vote of all five members of the Board, to appoint one or more commissioners to provide day-to-day administration of water on the Reservation. The compensation for any such commissioner and the identification of the Person(s) responsible for paying costs associated with the appointment of any such commissioner must also be established by a unanimous vote of all five members of the Board as part of the Board action appointing any such commissioner. Any commissioner appointed shall act under the supervision of the Water Engineer.

ii. Under the jurisdiction of the Board, and as set forth in the Law of Administration, the commissioner(s) shall have the authority to administer and distribute water only on the Reservation. The authority of any commissioner(s) appointed pursuant to this subsection, as it pertains to portions of the Tribal Water Right used within the FIIP, extends only to the delivery of water to FIIP diversion facilities and shall not extend to the administration of that water in FIIP facilities or on lands served by the FIIP, which shall remain subject to the authority of the Project Operator.

6. Review and Enforcement of Board Decisions.

a. Decisions by the Board shall be effective immediately, unless stayed by the Board. Persons involved in the proceedings before the Board may appeal any final decision by the Board to a Court of Competent Jurisdiction within thirty days of such decision. An appeal of a final decision of the Board shall be styled as a petition for judicial review of an agency decision pursuant to the rules of procedure of the court from which review is sought. The petition for judicial review shall be filed with the Board and the court and served upon all Persons involved in the proceeding before the Board, as well as the Tribes, the State and the United States. Service shall be accomplished according to the requirements of the court's rules of procedure.

b. Unless a petition is filed within thirty days of a final decision of the Board, as provided in Article IV.I.6.a, any decision of the Board shall be recognized and enforced by any court with personal and subject matter jurisdiction over the matter on petition by any Person, or a successor in interest, before the Board in the proceeding in which the decision was made.

c. A Court of Competent Jurisdiction in which a timely petition is filed pursuant to Article IV.I.6.a, or any court with personal and subject matter jurisdiction over the matter in which a petition to confirm or enforce is filed pursuant to Article IV.I.6.b, may order such temporary or permanent relief as it considers just and proper subject to the limited waivers of immunity set forth in Article IV.I.8.

d. An appeal may be taken from any decision of the court in which a timely appeal is filed pursuant to Article IV.I.6.a, or in which a petition to confirm or enforce is filed pursuant to Article IV.I.6.b, in the manner and to the same extent as from orders or judgments of the court in a civil action.

e. In any petition to confirm or enforce the Board's decision, the Board shall file with the court to which appeal is taken the record of the proceedings before the Board within the time and in the manner provided by the court's rules of procedure.

f. The appellate court shall conduct the review on the record made before the Board. In considering the petition, the Board's legal conclusions shall be reviewed for correctness and its factual findings for abuse of discretion.

g. In the event that a court determines that it lacks subject matter or personal jurisdiction to rule on a petition for judicial review of a Board decision, the party filing the petition shall be entitled to petition for judicial review from any other Court of Competent Jurisdiction within thirty days from the date of a final court order finding a lack of jurisdiction.

7. **Public Meetings and Records**

    a. Notwithstanding any other provisions of law, the Board is a public agency for purposes of the applicability of State and Tribal right to know laws.

    b. All regular and special meetings of the Board, including all hearings conducted by the Office of the Engineer or the Board, shall be open to the observation of the general public pursuant to State and Tribal open meeting laws. Where there is a conflict of laws, the law that provides for greater openness to the public applies.

    c. Where no more specific notice provisions are set forth in the Law of Administration, notice of any meeting, including an agenda, shall be provided to the public in a manner and timeframe consistent with the criteria set forth in State and Tribal law. Where there is a conflict of laws, the law that provides for earlier notice shall apply.

    d. The Board shall keep the following records:

        i. minutes of all meetings;

        ii. recordings of all hearings conducted by the Board or the Office of the Engineer;

        iii. all documents filed with or generated by the Board or the Office of the Engineer;

        iv. any other records required by applicable provisions of Federal, State or Tribal law, provided that if there is a conflict of laws, the law that provides for more expansive record retention shall apply.

    e. All Board records are public records and shall be made available to the public for inspection under such reasonable terms and conditions as the Board shall establish.

8. **Waiver of Immunity.** The Tribes and the State hereby waive their respective immunities from suit, including any defense the State shall have under the Eleventh Amendment of the Constitution of the United States, in order to permit the resolution of disputes under the Compact by the Board, and the appeal or judicial enforcement

of Board decisions as provided herein, except that such waivers of sovereign immunity by the Tribes or the State shall not extend to any action for money damages, costs, or attorneys' fees. The Parties recognize that only Congress can waive the immunity of the United States and that the participation of the United States in the proceedings of the Board shall be governed by Federal law, including 43 U.S.C. § 666.

J. **Amendments to the Law of Administration.** The Board may not amend the Law of Administration. No amendment by the Tribes or the State of the Law of Administration shall be effective unless and until the other makes an analogous amendment. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

K. **Water Rights Database.** The Board shall cause all Appropriation Rights and Changes in Use authorized by the Board and all uses of water registered pursuant to the Law of Administration to be entered into the DNRC water rights database in a format agreed to by the Board and the DNRC.

ARTICLE V – DISCLAIMERS AND RESERVATION OF RIGHTS

A. No Effect on Water Rights of Other Tribes or on other Federal Reserved Water Rights.

1. Except as otherwise provided herein, the relationship between the Tribal Water Right described herein and any water rights of any other Indian tribe or its members, or of any federally-derived water right of an individual outside the boundaries of the Flathead Indian Reservation, or of the United States in its own right or on behalf of such other tribes or individuals, shall be determined by the rule of priority.

2. Nothing in this Compact shall be construed or interpreted as a precedent to establish the nature, extent, or manner of administration of the rights to water of any other Indian tribe, its members or Indian owners of trust land outside of the Flathead Indian Reservation.

3. Nothing in this Compact is intended, nor shall it be used, to affect or abrogate a right or claim of an Indian tribe other than the Confederated Salish and Kootenai Tribes.

4. Except as provided herein and authorized by Congress, nothing in this Compact shall be construed or interpreted to establish the nature, extent, or manner of administration of rights to water of the United States on Federal lands outside of the Flathead Indian Reservation.

B. General Disclaimers.

Nothing in this Compact shall be construed or interpreted:

1. To preclude the Tribes, Tribal members, and Allottees, or the United States, from applying to the Water Management Board for an Appropriation Right under the Law of Administration on the same basis as any other Person;
2. As a precedent for litigation of aboriginal or reserved water rights;
3. As precedent for interpretation or administration of future compacts between the United States and the State, or between the United States and any other state, or between the State and any other state;
4. As precedent for negotiation, interpretation or administration of any existing or future Compact, negotiated settlement, judicial settlement or other form of accommodation of water rights involving Indian tribes or individual Indians;
5. To preclude the possession, acquisition or exercise of Water Rights Arising Under State Law by the Tribes or Allottees or members of the Tribes;
6. To limit in any way the right of the Parties or any other Person to litigate any issue or question not resolved by this Compact;
7. To authorize the taking of any water right that is vested under State, Tribal or Federal law;
8. To affect the ability of tribes or qualified individuals under Title 25, Sections 151.4 and 151.8, Code of Federal Regulations, to purchase land from willing sellers or the Secretary's ability to convert fee land to trust land status;
9. To create or deny substantive rights through headings or captions used in this Compact;
10. To address or prejudge how the Tribal Water Right may be treated or interpreted in any interstate or international water apportionment proceeding;
11. To constitute a waiver of sovereign immunity by the Tribes or the State except as expressly set forth in this Compact;
12. To constitute a waiver of sovereign immunity by the United States except as expressly set forth in 43 U.S.C. 666 or as otherwise provided by Congress;

13. Except as expressly provided herein and as may be required by Congress, to modify the obligations of any agency of the United States;

14. To limit or prohibit the Tribes, their members or Allottees, or to limit the United States in any capacity, from objecting in any general stream adjudication in the Montana Water Court to any claims to water rights on or off the Flathead Indian Reservation;

15. To prevent the Montana Water Court from adjudicating any properly filed claims or objections to the use of water within the Flathead Indian Reservation;

16. To limit or prohibit the Tribes, their members or Allottees, or the United States in any capacity, from filing any necessary action to prevent any Person or Party from interfering with the Tribal Water Right;

17. To affect or determine the applicability of any State, Tribal or Federal law not subject to this Compact, including, but not limited to environmental and public safety laws, on activities of the Tribes, their members or Allottees or the United States;

18. To prejudice or predetermine any right that Tribal members or Allottees have to obtain the use of a portion of the Tribal Water Right under the provisions of this Compact and the Law of Administration;

19. To affect the capacity of any Tribal member or Allottee to lease his or her land;

20. To empower the Water Management Board to assess a fee for the use of water;

21. To confer any jurisdiction on the Water Management Board over any water right whose place of use is located outside the exterior boundaries of the Reservation;

22. To limit, diminish, modify, or enlarge any Party's adjudicatory or legislative jurisdiction except as expressly provided herein;

23. To constitute a waiver of an individual's right to object to the Compact during the Water Court decree process; or

24. To transfer, convert, or otherwise change the ownership or trust/fee status of land on the Reservation. Specifically, nothing in this Compact changes fee owned land to trust land or trust land to fee land, or in any way alters the ownership status of land within the exterior boundaries of the Flathead Indian Reservation.

C. Other Rights Reserved.

1. Nothing in this Compact is intended, nor shall be interpreted or applied, in any manner to alter, limit, or diminish the right of the Tribes to take all steps they deem necessary or prudent before any court or adjudicative forum, any legislature or legislative entity, or any State or Federal administrative agency, including but not limited to the Federal Energy Regulatory Commission, to protect any interests in Water Rights Arising Under State Law that the Tribes may acquire or seek to acquire and which are associated with the Federal Energy Regulatory Commission license for the Kerr Hydroelectric Project, FERC Project No. 5 (32 FERC # 61,070, July 17, 1985, as amended) or any other hydroelectric facility located on the Reservation subject to FERC jurisdiction.

2. The Parties expressly reserve all rights not granted, recognized or relinquished in this Compact, including but not limited to the right to the continued exercise by members of the Tribes of Tribal off-Reservation rights to hunt, fish, trap and gather food and other materials, as reserved in Article III of the Hellgate Treaty of July 16, 1855 (12 Stat. 975).

D. Obligations of the United States Contingent.

1. Notwithstanding any language contained herein and except as authorized under Federal law, the obligations of the United States under this Compact shall be contingent upon ratification and necessary authorization by Congress.

2. The expenditure or advance of any money or the performance of any work by the United States or the Tribes pursuant to this Compact which requires appropriation of money by Congress or by the Tribes is contingent on such appropriation being timely made.

3. The Tribes and the State recognize that this Compact has not been finally approved by the United States as of the date of execution by the Tribes or the State, and that ratification by the Tribes or by the State in no manner limits or restricts the discretion of the United States in the negotiation of all matters related to this Compact.

E. Obligations of the State Contingent. The expenditure or advance of any money or the performance of any work by the State pursuant to this Compact that requires appropriation of money by the Montana Legislature or allotment of funds shall be contingent upon such appropriation or allotment.

ARTICLE VI - CONTRIBUTIONS TO SETTLEMENT

A. **State Contribution to Settlement.** The Parties agree that the State contribution to settlement shall be $55 million. The agreement to, expenditure, or advance of any State contribution which may require authorization and appropriation of money by the Montana Legislature or allotment of funds is contingent on such appropriation or allotment being made pursuant to Article V, Section 11(4) of the Montana Constitution. The Parties recognize that the amount and structure of the State funding is contingent on action of the Montana Legislature. If the Legislature appropriates funds in a manner inconsistent with the structure contemplated by the Parties in this section, the Parties agree to meet and confer to consider adjustments to the funding structure and priorities described in Articles IV.H.1.a and b above. Such modifications are pursuant to, and shall not be deemed an amendment of, this Compact.

   1. The State Contribution to Settlement shall be allocated as follows:

      a. $4 million for water measurement activities;

      b. $4 million for improving on-farm efficiency;

      c. $4 million for mitigating the loss of Stock Water deliveries from the FIIP;

      d. $30 million to offset pumping costs associated with Compact implementation and related projects; and

      e. $13 million to provide for aquatic and terrestrial habitat enhancement.

B. **Federal Contribution to Settlement.** The Parties agree that the Federal contribution to settlement shall be negotiated by the Tribes, the State, and the United States as part of the negotiations on the Federal legislation to ratify and effectuate the Compact.

ARTICLE VII – FINALITY

A. Ratification and Effectiveness of Compact.

   1. The terms of the Compact may not be amended without the consent of all the Parties following the first ratification by any Party. After the Effective Date, no provision of the Compact shall be modified except as expressly provided in the Compact. Any amendment that is not expressly provided for in the Compact must be ratified in the same manner as the Compact; however, if the proposed amendment concerns non-monetary matters and does not affect the water rights of the Tribes determined in this Compact or other property held in trust by the United States on behalf of the Tribes or

Indians, the Secretary may ratify such amendment on behalf of the United States, as determined by Congress. The State and the Tribes will support provisions in the Federal legislation ratifying the Compact that delegates to the Secretary the authority to ratify such future amendments on behalf of the United States.

2. Notwithstanding any other provision in the Compact, the Tribes reserve the unilateral right to withdraw as a Party if:

- **a.** Congress has not ratified this Compact and authorized appropriations for the Federal contribution to the settlement within four years from the date on which the ratification of the Compact by the Montana Legislature takes effect under State law. This is a continuing right until Congress ratifies the Compact;
- **b.** Appropriations are not made in the manner contemplated by the Federal legislation ratifying this Compact;
- **c.** The Parties do not reach agreement on the State contribution to settlement;
- **d.** The State has not authorized appropriations for the State contribution to settlement within five years from the date the Compact is ratified by the United States; or
- **e.** Appropriations are not made by the State in the manner contemplated by any agreement for contributions to settlement made pursuant to Article VI.A.

3. The Tribes may exercise their right to withdraw from the Compact under Article VII.A.2 by sending to the Governor of the State and to the Secretary by certified mail a resolution of the Tribal Council expressing the Tribes' intent to withdraw and specifying a reason for withdrawal and a withdrawal date not sooner than one hundred and twenty days from the date of the resolution. On the date designated in the resolution for Tribal withdrawal, the Compact shall become null and void without further action by any Party.

4. Notwithstanding any other provision in the Compact, the State reserves the unilateral right to withdraw as a Party to the Compact if:

- **a.** Congress has not ratified this Compact within four years from the date on which the ratification of the Compact by the Montana Legislature takes effect under State law. This is a continuing right until Congress ratifies the Compact;

   - **b.** The Tribes have not ratified this Compact within five years from the date on which the ratification of the Compact by the Montana Legislature takes effect under State law;

   - **c.** Congress requires a State contribution to settlement that exceeds the contributions described in Article VI.A; or

   - **d.** Congress does not authorize and appropriate the Federal share of funding agreed to pursuant to Article VI.B.

5. The State may exercise its right to withdraw under Article VII.A.4 by sending to the Chair of the Tribal Council and to the Secretary a letter delivered by certified mail from the Governor of the State expressing the State's intent to withdraw and specifying a reason for withdrawal and a withdrawal date not sooner than one hundred and twenty days from the date of the letter. On the date designated in the letter for State withdrawal, the Compact shall become null and void without further action by any Party.

B. Incorporation into Decrees.

1. Within one hundred eighty (180) days of the date this Compact is ratified by the Tribes, the State, and the United States, whichever is latest, the Tribes, the State, and/or the United States shall file, in the general stream adjudication initiated by the State, pursuant to the provisions of 85-2-702(3), MCA, a motion for entry of the proposed decree attached hereto as Appendix 38 as the decree of the water rights held by the United States in trust for the Tribes, Tribal members, and the Allottees of the Tribes as well as those Water Rights Arising Under State Law set forth in Article III.D.4.a.i and Article III.D.5, of which the Tribes become co-owners pursuant to this Compact, and such other provisions of the Compact as are related to the determination of these water rights and their administration. If the Montana Water Court does not approve the proposed decree submitted with the motion within three years following the filing of the motion, the Compact shall be voidable by written agreement of the State and the Tribes. If the Montana Water Court approves the proposed decree within three years, but the decree is subsequently set aside by the Montana Water Court or on appeal, the Compact shall be voidable by written agreement of the State and the Tribes. Any effect of the failure of approval or setting aside of the decree on the approval, ratification, and confirmation by the United States shall be as provided by Congress. The Parties understand and agree that the submission of the Compact to a State court or courts, as provided for in the Compact, is solely to comply with the provisions of 85-2-702(3), MCA, and does not expand the jurisdiction of the State court or expand in any manner the waiver of sovereign

immunity of either the United States or the Tribes in the McCarran Amendment, 43 U.S.C. 666, or other provision of Federal law.

2. Consistent with 3-7-224, MCA, setting forth the jurisdiction of the chief water judge, for the purposes of 85-2-702(3), MCA, the review by the Montana Water Court shall be limited to the contents of Appendix 38, and may extend to other sections of the Compact only to the extent that they relate to the determination of water rights and their administration. The final decree shall consist of the contents of Appendix 38, and such other information as may be required by 85-2-234, MCA. Nevertheless, pursuant to 85-2-702(3), MCA, the terms of the entire Compact must be included in the preliminary decree without alteration for the purpose of notice.

C. Disposition of State and Federal Suits.

1. On issuance of a final decree by the Montana Water Court or its successor, and the completion of any direct appeals therefrom, or on expiration of the time for filing any such appeal:

    a. the United States, the Tribes, and the State shall execute and file joint motions pursuant to Rule 41(a), Fed.R.Civ.P., to dismiss without prejudice any and all claims of the Tribes, Tribal members, and Allottees and any and all claims made by the United States for the benefit of the Tribes, Tribal members, and Allottees in *United States v. Abell*, No. CIV-79-33-M (filed April 5, 1979). The case may only be resumed if either the State or the Tribes exercise the rights each holds under Article VII.A;

    b. the Tribes and the State shall execute and file joint motions to dismiss without prejudice the case entitled *Confederated Salish and Kootenai Tribes v. Bud Clinch, Director, Montana Department of Natural Resources and Conservation, and the Montana Department of Natural Resources and Conservation*, Montana First Judicial Court, County of Lewis and Clark, Cause No. BDV-2001-253, Montana First Judicial District Court, Lewis and Clark County, Montana;

    c. The United States, the Tribes, and the State shall execute and file joint motions pursuant to Rule 41(a), Mont.R.Civ.P., to dismiss without prejudice any and all claims of the Tribes, Tribal members, and Allottees and any and all claims made by the United States for the benefit of the Tribes, Tribal members, and Allottees that have been filed in the Montana Water Court as contemplated by Article VII.D.2. The case adjudicating those claims may only be resumed if either the State or the Tribes exercise the rights each holds under Article VII.A.2 and 4; and

d. The Decree shall be filed by the Parties as a consent decree in *Abell*, or in Federal court as a new proceeding after the dismissal of *Abell* conditional on agreement by the Parties to seek the necessary State, Tribal, and Federal ratification of the Compact, if it is finally determined in a judgment binding on the State that the State courts lack jurisdiction over, or that the State court proceedings are inadequate to adjudicate some or all of the water rights asserted in *Abell*.

D. Settlement of Water Rights Claims.

1. The water rights and other benefits confirmed to the Tribes in this Compact are in full and final satisfaction of and are intended to be in replacement of and substitution for all claims to water or to the use of water by the Tribes, Tribal members, and Allottees and the United States on behalf of the Tribes, Tribal members, and Allottees existing on the Effective Date, except for any Appropriation Rights or Water Rights Arising Under State Law held by the Tribes, their members, or Allottees as of the Effective Date or acquired thereafter, which shall be satisfied pursuant to their own terms.

2. The Tribes and United States will file all of their claims to water on and off of the Flathead Indian Reservation on or before July 1, 2015, pursuant to 85-2-702(3), MCA. Upon filing, the Tribes and United States will request that the Montana Department of Natural Resources and Conservation stay any action on such claims pending the occurrence of the following events:

a. The passage of an Act of Congress ratifying the Compact and authorizing appropriations for monetary settlement to the Tribes;

b. Approval by the Tribes of the Compact and the Act described in Article VII.D.2.a.

c. Issuance by the Montana Water Court of a final water right decree or decrees incorporating the water rights quantified pursuant to this Compact; and

d. All portions of the final Water Court decree or decrees survive exhaustion of all avenues of appeal.

3. Upon occurrence of these events, the waiver and dismissal described in Article VII.C.1.c and VII.D.3 shall be accomplished.

4. In consideration of the water rights and other benefits confirmed to the Tribes, Tribal members, and Allottees in this Compact, and of performance by the State and the United States of all actions required by this Compact, and on entry of a final order issuing the decree of the Tribal Water Right held in trust by the United States as quantified in this Compact and displayed in Appendix 38 and occurrence of the events set forth in Article VII.D.2, the Tribes and the United States as trustee for the Tribes, Tribal members, and Allottees shall waive, release, and relinquish any and all claims to water rights or to the use of water, and shall dismiss any such claims filed pursuant to Article VII.D.2, existing on the Effective Date.

E. **Settlement of Tribal Claims Against the United States.** Waiver of claims against the United States by the Tribes, their members and Allottees shall be as provided by Congress.

F. **Binding Effect.** After the Effective Date and the entry of a final decree by the Montana Water Court of the water rights quantified by this Compact, or if necessary the Federal court in *Abell*, the Compact's terms shall be binding on:

1. The State and any Person using, claiming or in any manner asserting any right under the authority of the State to the use of water in the State; provided that, the validity of consent, ratification, or authorization by the State is to be determined by State law;

2. The Tribes and any Person using, claiming or in any manner asserting any right to the use of the Tribal Water Right, or any right arising under any doctrine of reserved or aboriginal water rights for the Tribes, Tribal members, and Allottees, or any rights arising under Tribal law; provided that, the validity of consent, ratification or authorization by the Tribes is to be determined by Tribal and, if applicable, Federal law; and

3. The United States and any Person using, claiming or in any manner asserting any right under the authority of the United States to the use of water in the State; provided that, the validity of consent, ratification or authorization by the United States is to be determined by Federal law.

ARTICLE VIII – LEGISLATION/DEFENSE OF COMPACT

A. **State Legislation.** The State and the Tribes agree to seek ratification of the Compact by the Montana Legislature and any additional State legislation necessary to effectuate the Compact.

B. Federal Legislation. The State and the Tribes agree to seek ratification of the Compact by Congress and any additional Federal legislation necessary to effectuate the Compact.

1. The State and the Tribes will support provisions in the Federal legislation ratifying this Compact that authorizes the United States District Court for the District of Montana in Missoula to review decisions of the Board and the MFWP authorized in the Compact; provided that, the sovereign immunity of the United States is not waived by such provision of the legislation.

2. The State and Tribes will support provisions in the Federal legislation ratifying this Compact that authorizes the Net Power Revenues distributions described in Article IV.H.3.

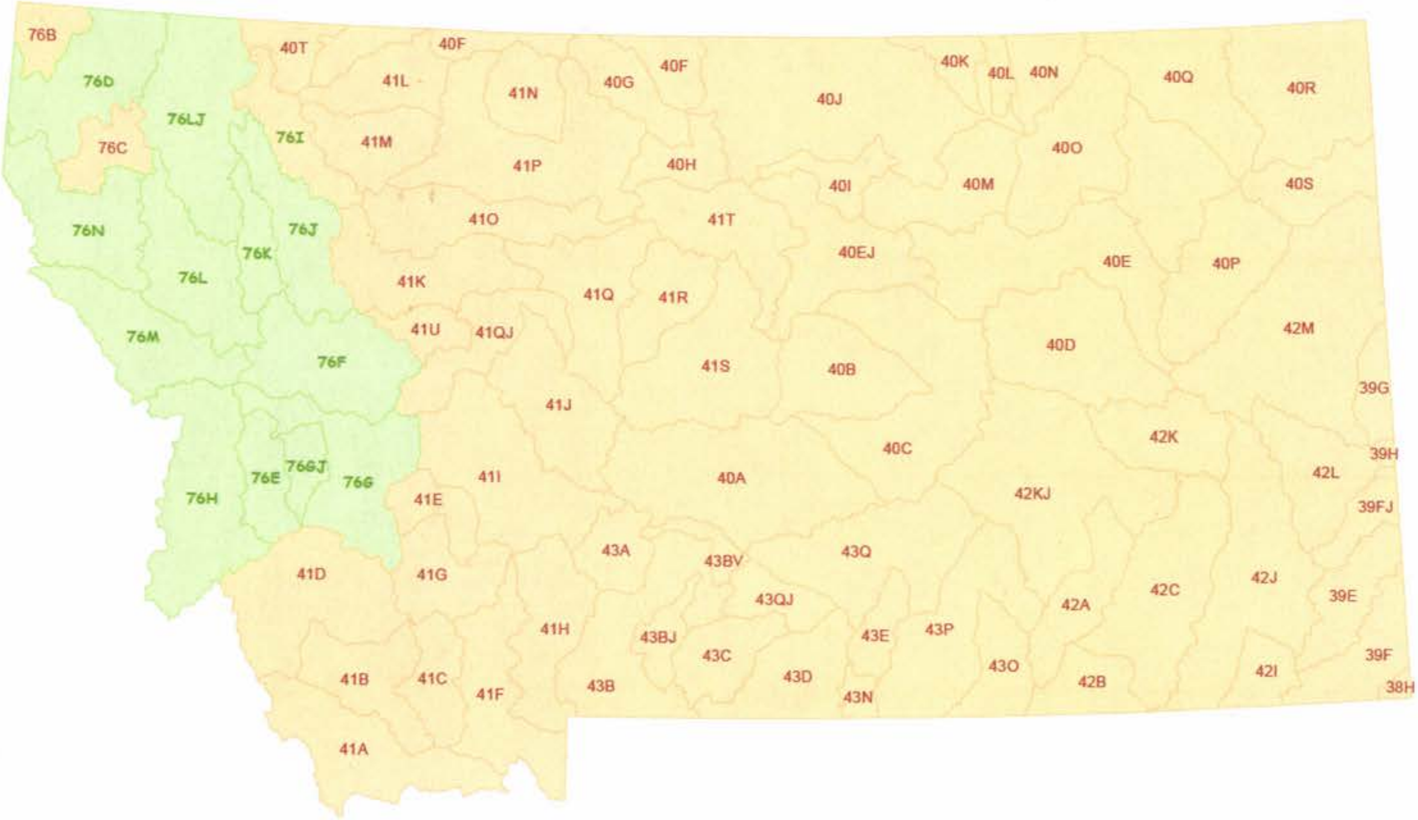
3. The State and the Tribes will support provisions in the Federal legislation ratifying this Compact that delegates to the Secretary the authority to ratify future amendments on behalf of the United States pursuant to Article VII.A.1.

C. Tribal Legislation. The State and the Tribes agree to seek ratification of the Compact by the Tribes and any Tribal legislation necessary to effectuate the Compact.

D. Defense of the Compact. The Parties agree to defend the Compact after its Effective Date from all challenges and attacks and in all proceedings pursuant to Article VII.B and C.

IN WITNESS WHEREOF the representatives of the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States, have signed the Compact on the ____ day of ____, 201_.

Appendix 1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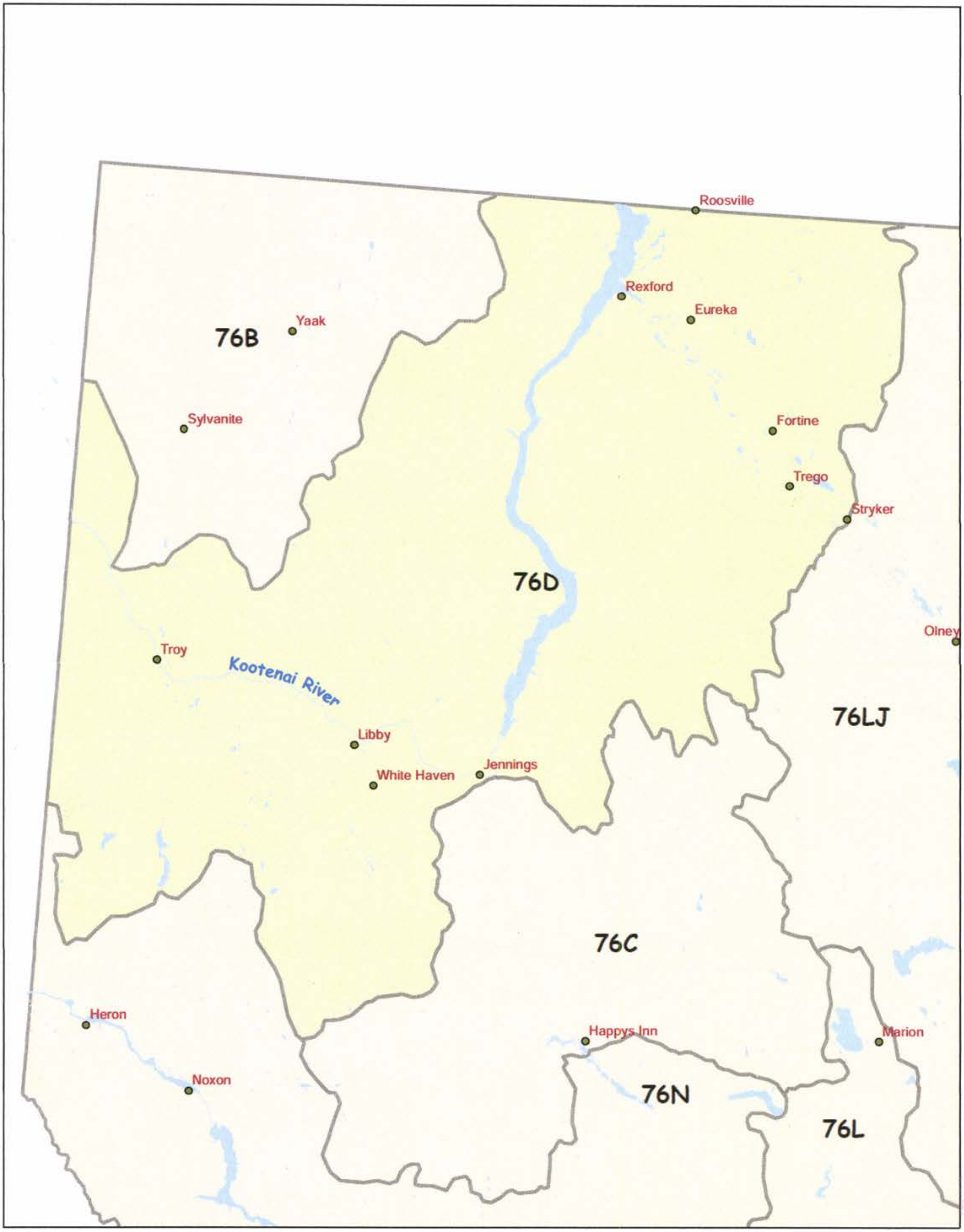
Appendix 1 Hydrologic Basin 76D Kootenai River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Libby
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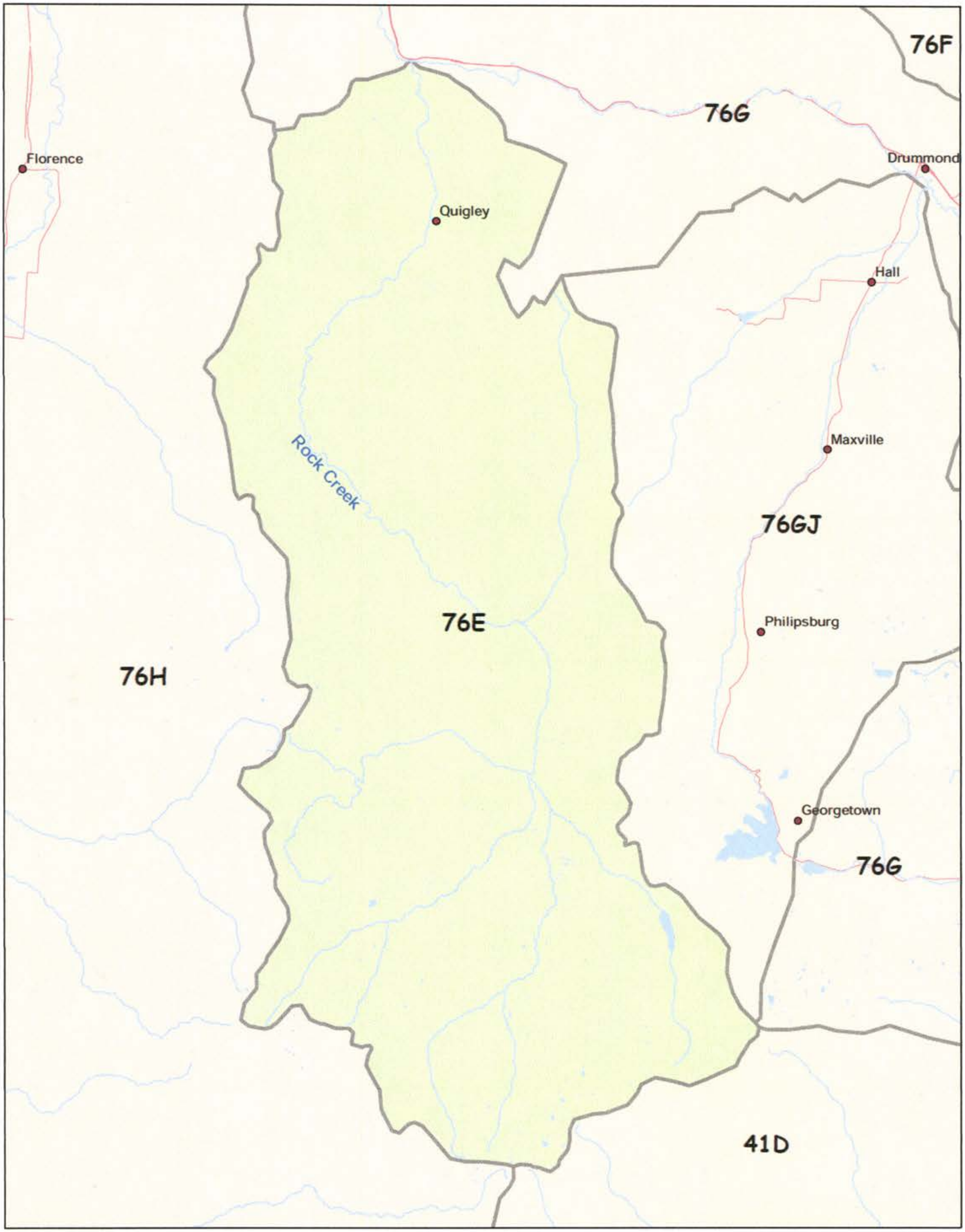
White Haven
76C
Heron
Happys Inn
Marion
Noxon
76N
76L

Appendix 1 Hydrologic Basin 76E Rock Creek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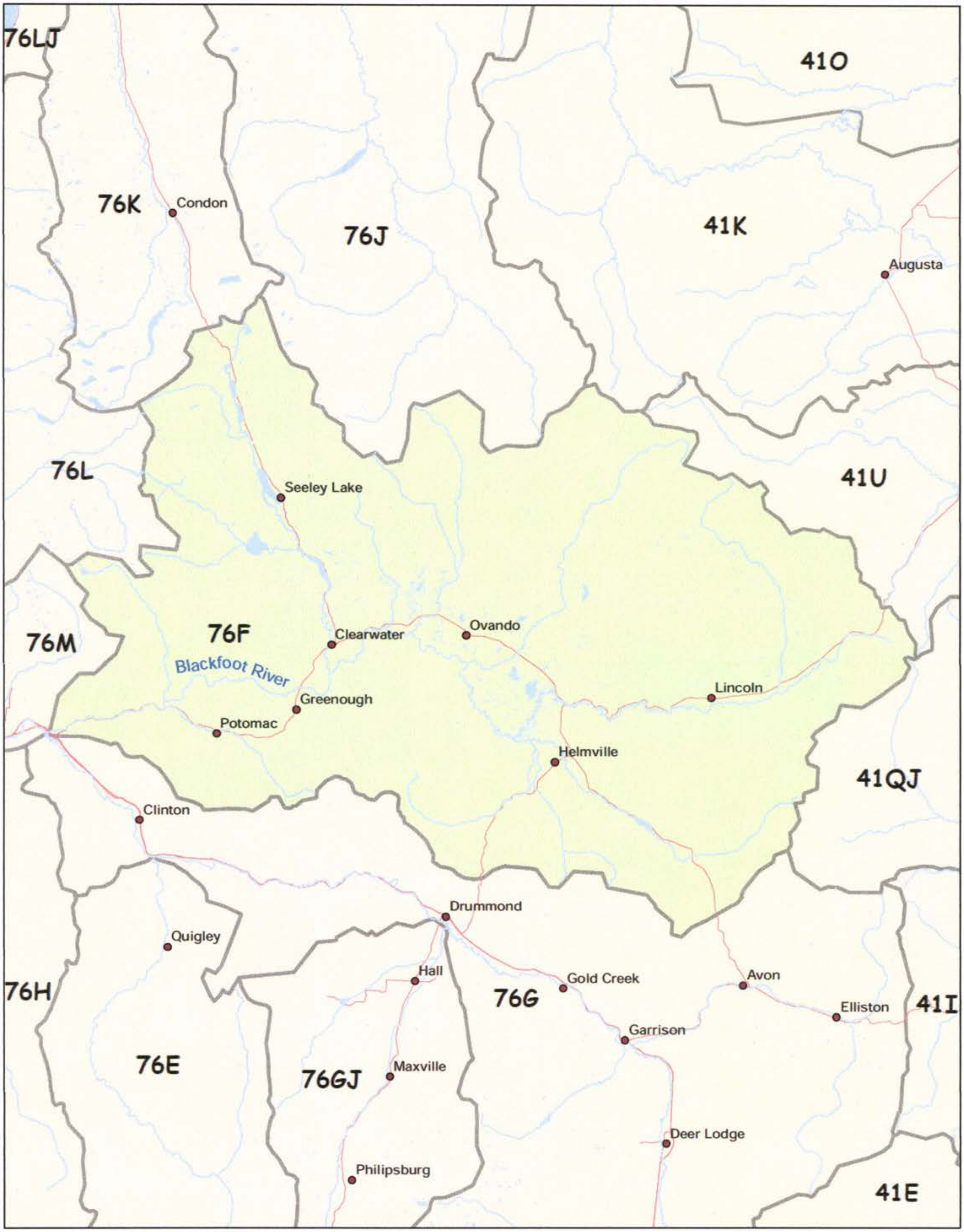
Appendix 1 Hydrologic Basin 76F Blackfoot River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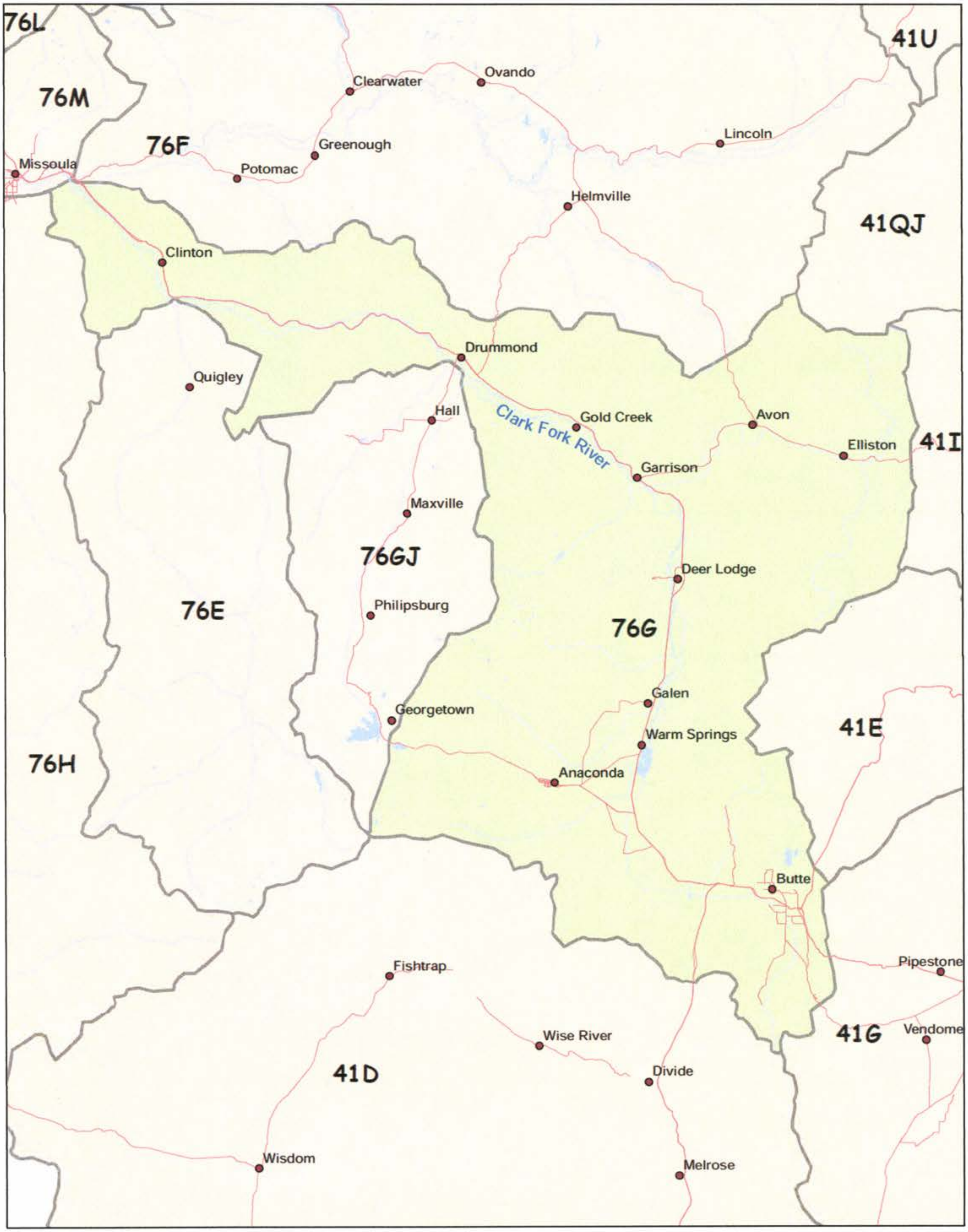
Greenough
Lincoln
Potomac
Helmville
41QJ
Clinton
Drummond
Quigley
Hall
Gold Creek
Avon
76H
76G
Elliston
41I
Garrison
76E
76GJ
Maxville
Deer Lodge
Philipsburg
41E

Appendix 1

Hydrologic Basin 76G

Clark Fork above
Blackfoot River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Hall
Clark Fork River
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Maxville
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Philipsburg
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76G
Galen
Georgetown
41E
Warm Springs
76H
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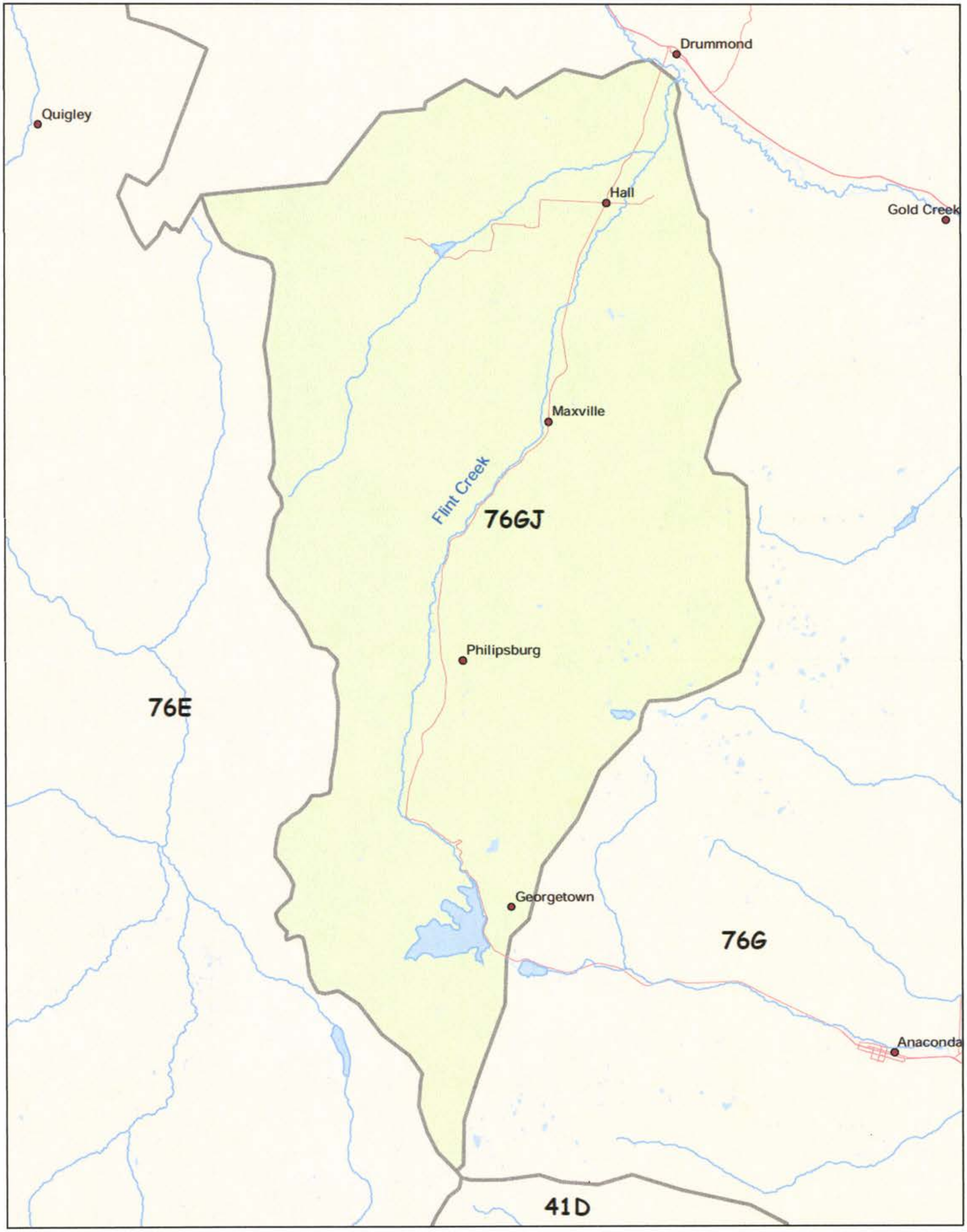
Wise River
41D
Divide
Wisdom
Melrose

Appendix 1 Hydrologic Basin 76GJ Flint Creek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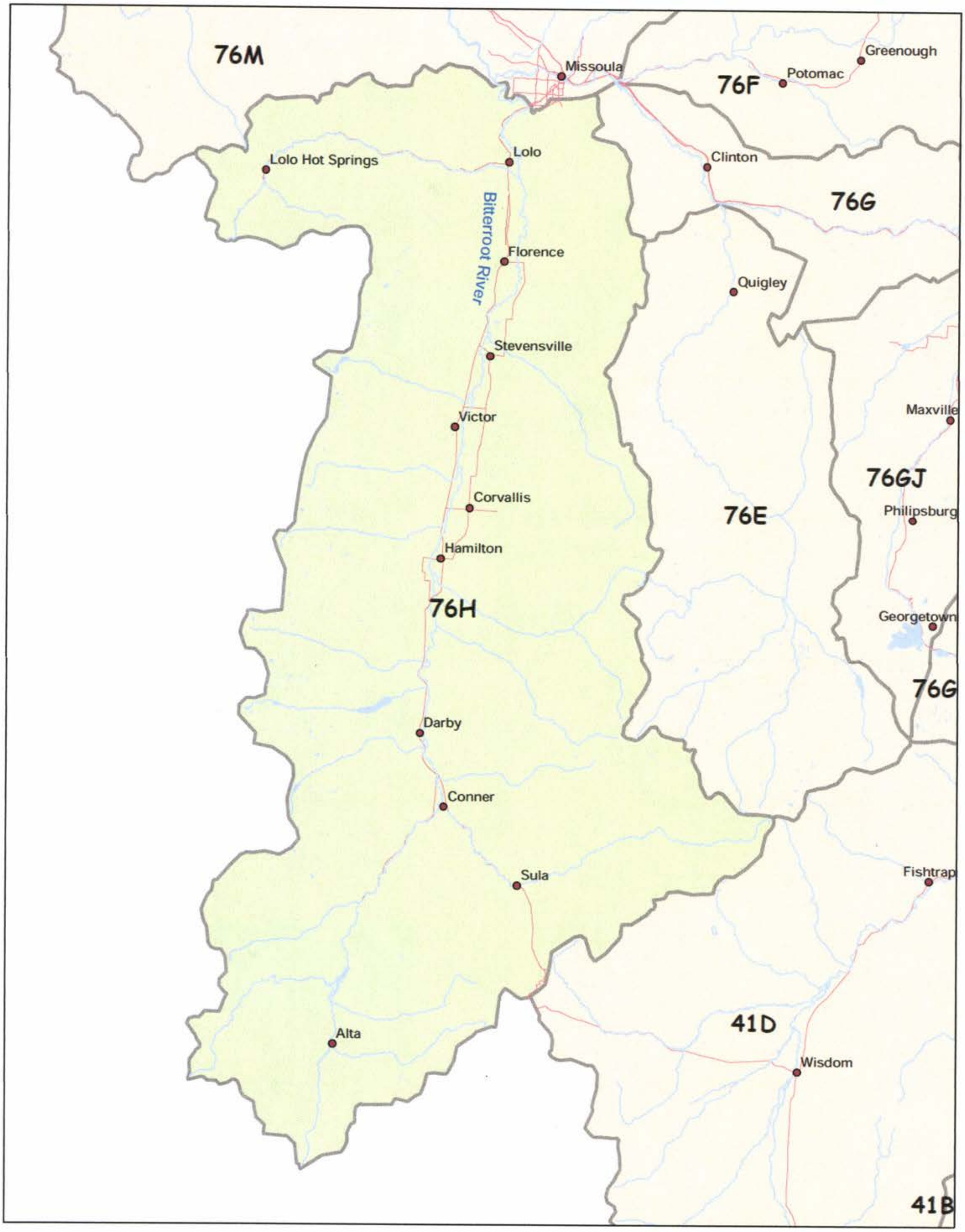
Anaconda
41D

Appendix 1 Hydrologic Basin 76H Bitterroot River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76GJ
Corvallis
76E
Philipsburg
Hamilton
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Georgetown
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Darby
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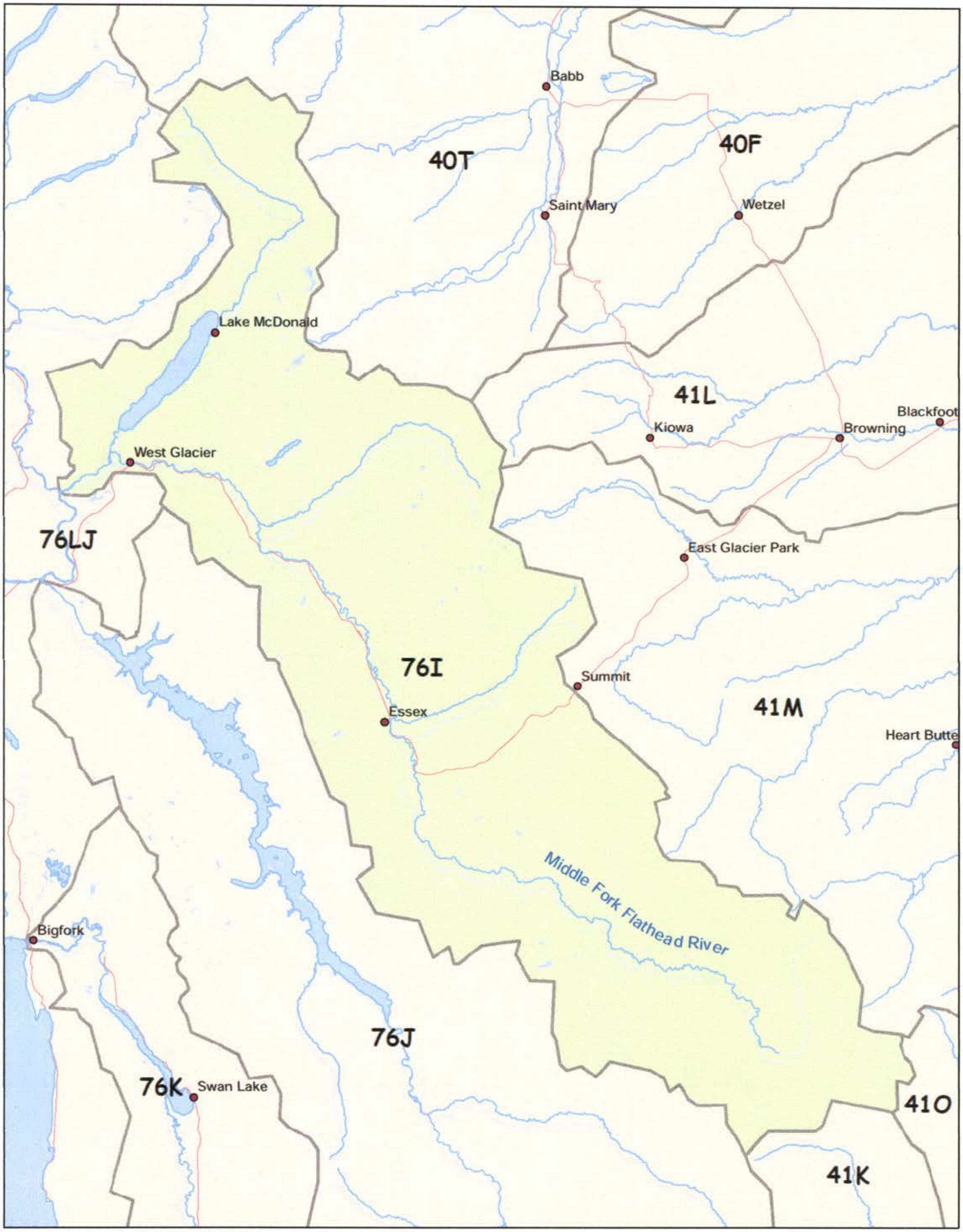
Alta
Wisdom
41B

Appendix 1 Hydrologic Basin 76I Middle Fork Flathead River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Summit
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Essex
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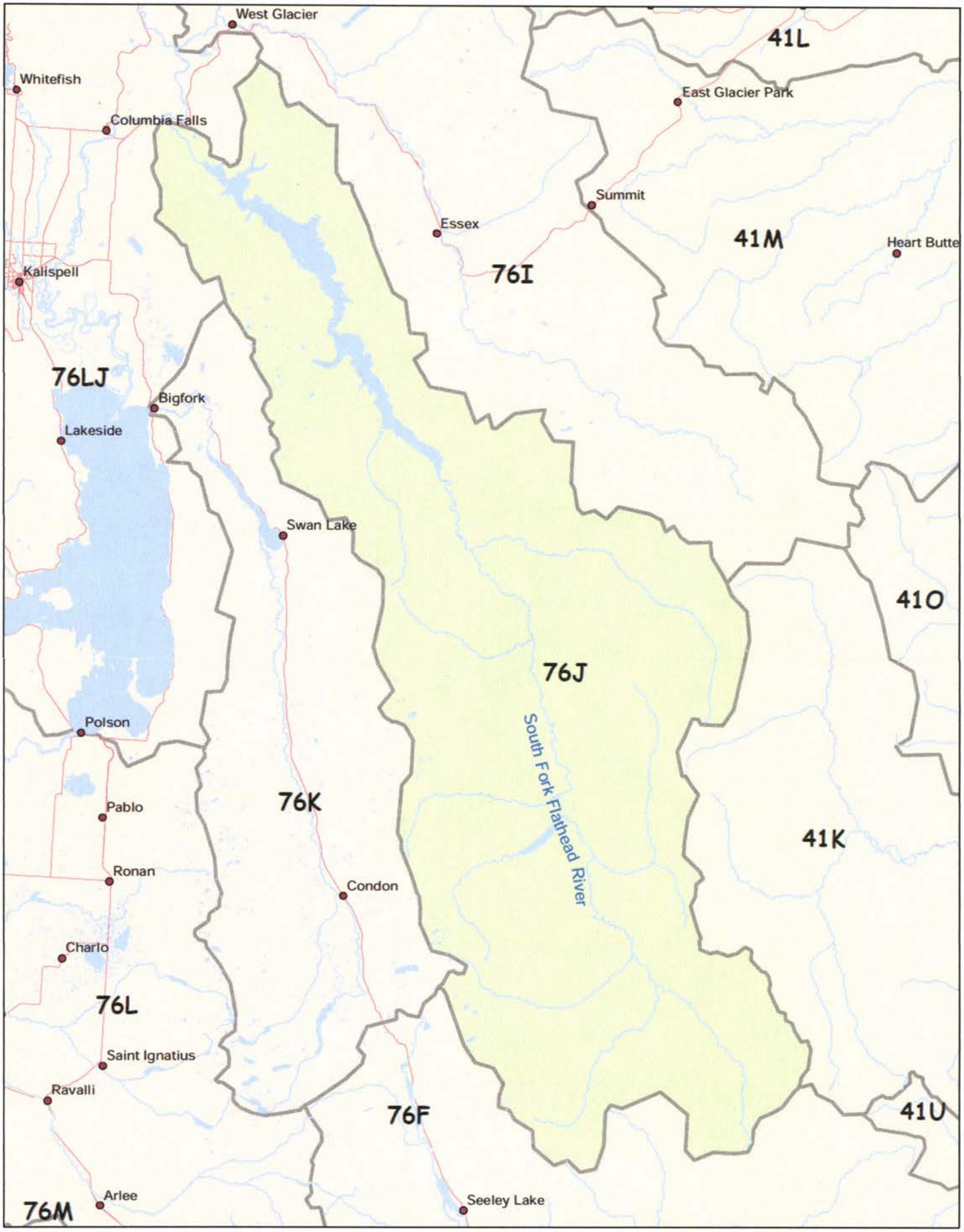
Middle Fork Flathead River
Bigfork
76J
76K
Swan Lake
41O
41K

Appendix 1 Hydrologic Basin 76J South Fork Flathead River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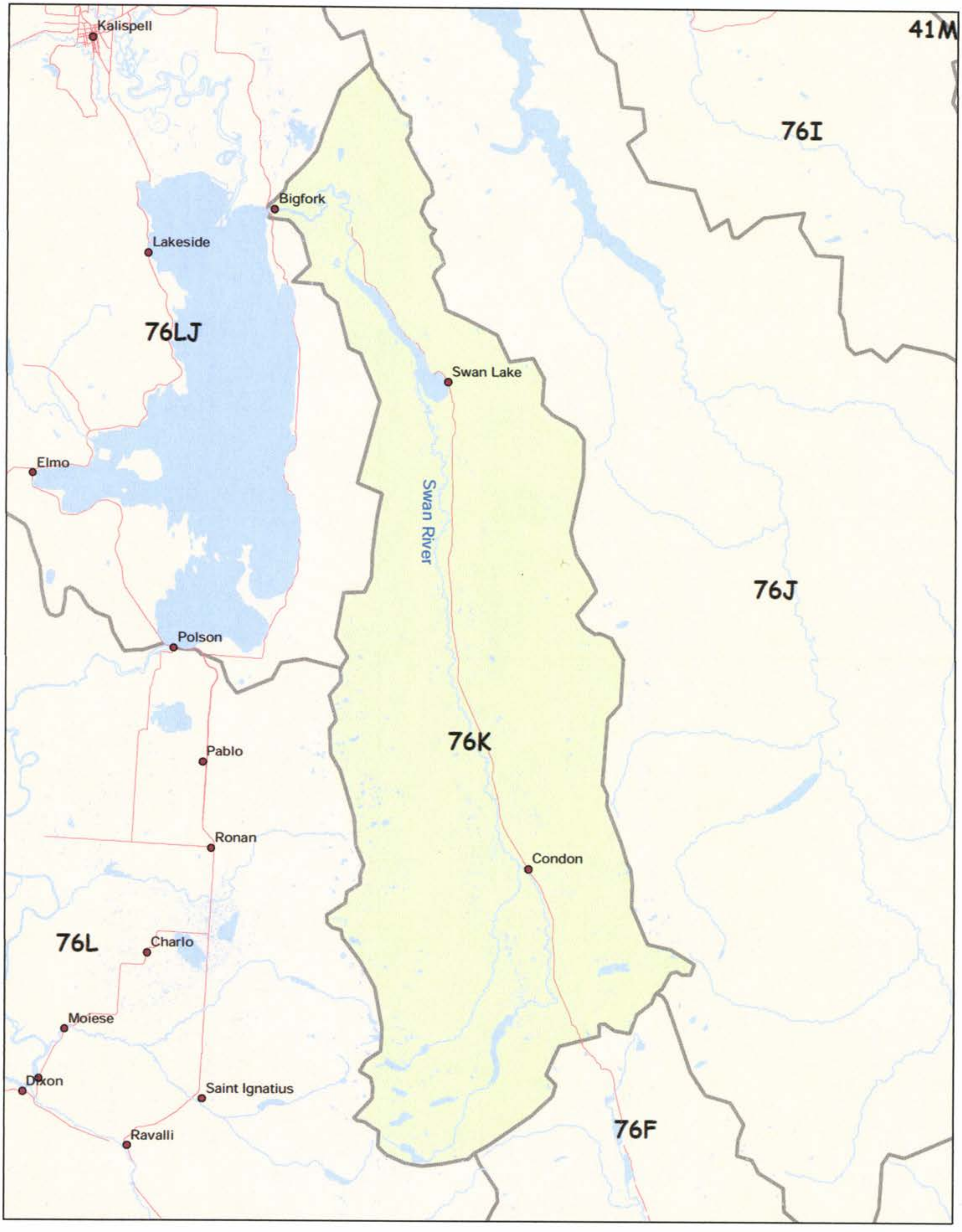
Swan Lake
41O
76J
South Fork Flathead River
Polson
Pablo
76K
41K
Ronan
Condon
Charlo
76L
Saint Ignatius
Ravalli
76F
41U
Arlee
Seeley Lake
76M

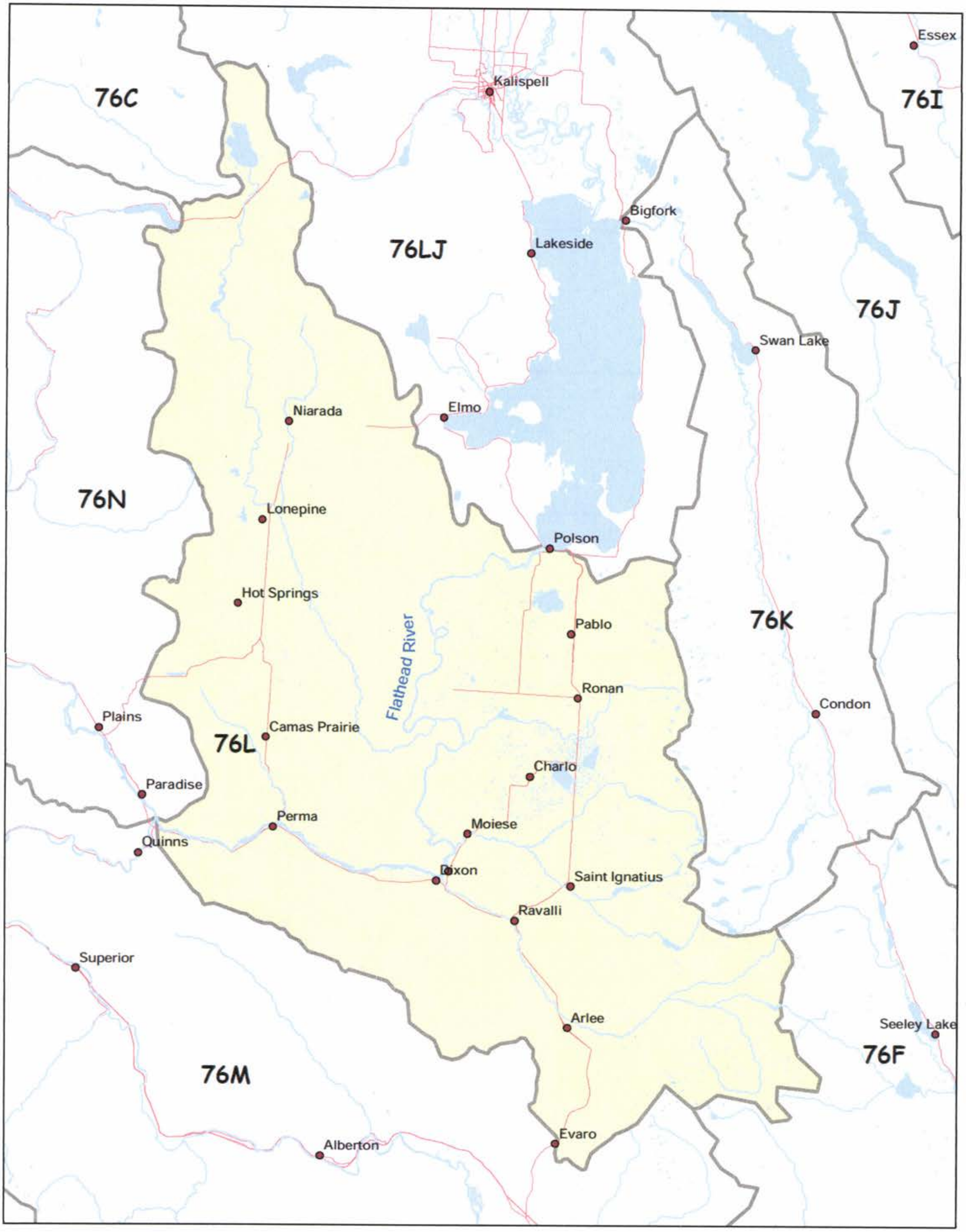
Appendix 1 Hydrologic Basin 76K Swan River


Kalispell
41M
76I
Bigfork
Lakeside
76LJ
Swan Lake
Elmo
Swan River
76J
Polson
76K
Pablo
Ronan
Condon
76L
Charlo
Moiese
Dixon
Saint Ignatius
Ravalli
76F

Appendix 1

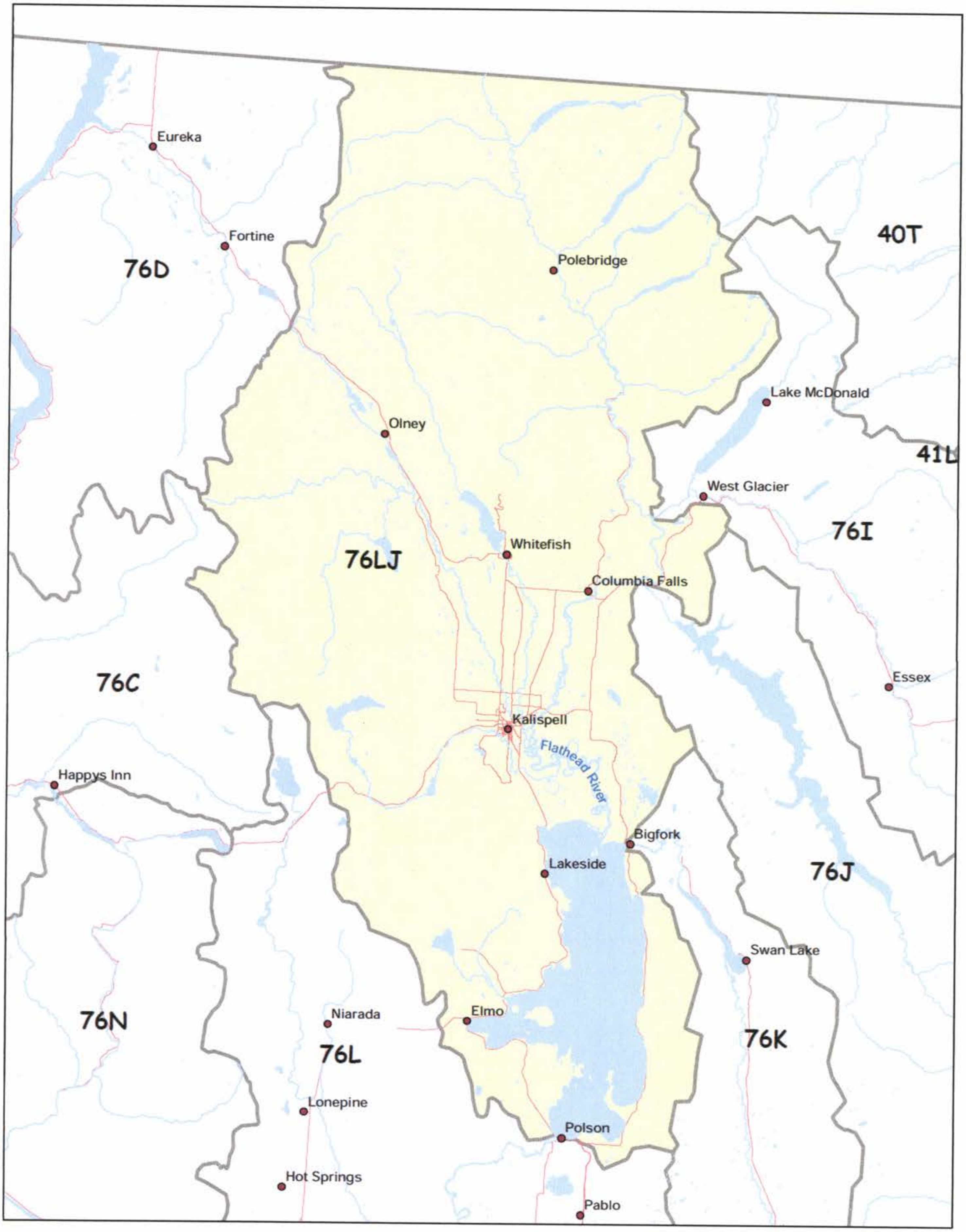
Hydrologic Basin 76L

Flathead River
below Flathead Lake


Essex
Kalispell
76C
76I
Bigfork
Lakeside
76LJ
76J
Swan Lake
Elmo
Niarada
76N
Lonepine
Polson
Hot Springs
Pablo
76K
Flathead River
Ronan
Plains
Condon
Camas Prairie
76L
Charlo
Paradise
Perma
Moiese
Quinns
Dixon
Saint Ignatius
Ravalli
Superior
Arlee
Seeley Lake
76F
76M
Evaro
Alberton

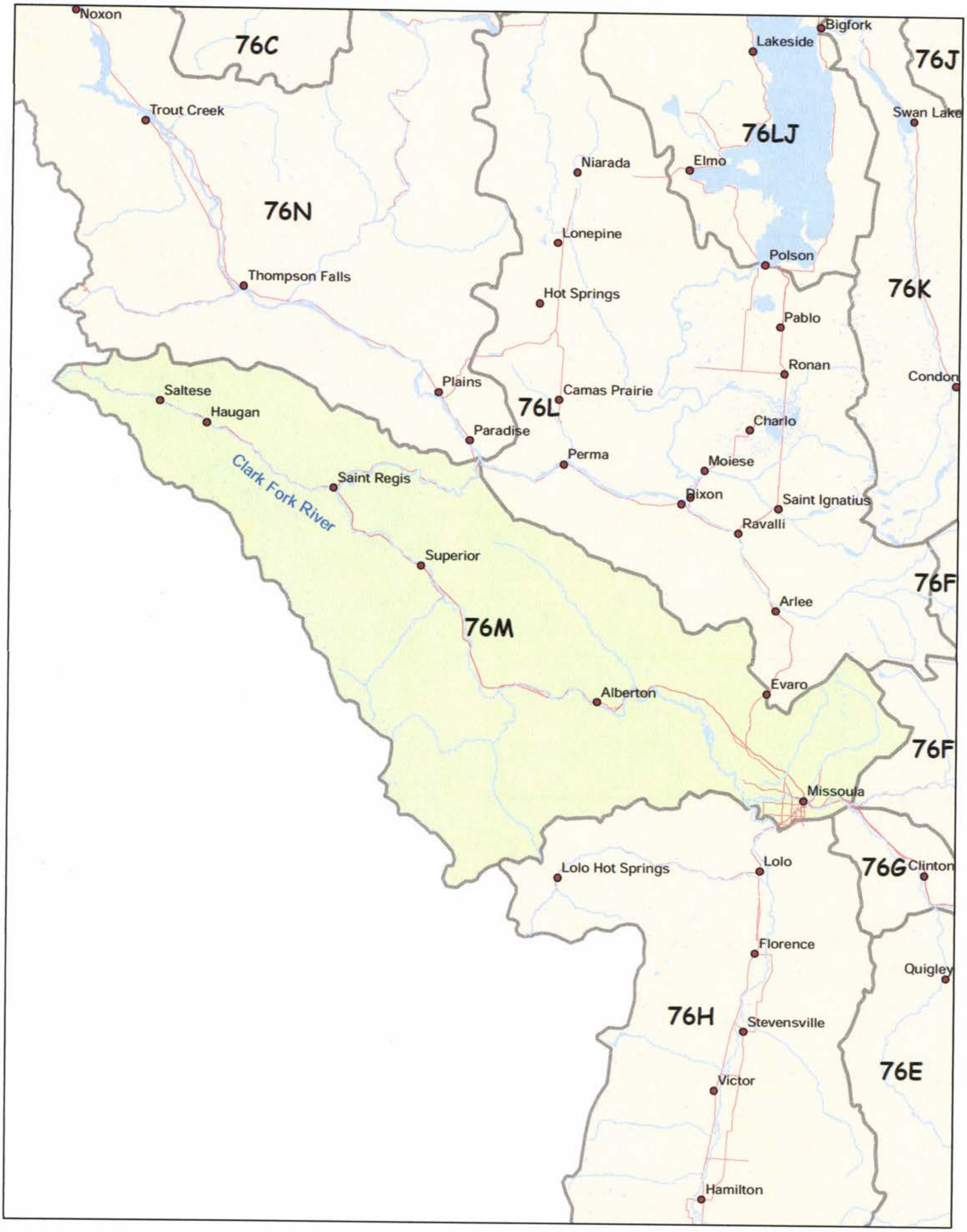
Appendix 1 Hydrologic Basin 76LJ

Flathead River to and including Flathead Lake


Eureka
Fortine
76D
Polebridge
40T
Lake McDonald
Olney
41L
West Glacier
76I
Whitefish
76LJ
Columbia Falls
76C
Essex
Kalispell
Flathead River
Happys Inn
Bigfork
Lakeside
76J
Swan Lake
Elmo
76N
Niarada
76L
76K
Lonepine
Polson
Hot Springs
Pablo

Appendix 1 Hydrologic Basin 76M

Clark Fork between Blackfoot River and Flathead River

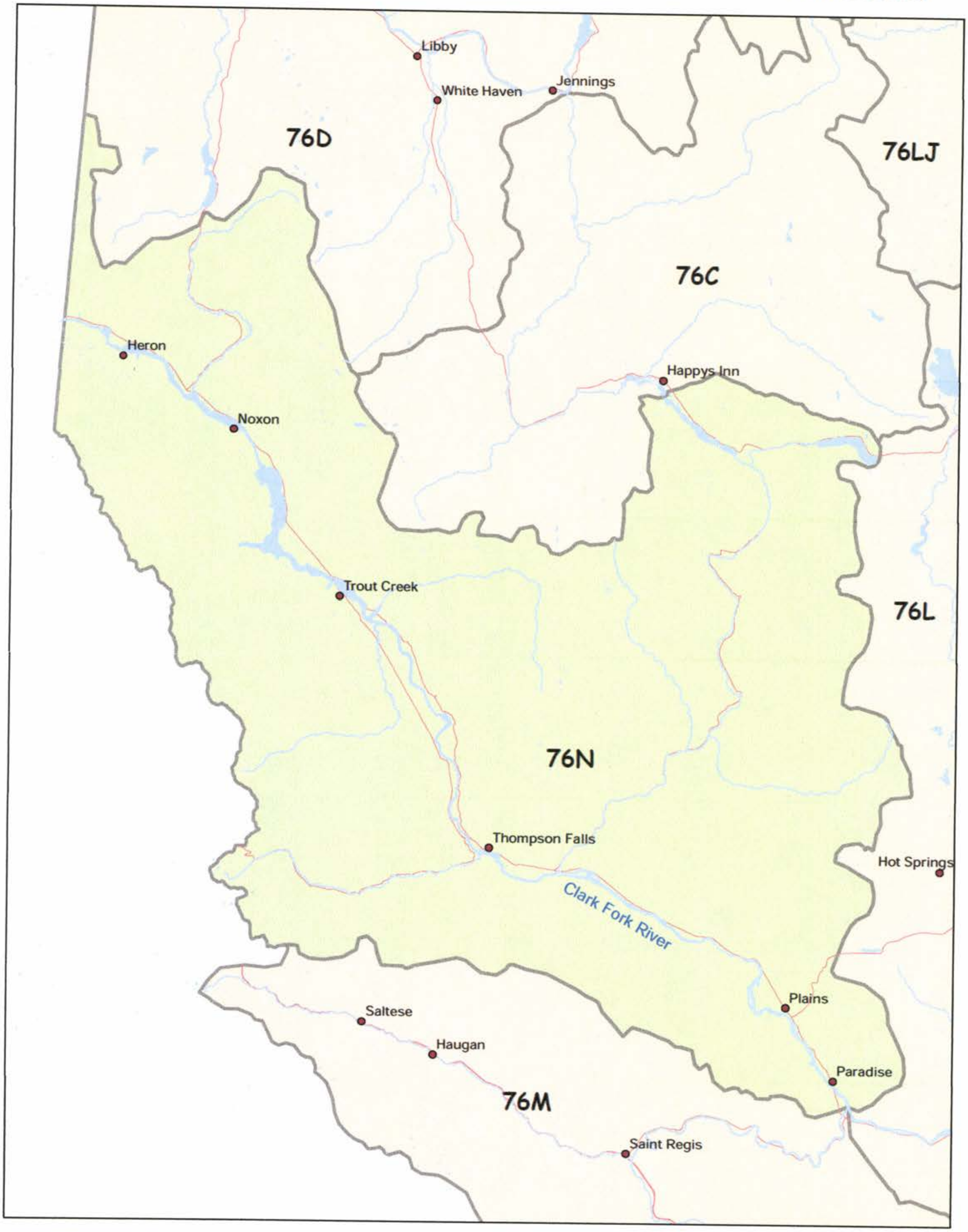


Noxon
76C
Bigfork
Lakeside
76J
Trout Creek
Swan Lake
76LJ
Niarada
Elmo
76N
Lonepine
Polson
Thompson Falls
76K
Hot Springs
Pablo
Ronan
Condon
Saltese
Plains
Camas Prairie
76L
Haugan
Charlo
Paradise
Perma
Moiese
Clark Fork River
Saint Regis
Dixon
Saint Ignatius
Ravalli
Superior
76F
Arlee
76M
Evaro
Alberton
76F
Missoula
Lolo
76G
Clinton
Lolo Hot Springs
Florence
Quigley
76H
Stevensville
76E
Victor
Hamilton

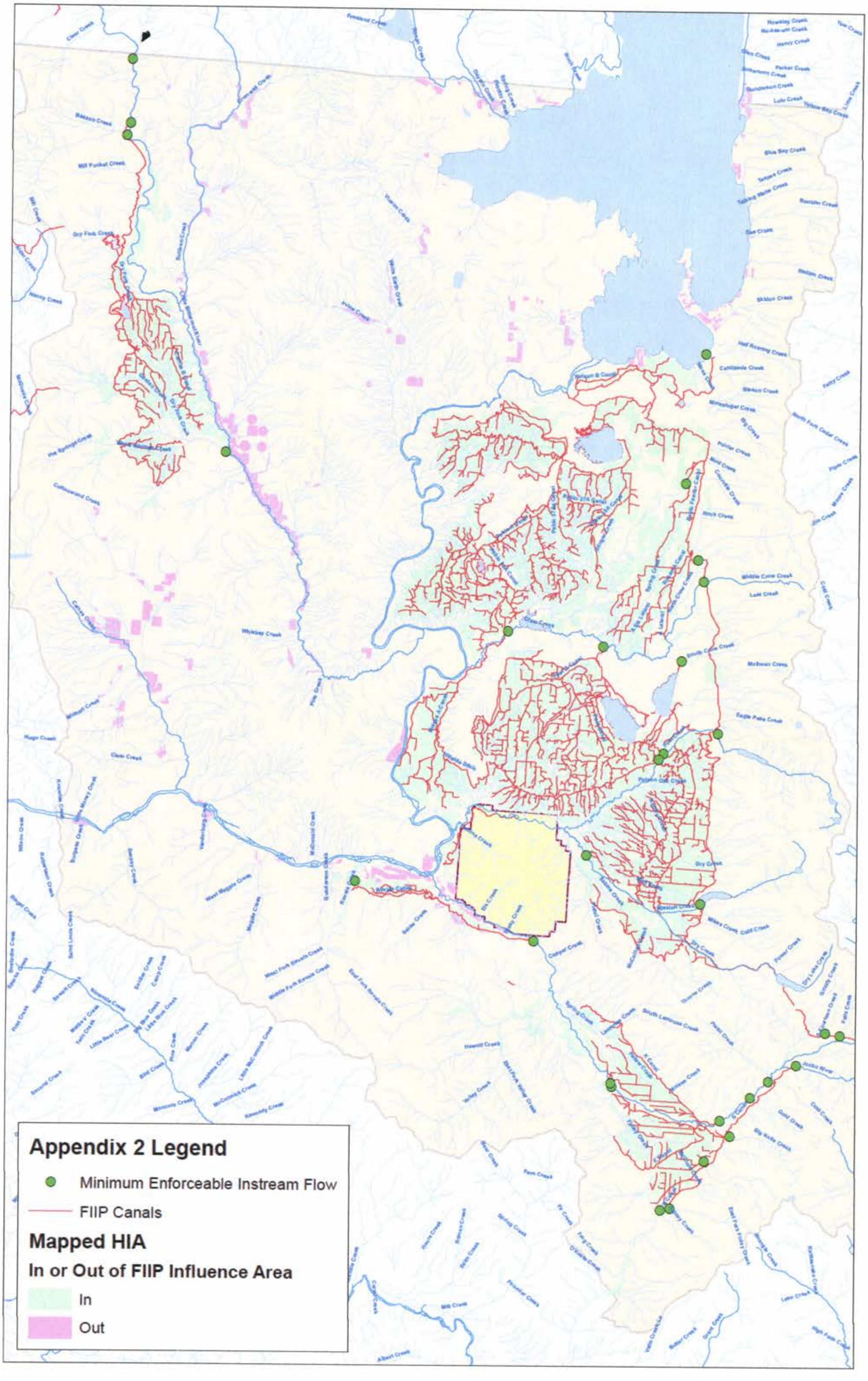
Appendix 1

Hydrologic Basin 76N

Clark Fork below
Flathead River



Libby
White Haven
Jennings
76D
76LJ
76C
Heron
Happys Inn
Noxon
Trout Creek
76L
76N
Thompson Falls
Hot Springs
Clark Fork River
Plains
Saltese
Haugan
Paradise
76M
Saint Regis


Appendix 2 Legend
● Minimum Enforceable Instream Flow
FIIP Canals
Mapped HIA
In or Out of FIIP Influence Area
🟩 In
🟪 Out

Appendix 3.1: MEFs, TIFs, Minimum Reservoir Pool Elevations

This appendix specifies Minimum Enforceable Instream Flows (MEFs) and Target Instream Flows (TIFs), and Minimum Reservoir Pool Elevations which are a part of the Tribal Water Right. MEFs are based on dry water year conditions. TIFs are based on normal and wet water year conditions and are reported for normal and wet years. Wet, normal and dry water year types were determined using natural streamflow information for the April through July runoff forecasting period using streamflow information spanning the 1983-2002 period. Details on the definition of wet, normal and dry years are reported in Appendix 3.7. Details on the annual, or seasonal, determination of water year types – wet, normal, or dry, are in the Adaptive Management Appendix to the Compact (Appendix 3.5). Instream flow locations are found on the attached map. All instream flow values reported in tables below are in cubic feet per second.

Jocko Area

Middle Fork Jocko River below Tabor Feeder Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	9	9	10	18	26	22	20	9	9	9	9	9
TIF Normal Year	9	9	11	21	26	26	44	72	44	25	14	10
TIF Wet Year	11	11	12	20	52	96	92	60	58	38	12	9

North Fork Jocko River below Tabor Feeder Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	3	4	9	25	40	30	22	8	6	6	6	6
TIF Normal Year	4	4	14	26	70	44	24	12	10	10	12	8
TIF Wet Year	10	8	9	30	110	210	60	14	8	8	12	7

Falls Creek below Tabor Feeder Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	1	1	1	1	4	5	4	3	3	2	2	1

S-14 Creek below Tabor Feeder Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	0.1	0.1	0.1	0.2	0.4	0.7	0.4	0.3	0.2	0.1	0.1	0.1

Jocko River below Upper Jocko S Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	20	20	25	60	100	75	50	25	20	20	20	20

Cold Creek below Upper Jocko S Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3

Gold Creek below Upper Jocko S Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3

Big Knife Creek below Upper Jocko S Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	3	3	3	5	7	8	5	5	4	4	3	3

Jocko River below Jocko K Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	40	45	50	100	140	90	42	42	42	42	40	40
Normal Year	54	51	68	123	294	303	87	77	94	105	85	64
Wet Year	68	64	79	176	516	758	222	68	96	111	83	58

Agency Creek below Upper Jocko J Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	3	3	4	8	15	14	10	6	6	4	4	3

East Fork Finley Creek below Jocko N Canal near Mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	3	3	3	7	15	10	7	5	4	4	3	3

Schley Creek below Doney Ditch near Mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	0.3	0.3	0.4	1.0	3.0	1.9	1.1	0.6	0.5	0.4	0.4	0.3

Finley Creek below Finley E Canal near Mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	9	9	11	23	50	28	15	12	11	11	11	10
Normal Year	12	13	16	31	90	67	30	17	22	23	20	15
Wet Year	15	15	16	60	128	156	37	18	20	24	21	16

Jocko River below Lower Jocko S Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	78	78	104	168	310	242	135	95	110	80	80	80
Normal Year	79	76	96	169	425	462	183	134	165	167	140	98
Wet Year	98	92	108	253	686	983	324	123	162	176	141	93

Jocko River below Lower Jocko J Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	95	95	110	175	325	250	145	130	115	110	105	100
Normal Year	111	106	125	212	507	530	235	185	228	224	188	136
Wet Year	133	127	141	321	778	1,075	395	190	232	241	191	132

Revais Creek below Revais R Canal below Highway 200

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	3	3	3	6	10	6	4	3	3	3	3	3

Mission Area

Mission Creek below Pablo Feeder Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	11	10	10	20	94	115	102	85	45	20	20	11
Normal Year	11	10	10	20	94	160	150	128	120	80	20	11
Wet Year	14	13	13	22	100	200	190	136	130	100	20	14

Post Creek below McDonald Reservoir above Pablo Feeder Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	20	20	20	30	60	140	120	80	40	40	30	20
Normal Year	20	20	30	35	88	160	184	128	92	45	38	28
Wet Year	35	22	32	48	96	155	268	155	106	46	36	28

Middle Crow Creek below Pablo Feeder Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	2	2	2	2	9	9	2	2	2	2	2	2

North Crow Creek below Pablo Feeder Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	9	9	14	23	56	27	11	10	10	10	9	9
Normal Year	9	9	14	23	67	37	19	12	12	10	15	10
Wet Year	9	9	15	23	61	125	78	20	15	10	15	10

Mission Creek below Mission 6C Canal above Post Creek

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	13	13	20	24	50	65	35	25	25	25	20	15
Normal Year	13	13	22	24	72	130	80	56	56	50	50	24
Wet Year	14	14	22	24	85	174	130	70	65	60	55	26

Post Creek below Post F Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	20	20	22	26	55	60	35	26	24	22	22	22
Normal Year	22	22	22	26	76	130	90	70	65	52	35	28
Wet Year	30	26	22	30	88	178	178	75	70	52	42	30

Marsh Creek below Marsh Creek Feeder Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	2	2	2	2	2	2	2	2	2	2	2	2

South Crow Creek below South Crow Feeder Canal near mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	5	5	5	10	12	13	10	9	7	7	7	6
Normal Year	6	6	9	10	14	30	20	12	10	9	9	6
Wet Year	8	8	8	14	18	55	30	16	12	10	10	8

Crow Creek below Crow Pump Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	25	25	25	40	60	55	22	22	25	25	25	25
Normal Year	30	30	36	40	70	80	36	36	36	36	36	36
Wet Year	35	35	40	40	90	156	110	40	40	40	40	40

Mud Creek below Ronan B Canal

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	3	3	4	5	13	9	5	3	3	3	3	3

Crow Creek below Moiese A Canal near Mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	30	30	30	35	50	30	21	21	21	21	21	21
Normal Year	45	45	50	50	100	75	35	22	25	50	50	45
Wet Year	50	50	50	70	100	190	116	30	40	60	60	60

Hellroaring Creek below Twin Feeder Canal near Mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	1	1	1	1	1	1	1	1	1	1	1	1

Little Bitterroot Area

Little Bitterroot River below Camas A Canal Headworks and above Mill Creek

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	1	1	1	1	1	1	1	1	1	1	1	1

Little Bitterroot River below Camas A Canal Headworks and below Mill Creek

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	6	6	6	6	6	6	6	6	6	6	6	6

Mill Creek below Camas A Canal near Mouth

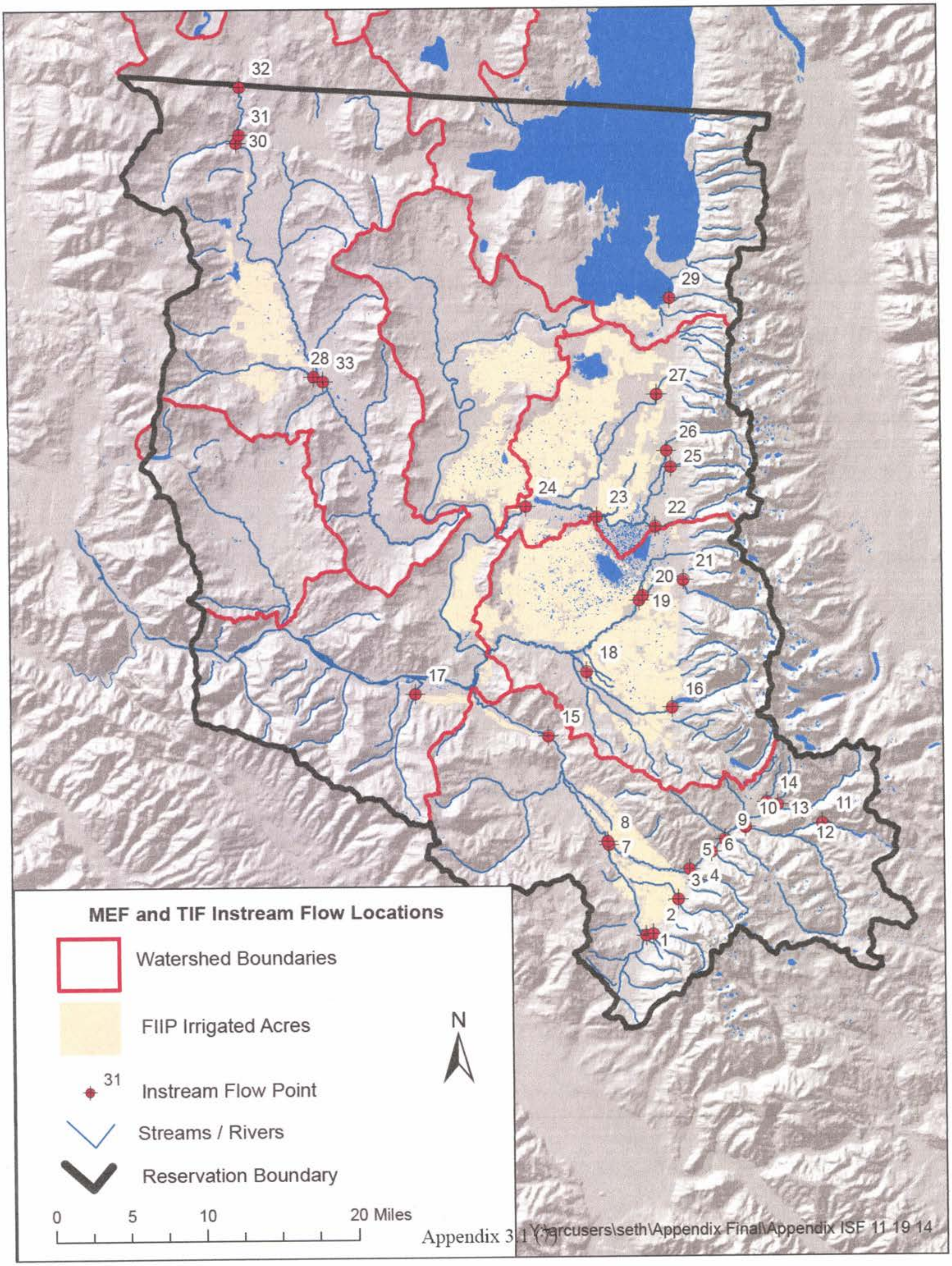
all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	1	1	1	1	1	1	1	1	1	1	1	1

Hot Springs Creek below Camas C Canal near Mouth

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
MEF	1	1	1	1	1	1	1	1	1	1	1	1

Little Bitterroot River below Hot Springs Creek (no mef or tif values)

all values in cfs	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
Water Right	75	106	116	198	176	108	28	47	35	32	37	26


MEF and TIF Instream Flow Locations
Watershed Boundaries
FIIP Irrigated Acres
31
Instream Flow Point
Streams / Rivers
Reservation Boundary
N
0
5
10
20 Miles
32
31
30
29
28
33
27
26
25
24
23
22
21
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3
2
1
Y:\arcusers\seth\Appendix Final\Appendix ISF 11 19 14

Table associating instream flow labels with instream flow point name on map

Point	Instream flow location	Point	Instream flow location
1	Schley Creek below Doney Ditch near mouth	18	Mission Creek below 6C Canal above Post Creek
2	East Fork Finley Creek below Jocko N Canal near mouth	19	Post Creek below F Canal
3	Agency Creek below Upper Jocko J Canal	20	Marsh Creek below Marsh Creek Feeder Canal near mouth
4	Big Knife Creek below Upper Jocko S Canal near mouth	21	Post Creek below McDonald Reservoir above Pablo Feeder Canal
5	Jocko River below Jocko K Canal	22	South Crow Creek below South Crow Feeder near mouth
6	Gold Creek below Upper Jocko S Canal near mouth	23	Crow Creek below Crow Pump Canal
7	Finley Creek below Finley E Canal near mouth	24	Crow Creek below Moiese A Canal near mouth
8	Jocko River below lower Jocko S Canal	25	Middle Crow Creek below Pablo Feeder Canal near mouth
9	Cold Creek below Upper Jocko S Canal near mouth	26	North Crow Creek below Pablo Feeder Canal near mouth
10	Jocko River below Upper Jocko S Canal	27	Mud Creek below Ronan B Canal
11	Middle Fork Jocko River below Tabor Feeder Canal near mouth	28	Hot Springs Creek below Camas C Canal near mouth
12	North Fork Jocko River below Tabor Feeder Canal near mouth	29	Hellroaring Creek below Twin Feeder Canal near mouth
13	Falls Creek below Tabor Feeder Canal near mouth	30	Mill Creek below Camas A Canal near mouth
14	S-14 Creek below Tabor Feeder Canal near mouth	31	Little Bitterroot River below Camas A Canal and above Mill Creek
15	Jocko River below Lower J Canal	32	Little Bitterroot River below Camas A Canal Headworks and above Mill Creek
16	Mission Creek below Pablo Feeder Canal	33	Little Bitterroot River below Hot Springs Creek
17	Revais Creek below Revais R Canal below Highway 200		

Minimum Reservoir Pool Elevations

Reservoir	*Minimum reservoir pool elevation (feet*)*	*Minimum pool volume (AF)*
Mission Reservoir	3,379	1,006
McDonald Reservoir	3,549	385
Kicking Horse Reservoir	3,049	1,230
Ninepipe Reservoir	2,998	1,905
Pablo Reservoir	3,188	1,425
Lower Crow Reservoir	2,839	2,039
Turtle Lake	3,068	96
Upper Dry Fork Reservoir	2,915	413
Lower Dry Fork Reservoir	2,842	636
Hubbart Reservoir	3,150.4	27

Tabor Reservoir Minimum Reservoir Pool Elevations

Date(s)	*Minimum pool elevation (feet*)*	*Minimum pool volume (AF)*	*Frequency of occurrence (Years)*
Up to Aug 1st	4,006	18,162	Target for each year, required one in four years
Aug 1 up to Aug 15	3,980	12,119	Target for each year, required three in four years
Aug 15 up to Nov 15	3,927	2,416	Required every year

*elevations are in feet above mean sea level as determined by reference to a certain U.S. Geological Survey bench mark, elevation 2910.882 feet, stamped "2900 N", as now located and established at Somers, Flathead County, or to such other bench marks as may be established by the U.S. Geological Survey having the same datum.

Appendix 3.2: River Diversion Allowances

This appendix specifies the water allocations for River Diversion Allowances (RDAs), as they are defined in Article II – Definitions of the Compact, for RDA administrative areas (see map). River Diversion Allowances are dedicated to serve irrigation headworks or pumping facilities for irrigated lands that are assessed and served by the Flathead Indian Irrigation Project (FIIP). River Diversion Allowances that are used to serve irrigated lands are applicable over the April 15 through September 15 period, and may be extended to no later than October 15. Certain RDAs are defined for conveyance between reservoirs or sources of water supply. Water distribution at these RDAs is not restricted to the April 15 through September 15 or October 15 period, as is specifically noted in tables below.

River Diversion Allowances are specified for wet, normal, and dry years for each RDA administrative area. Wet, normal and dry water year types were determined using natural streamflow information for the April through July runoff forecasting period for streamflow information spanning the 1983-2002 period. Details on the definition of wet, normal and dry years are reported in Appendix 3.7. Details on the annual, or seasonal, determination of water year types – wet, normal, or dry, are in the Adaptive Management Appendix to the Compact (Appendix 3.5).

River Diversion Allowances are reported for administered locations, and administered plus incremental inflow locations. Administered locations are irrigation headworks or pumping facilities where water measurement and seasonal accounting of the RDA volumes will occur. Both volumes and peak capacities are reported for these locations. Incremental inflow locations are areas where small streams or other incidental sources contribute inflows to the FIIP infrastructure; these are not intended for direct administration.

Throughout the RDA tables, af is an abbreviation for acre-feet and cfs is an abbreviation for cubic feet per second.

Jocko Area

Tabor Feeder Canal RDA Administrative Area (RDA not restricted to April 15 – September 15, or October 15 period)

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered locations	18,600	28,200	20,400	Location 1 - 150
Administered locations and incremental inflows	23,870	33,700	24,700	Location 2 – 420 Location 3 - 470

Administered locations: 1 - Tabor Feeder Canal at Middle Fork Jocko River (150 cfs), 2 - Tabor Feeder Canal at North Fork Jocko River (420 cfs), 3 – Tabor Feeder Canal below Twin Lakes (470 cfs)
Incremental inflow: Placid Diversions routed into Tabor Feeder Canal, Upper and Lower Jocko Reservoir storage routed into Tabor Feeder Canal, Falls Creek, S-14 Creek, Grizzly Creek

Upper Jocko River RDA Administrative Area

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered locations	22,900	24,000	26,500	Location 1 – 50
Administered locations and incremental inflow	24,450	25,700	28,700	Location 2 – 55 Location 3 - 245

Administered locations: 1 - Upper Jocko S Canal at Jocko River (50 cfs), 2 - Upper Jocko S Canal at Big Knife Creek (55 cfs), 3 - Jocko K Canal at headwork's (245 cfs).
Incremental inflow: Placid Diversions routed into Upper S and K Canals, Upper and Lower Jocko Reservoir storage routed into Upper S and K Canals, Cold Creek, Gold Creek, Pellew Creek, Lamoose Creek

Agency / Finley Creek RDA Administrative Area

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered locations	6,300	6,100	6,300	Location 1 – 55
Administered locations and incremental inflow	7,100	6,800	7,100	Location 2 – 10 Location 3 – 35 Location 4 – 14 Location 5 – 14 Location 6 - 1

Administered locations: 1 - Upper Jocko S Canal at Agency Creek (55 cfs), 2 - Upper Jocko J Canal at Agency Creek (10 cfs), 3 - Jocko E Canal at Agency Creek (35 cfs), 4 - Jocko E Canal at Finley Creek above siphon (14 cfs), 5 - Jocko N Canal at East Fork Finley Creek (14 cfs), 6 - Doney Ditch at Schley Creek (1 cfs).
Incremental inflow: Tailwater from Upper S Canal at Big Knife Creek, McClure Creek

Lower Jocko River RDA Administrative Area

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered locations	1,500	1,700	2,000	Location 1 – 15
No incremental inflows	---	---	---	Location 2 - 35

Administered locations: 1 - Lower Jocko S Canal at Jocko River (15 cfs), 2 - Lower Jocko J Canal at Jocko River (35 cfs)

Revais Creek RDA Administrative Area

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered location	2,000	1,800	1,700	Location 1 - 27
Administered location and incremental inflow	2,500	2,400	2,400	

Administered locations: 1 - Revais R Canal at Revais Creek (27 cfs).
Incremental inflow: Revais Pump inflow supplied from Lower Jocko J Canal (10.5 cfs)

Mission Area

Pablo Feeder Canal RDA Administrative Area (RDA not restricted to April 15 – September 15, or October 15 period when the purpose is to convey water to reservoirs)

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered locations	86,100	66,400	45,700	Location 1 – 255
Administered locations and incremental inflows	114,100	86,200	58,300	Location 2 – 300
				Location 3 – 220
				Location 4 – 270
				Location 5 – 270
				Location 6 – 470
				Location 7 - 470

Administered locations: 1 - Mission DA Canal below DC Pool (255 cfs), 2 - Mission A Canal below Mission Creek (300 cfs), 3 - Pablo Feeder Canal below Post Creek (220 cfs), 4 - Pablo Feeder Canal below South Crow Creek (270 cfs), 5 - Pablo Feeder Canal at Middle Crow Creek (270 cfs), 6 - Pablo Feeder Canal at North Crow Creek (470 cfs), 7 - Pablo Feeder Canal at Pablo Drop (470 cfs).
Incremental inflow: Reservoir storage and incremental small stream inflows along Pablo Feeder Canal

Upper Mission Creek RDA Administrative Area (RDA not restricted to April 15 – September 15, or October 15 period when the purpose is to convey water to reservoirs)

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered locations	31,000	33,800	38,000	Location 1 – 3 Location 2 – 1 Location 3 – 27 Location 4 – 60 Location 5 – 100 Location 6 – 10 Location 7 – 250 Location 8 - 70
Administered locations and incremental inflow	35,200	37,400	40,000	

Administered locations: 1 - DC-2 Lateral at Dry Creek Lining (3 cfs), 2 - Cold Creek Ditch at Cold Creek (1 cfs), 3 - Mission F Canal at headwork's (27 cfs), 4 - Mission B Canal at Mission Creek (60 cfs), 5 - Mission C Canal at Mission Creek (100 cfs), 6 - Mission 6C Canal at Mission Creek (10 cfs), 7 - Kicking Horse Feeder Canal at Post Creek (250 cfs), 8 - Post F Canal at Post Creek (70 cfs).

Incremental inflow: Return flow reuse from irrigation losses, incremental small stream inflows

Lower Mission Creek RDA Administrative Area

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered location	1,000	1,000	1,000	Location 1 - 15
No incremental inflows	---	---	---	

Administered location: 1 - Mission H Canal at Mission Creek (15 cfs)

Upper Crow Creek RDA Administrative Area (RDA not restricted to April 15 – September 15, or October 15 period when the purpose is to convey water to reservoirs)

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered locations	15,300	14,000	11,700	Location 1 – 275 Location 2 – 22 Location 3 - 24
Administered locations and incremental inflow	16,300	15,000	12,800	

Administered locations: 1 - South Crow Feeder Canal at South Crow Creek (275 cfs), 2 - Crow Pump Canal at Crow Creek (22 cfs), 3 - Ronan B Canal at Mud Creek (24 cfs)

Incremental inflow: Pablo Feeder Canal from Mission South Area, return flow reuse from irrigation losses

Lower Crow Creek RDA Administrative Area

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered locations No incremental inflows	20,000 ---	20,000 ---	20,000 ---	Location 1 – 100 Location 2 - 30

Administered locations:1 - Moiese A Canal at Crow Creek (100 cfs), 2 - Hillside Ditch (30 cfs)

Hellroaring/Centipede/Bisson Creek RDA Administrative Area

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered locations No incremental inflows	1,400 ---	1,400 ---	1,400 ---	Location 1 – 15 Location 2 – 15 Location 3 - 8

Administered locations: 1 - Twin Feeder Canal at Hellroaring Creek (15 cfs), 2 - Twin Feeder Canal at Centipede Creek (15 cfs), 3 - Lower Twin Feeder Canal at Bisson Creek (8 cfs)

Pablo A Canal RDA Administrative Area

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered location No incremental inflows	45,400 ---	47,100 ---	49,900 ---	Location 1 – 420

Administered location:1 – Pablo A Canal below Pablo Reservoir (420 cfs)

Flathead River Pumping Plant RDA (RDA not restricted to April 15 – September 15, or October 15 period)

Administration area type	*RDA*	*Peak Flow for Pumping Plant*
	in af	in cfs
Administered location	65,000	210

Little Bitterroot Area

Little Bitterroot River RDA Administrative Area

	Wet Year RDA	*Normal Year RDA*	*Dry Year RDA*	*Peak Flow for administered locations*
	in af			in cfs
Administered location	18,000	18,000	18,000	Location 1 - 90

Administered location: 1 - Camas A Canal at Mill Creek (90 cfs)

Off-Reservation Areas

Placid Canal Diversion RDA (RDA not restricted to April 15 – September 15, or October 15 period)

Administration area type	*RDA*	*Peak Flow for administered locations*
	in af	in cfs
Administered location	10,000	Location 1 - 120

Administered location: 1 – Placid Canal Diversion (120 cfs)

McGinnis Diversion RDA (RDA not restricted to April 15 – September 15, or October 15 period)

Administration area type	*RDA*	*Peak Flow for administered locations*
	in af	in cfs
Administered location	1,800	16

Administered location: 1 – McGinnis Diversion (16 cfs)

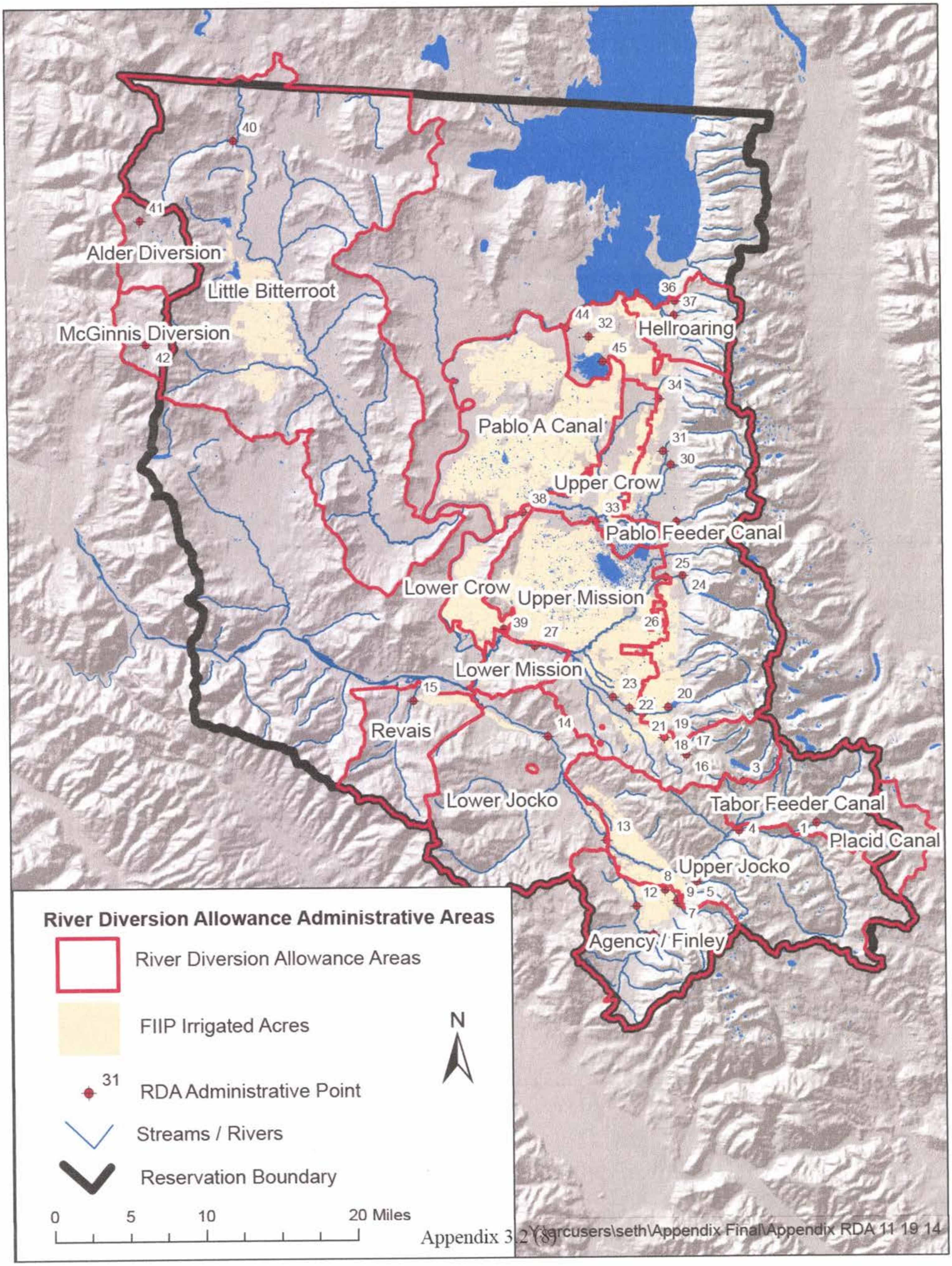
Alder Diversion RDA (RDA not restricted to April 15 – September 15, or October 15 period)

Administration area type	*RDA*	*Peak Flow for administered locations*
	in af	in cfs
Administered location	3,500	45

Administered location: 1 – Alder Diversion (45 cfs)

Table associating RDA administrative point numeric labels with administrative point name on map

Point	RDA point name	Point	RDA point name
1	Tabor Feeder Canal at Middle Fork Jocko	23	Mission 6C Canal at headworks below Mission
2	Tabor Feeder Canal at North Fork Jocko	24	Pablo Feeder Canal below Post Creek
3	Tabor Feeder Canal below Twin Lakes	25	Kicking Horse Feeder Canal at headworks below
4	Upper Jocko S Canal at the Jocko River	26	Post F Canal at headworks below Post Creek
5	Upper Jocko S Canal at Big Knife Creek	27	Mission H Canal at headworks below Mission
6	Jocko K Canal at Jocko River	28	Pablo Feeder Canal at headworks below South
7	Upper Jocko S Canal at Agency Creek	29	South Crow Feeder Canal at headworks below
8	Jocko E Canal at Agency Creek	30	Pablo Feeder Canal at headworks below Middle
9	Upper Jocko J Canal at headworks below	31	Pablo Feeder Canal at headworks below North
10	Jocko N Canal at East Finley Creek	32	Pablo Feeder Canal at Pablo Drop
11	Doney Ditch at Schley Creek	33	Crow Pump Canal at headworks below Crow
12	Jocko E Canal at Finley Creek	34	Ronan B Canal at headworks below Mud Creek
13	Lower Jocko S Canal on Jocko River below	35	Lower Twin Feeder Canal at headworks below
14	Lower Jocko J Canal at Jocko River	36	Twin Feeder Canal at headworks below
15	Revais R Canal at Revais Creek	37	Twin Feeder Canal below Centipede Creek
16	Cold Creek Ditch at Cold Creek	38	Moiese A Canal at headworks below Crow Creek
17	DC-2 lateral at Dry Creek lining	39	Hillside Ditch at headworks
18	Mission F Canal at headworks below DC	40	Camas A Canal at headworks below Mill Creek
19	Mission DA Canal below DC pool	41	Alder Ditch at headworks below Alder Creek
20	Mission A Canal at Mission Creek	42	McGinnis Creek at headworks below McGinnis
21	Mission B Canal at headworks below	43	Placid Canal at headworks below Placid Creek
22	Mission C Canal at headworks below	44	Flathead River Pumping Plant
		45	Pablo A Canal below Pablo Reservoir


Alder Diversion
Little Bitterroot
McGinnis Diversion
Hellroaring
Pablo A Canal
Upper Crow
Pablo Feeder Canal
Lower Crow
Upper Mission
Lower Mission
Revais
Lower Jocko
Tabor Feeder Canal
Placid Canal
Upper Jocko
Agency / Finley
40
41
42
36
37
44
32
45
34
31
30
38
33
25
24
39
27
26
15
23
20
22
14
21
19
18
17
16
3
13
4
1
8
12
9
5
7
River Diversion Allowance Administrative Areas
River Diversion Allowance Areas
FIIP Irrigated Acres
31
RDA Administrative Point
Streams / Rivers
Reservation Boundary
N
0
5
10
20 Miles
Y:\arcusers\seth\Appendix Final\Appendix RDA 11 19 14

Appendix 3.3: Historic Farm Deliveries

This appendix reports Historic Farm Deliveries, as they are defined in Article II - Definitions of the Compact, for River Diversion Allowance (RDA) administrative areas encompassing irrigated lands that are assessed and served by the Flathead Indian Irrigation Project (see map). There are RDA administrative areas that do not have any associated Historic Farm Delivery values. These circumstances occur when RDA administrative areas are defined specifically to report water conveyed between reservoirs or sources of water supply.

Historic Farm Deliveries are reported for wet, normal and dry years, which were determined using April through July streamflow information for the 1983-2002 period. Details on the definition of wet, normal and dry years are reported in Appendix 3.7. Details on how the water year types (i.e., wet, normal, or dry) are applied for water management are found in the Adaptive Management Appendix to the Compact (Appendix 3.5).

Jocko Area

Jocko Valley Historic Farm Deliveries

RDA administrative area	*Wet year*	*Normal Year*	*Dry Year*
	values in acre-feet per irrigation season		
Upper Jocko River	7,336	7,164	7,180
Agency/Finley Creek	3,693	3,529	3,634
Lower Jocko River	698	665	684
Revais Creek	1,129	1,106	1,136

Mission Area

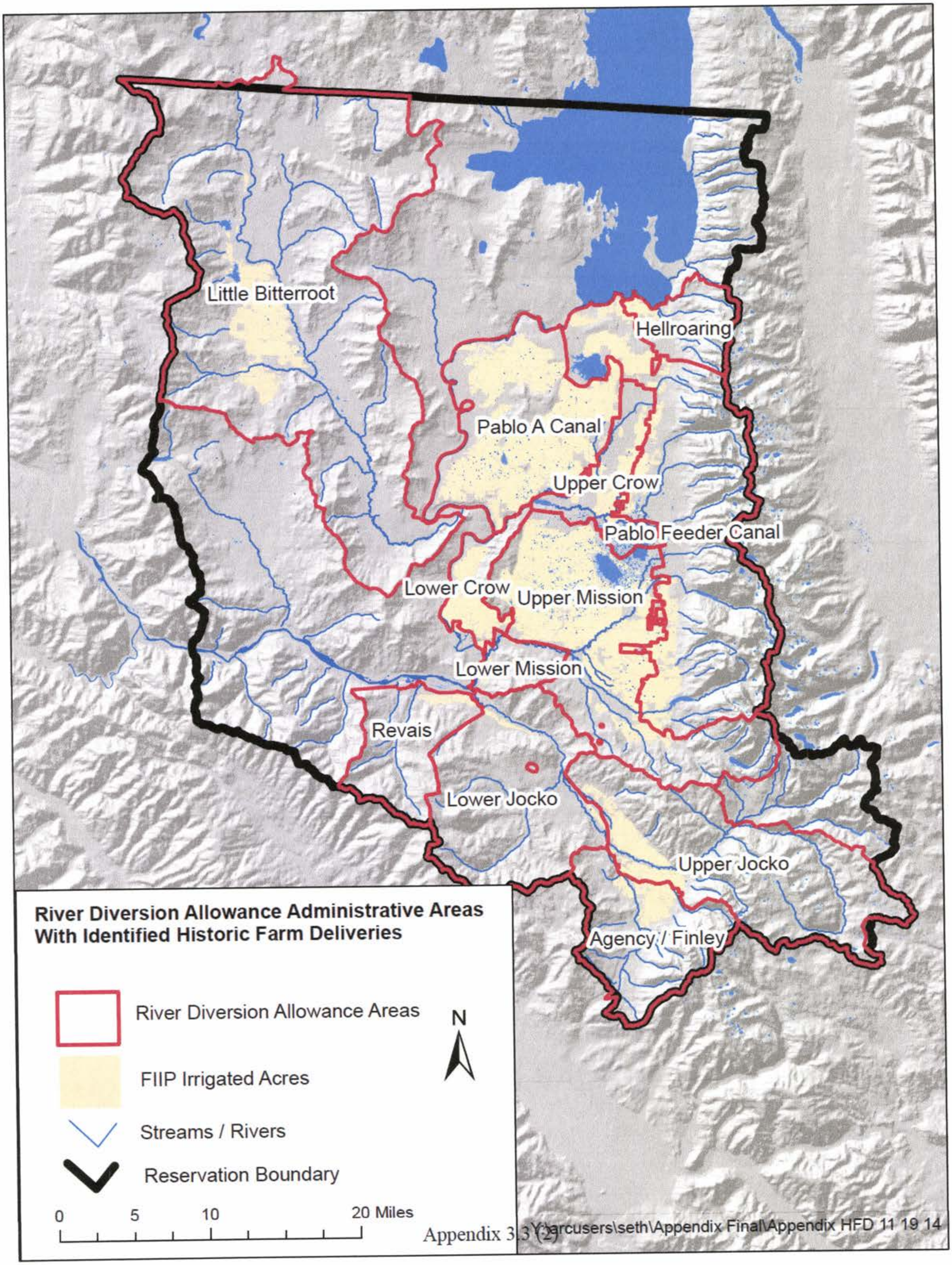
Mission Valley Historic Farm Deliveries

RDA administrative area	*Wet year*	*Normal Year*	*Dry Year*
	values in acre-feet per irrigation season		
Pablo Feeder Canal	14,864	15,723	16,806
Upper Mission Creek	37,586	38,967	40,895
Lower Mission Creek	304	313	340
Upper Crow Creek	4,556	4,790	5,119
Lower Crow Creek	7,639	7,621	8,004
Pablo A Canal	38,941	40,530	42,927
Hellroaring/Centipede/Bisson	1,213	1,268	1,351

Little Bitterroot Area

Little Bitterroot Valley Historic Farm Deliveries

RDA administrative area	*Wet year*	*Normal Year*	*Dry Year*
	values in acre-feet per irrigation season		
Little Bitterroot	13,302	13,297	13,848



River Diversion Allowance Administrative Areas With Identified Historic Farm Deliveries

Little Bitterroot
Hellroaring
Pablo A Canal
Upper Crow
Pablo Feeder Canal
Lower Crow
Upper Mission
Lower Mission
Revais
Lower Jocko
Upper Jocko
Agency / Finley
River Diversion Allowance Areas
FIIP Irrigated Acres
Streams / Rivers
Reservation Boundary
N
0
5
10
20 Miles
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Appendix 3.3 (2)

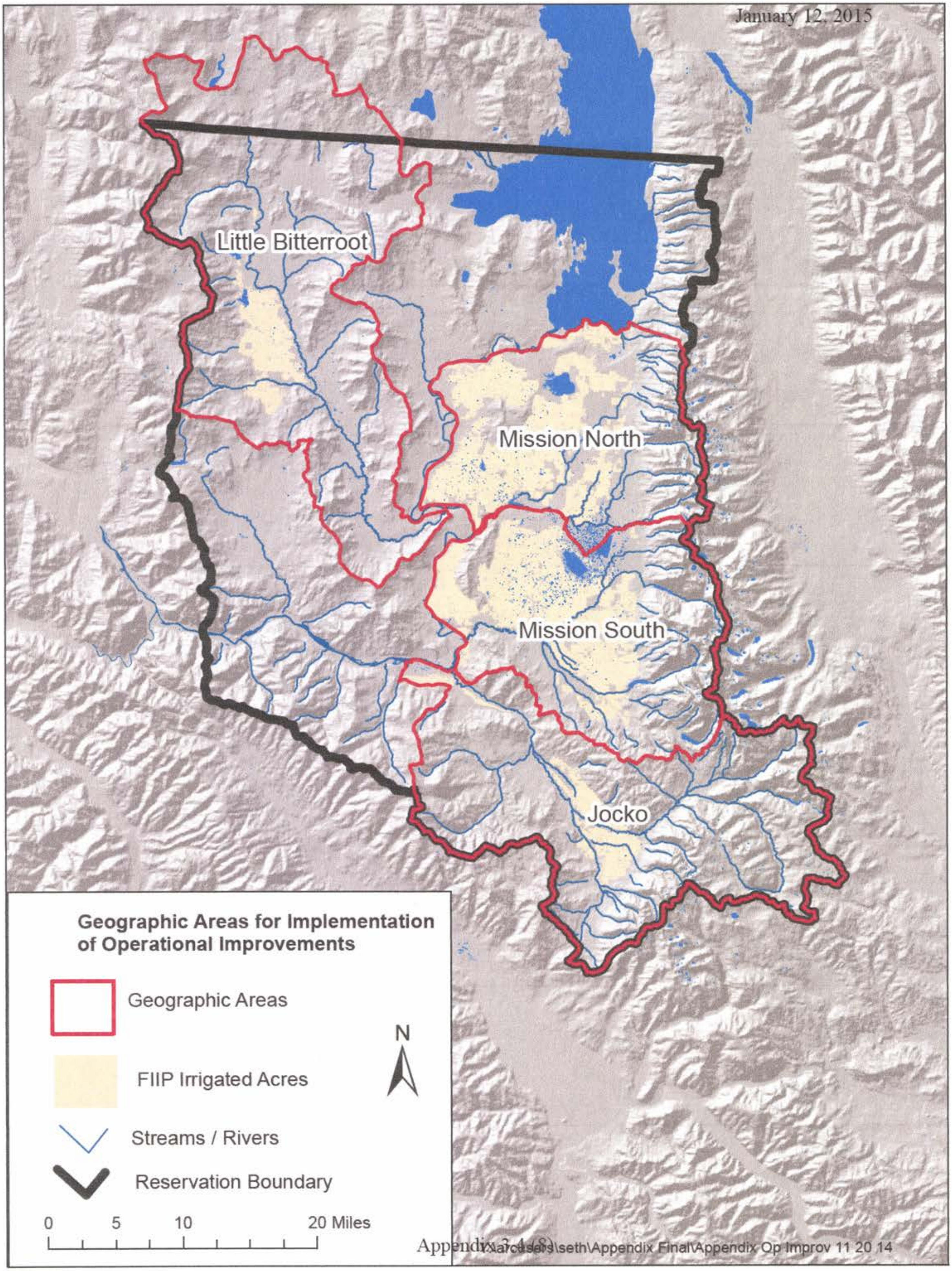
January 12, 2015
Little Bitterroot
Mission North
Mission South
Jocko
Geographic Areas for Implementation of Operational Improvements
Geographic Areas
FIIP Irrigated Acres
Streams / Rivers
Reservation Boundary
N
0
5
10
20 Miles
\arcusers\seth\Appendix Final\Appendix Op Improv 11 20 14

Table 6.0: Schedule for Implementation of Operational Improvements: Little Bitterroot Valley

	Effective Date + 4 years	Effective Date + 5 years	Effective Date + 6 years	Effective Date + 7 years	Effective Date + 8 years
1. CITT Water Management Coordination	▨	▨	▨	*Ongoing for Duration of Compact*	▨ ➡
2. Water Measurement					
a. CSKT - Streams and Instream Flow Sites	▨	▨	▨		
b. CSKT - Administered RDA sites*	▨	▨	▨		
c. CSKT - Reservoirs	▨	▨	▨		
d. CSKT - Irrigation Return Flows	▨	▨	▨		
e. Project Operator - Lateral Canals	▨	▨	▨	▨	
e. Project Operator - Farm Delivery Locations	▨	▨	▨	▨	
3. Operations Model					
a. CITT Scope of Model Work	▨				
b. CITT Contract for Services	▨	▨			
c. CITT/Contractor Construct Model	▨	▨	▨	▨	
d. CITT Run and Maintain Model		▨	▨	*Ongoing for Duration of Compact*	▨
4. Farm Delivery Accounting					
a. Project Operator Populate Accounting System	▨	▨	*Applies to Little Bitterroot Valley*		
b. Project Operator Run and Maintain Accounting System	▨	▨	▨	*Ongoing for Duration of Compact*	▨
5. Onfarm Efficiency Improvements					
a. State/CITT Cost-Share Onfarm Conservation Practices	▨	▨	▨	*Ongoing for Duration of Compact*	▨
6. Stockwater Mitigation					
a. State/CITT Cost-Share Stockwater Developments	▨	▨	▨	*Ongoing for Duration of Compact*	▨
7. Irrigation Diversion Headworks Automation					
a. Retrofit Certain Diversion Structures to Support Automation	▨	▨	▨	▨	▨

➡ *Full MEF and TIF Instream Flow and River Diversion Allowance Enforcement occurs*

Notes

1 *Several actions identified in this table are planned for partial implementation prior to the Effective Date as identified in Table 1.0*

Table 5.0: Schedule for Implementation of Operational Improvements: Jocko Valley

	Effective Date + 3 years	Effective Date + 4 years	Effective Date + 5 years	Effective Date + 6 years	Effective Date + 7 years
1. CITT Water Management Coordination	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨ →
2. Water Measurement					
a. CSKT - Streams and Instream Flow Sites	▨	▨	▨		
b. CSKT - Administered RDA sites	▨	▨	▨		
c. CSKT - Reservoirs	▨	▨	▨		
d. CSKT - Irrigation Return Flows	▨	▨	▨		
e. Project Operator - Lateral Canals	▨	▨	▨	▨	
f. Project Operator - Farm Delivery Locations	▨	▨	▨	▨	
3. Operations Model					
a. CITT Scope of Model Work	▨				
b. CITT Contract for Services	▨	▨			
c. CITT/Contractor Construct Model	▨	▨	▨	▨	
d. CITT Run and Maintain Model		▨	▨	▨ *Ongoing for Duration of Compact*	▨
4. Farm Delivery Accounting					
a. Project Operator Populate Accounting System	▨	▨	*Applies to Jocko Valley*		
b. Project Operator Run and Maintain Accounting System	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨
5. Onfarm Efficiency Improvements					
a. State/CITT Cost-Share Onfarm Conservation Practices	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨
6. Stockwater Mitigation					
a. State/CITT Cost-Share Stockwater Developments	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨
7. Irrigation Diversion Headworks Automation					
a. Retrofit Certain Diversion Structures to Support Automation	▨	▨	▨	▨	▨

→ *Full MEF and TIF Instream Flow and River Diversion Allowance Enforcement occurs*

Notes

1 *Several actions identified in this table are planned for partial implementation prior to the Effective Date as identified in Table 1.0*

Table 4.0: Schedule for Implementation of Operational Improvements: Mission Valley North

	Effective Date + 2 years	Effective Date + 3 years	Effective Date + 4 years	Effective Date + 5 years	Effective Date + 6 years	
1. CITT Water Management Coordination	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨	→
2. Water Measurement						
a. CSKT - Streams and Instream Flow Sites	▨	▨	▨			
b. CSKT - Administered RDA sites	▨	▨	▨			
c. CSKT - Reservoirs	▨	▨	▨			
d. CSKT - Irrigation Return Flows	▨	▨	▨			
e. Project Operator - Lateral Canals	▨	▨	▨	▨		
f. Project Operator - Farm Delivery Locations	▨	▨	▨	▨		
3. Operations Model						
a. CITT/Contractor Construct Model	▨	▨	*Modeling applies to Mission Valley South and North Areas*			
b. CITT Run and Maintain Model	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨	
4. Farm Delivery Accounting						
a. Project Operator Populate Accounting System	▨	▨	*Applies to Mission Valley North*			
b. Project Operator Run and Maintain Accounting System	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨	
5. Onfarm Efficiency Improvements						
a. State/CITT Cost-Share Onfarm Conservation Practices	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨	
6. Stockwater Mitigation						
a. State/CITT Cost-Share Stockwater Developments	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨	
7. Irrigation Diversion Headworks Automation						
a. Retrofit Certain Diversion Structures to Support Automation	▨	▨	▨	▨	▨	

→ *Full MEF and TIF Instream Flow and River Diversion Allowance Enforcement occurs*

Notes

1 *Several actions identified in this table are planned for partial implementation prior to the Effective Date as identified in Table 1.0*

Table 3.0: Schedule for Implementation of Operational Improvements: Mission Valley South

	Effective Date	Effective Date + 1 year	Effective Date + 2 years	Effective Date + 3 years	Effective Date + 4 years	
1. CITT Water Management Coordination	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨	➡
2. Water Measurement						
a. CSKT – Streams and Instream Flow Sites	▨	▨	▨			
b. CSKT - Administered RDA sites	▨	▨	▨			
c. CSKT - Reservoirs	▨	▨	▨			
d. CSKT - Irrigation Return Flows	▨	▨	▨			
e. Project Operator - Lateral Canals	▨	▨	▨	▨		
f. Project Operator - Farm Delivery Locations	▨	▨	▨	▨		
3. Operations Model						
a. CITT Scope of Model Work	▨					
b. CITT Contract for Services	▨	▨				
c. CITT/Contractor Construct Model	▨	▨	*Modeling applies to Mission Valley South and North Areas*	▨		
d. CITT Run and Maintain Model		▨	▨	▨ *Ongoing for Duration of Compact*	▨	
4. Farm Delivery Accounting						
a. CITT Scope of Accounting System	▨	*Accounting System applies FIIP-Wide*				
b. CITT Contract for Services	▨	*Accounting System applies FIIP-Wide*				
c. CITT/Contractor Construct Accounting System	▨	▨	▨ *Accounting System applies FIIP-Wide*	▨		
d. Project Operator Populate Accounting System		▨	▨	*Applies to Mission Valley South*		
e. Project Operator Run and Maintain Model		▨	▨	▨ *Ongoing for Duration of Compact*	▨	
5. Onfarm Efficiency Improvements						
a. State/CITT Cost-Share Onfarm Conservation Practices	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨	
6. Stockwater Mitigation						
a. State/CITT Cost-Share Stockwater Developments	▨	▨	▨	▨ *Ongoing for Duration of Compact*	▨	
7. Irrigation Diversion Headworks Automation						
a. Retrofit Certain Diversion Structures to Support Automation			▨	▨	▨	

➡ *Full MEF and TIF Instream Flow and River Diversion Allowance Enforcement occurs*

Notes

1 *Several actions identified in this table are planned for partial implementation prior to the Effective Date as identified in Table 1.0*

Table 2.0: FIIP-Wide Planning for, and Implementation of, Operational Improvement Actions

Comprehensive Actions FIIP-Wide	mid-2015	2015	2016	2017
1. CITT* Formation	Montana Legislative Approval of Compact			
a. Parties and Project Operator Form CITT following Compact process		▨		
2. CITT Water Management Coordination		▨	Ongoing for Duration of Compact	▨
3. FIIP Modernization Plan				
a. CITT Finalize Scope of Work		▨	▨	▨
b. CITT Contract for Service		▨	▨	▨
c. CITT/Contractor Prepare Draft Plan		▨	▨	▨
d. Outside Review and CITT/Contractor Completion of Plan			▨	▨
4. Forecasting Procedures				
a. CITT Contract for Service		▨	▨	▨
b. CITT/Contractor Complete Forecast Workproduct			▨	▨
5. Web-Based Irrigation Water Management/Scheduling Tools				
a. State/CITT Develop Web-Based Irrigation Management Tools			▨	▨
6. CITT Website Development				
a. CITT Define Website Functionality		▨	▨	
b. CITT Contract for Service		▨	▨	
c. Contractor Complete Website Workproduct			▨	▨
7. CITT Reporting and Data Dissemination				
a. CITT Prepare Annual Water Measurement/Management Report			Ongoing for Duration of Compact	▨
b. CITT Maintains Information on Website			Ongoing for Duration of Compact	▨

* CITT - Compact Implementation Technical Team

January 12, 2015

Table 1.0: Overall Schedule for Implementation of Operational Improvements

	mid-2015	2015	2016	2017	Effective Date	Effective Date + 1 year	Effective Date + 2 years	Effective Date + 3 years	Effective Date + 4 years	Effective Date + 5 years	Effective Date + 6 years	Effective Date + 7 years	Effective Date + 8 years	
1. Comprehensive Actions FIIP-Wide	Montana Legislative Approval of Compact													
*a. CITT * Formation*		▨												
b. CITT Water Management Coordination		▨	▨	▨	▨	▨	▨	▨	*Ongoing for Duration of Compact*	▨	▨	▨	▨	
c. CITT Water Measurement		▨	▨	▨	▨	▨	▨	▨	*Ongoing for Duration of Compact*	▨	▨	▨	▨	
d. CITT Onfarm Efficiency Improvements		▨	▨	▨	▨	▨	▨	▨	*Ongoing for Duration of Compact*	▨	▨	▨	▨	
e. CITT Stockwater Mitigation		▨	▨	▨	▨	▨	▨	▨	*Ongoing for Duration of Compact*	▨	▨	▨	▨	
c. FIIP Modernization Plan		▨	▨	▨										
d. Forecasting Procedures		▨	▨	▨										
e. Develop Web-Based Irrigation Management Tools		▨	▨	▨										
f. CITT Website		▨	▨											
2. Geographically-Focused Actions														
a. Mission Valley South					▨	▨	▨	▨	▨	➡				
b. Mission Valley North							▨	▨	▨	▨	▨	➡		
c. Jocko Valley								▨	▨	▨	▨	▨	➡	
d. Little Bitterroot Valley									▨	▨	▨	▨	▨	➡

** CITT - Compact Implementation Technical Team*

➡ *Full MEF and TIF Instream Flow and River Diversion Allowance Enforcement occurs*

Notes

1 *Comprehensive Actions FIIP-Wide refers to Operational Improvements, or other actions, that are applicable across the FIIP footprint, and are implemented with this perspective.*

2 *Geographically Focused Actions refers to the schedule for implementation of targeted Operational Improvements following a priority scheme for each geographic area.*

3 *Water Measurement, Onfarm Efficiency Improvements and Stockwater mitigation are identified as FIIP-Wide Actions, however implementation of these actions is planned to partially occur following geogrphic priorities.*

Appendix 3.4: Implementation Schedule

This appendix to the Compact specifies implementation schedules for Operational Improvement actions that modernize Flathead Indian Irrigation Project (FIIP) water management procedures and improve the Compact Implementation Technical Team's (CITT) ability to plan for and manage natural and regulated streamflows, reservoir storage, and allocation between instream and irrigation uses of water. Tables in this appendix provide the overall planning schedule for Operational Improvements, and provide the planning schedule for Operational Improvements within each geographic area.

Incremental implementation of Minimum Enforceable (MEFs) and Target Instream Flows (TIFs), Minimum Reservoir Pool Elevations, and River Diversion Allowances (RDAs) will occur as Operational Improvements are implemented. MEF, TIF, RDA and Minimum Reservoir Pool Elevations will become enforceable when Operational Improvements are completed following the schedules found in the tables below.

The Parties recognize that State and Federal appropriations to implement Operational Improvements may not be sufficient to cure all deficiencies on the FIIP. Recognizing this, full enforcement of the MEF, TIF, RDA and Minimum Reservoir Pool Elevations will not be delayed if the full appropriation from State or Federal sources that is directed to Operational Improvements occurs, but is not sufficient to meet all deficiencies the Operational Improvement is targeted to address.

Irrigation diversion headworks automation is an Operational Improvement that will require State and Federal appropriations for Operational Improvements and Federal appropriations for Rehabilitation and Betterment to complete. Recognizing this, completion of diversion headworks automation will not be applied as a condition to determine when Operational Improvements are complete.

A list of Operational Improvements is set forth in Appendix 3.4. This list may be modified by the CITT as provided in Appendix 3.5. Any such modification is pursuant to, and shall not be deemed an amendment of, this Compact.

3. The Instream Flow or RDA Area to which Reallocated Water will be assigned; and

4. Water requirements for resource mitigation, if applicable.

The reallocation report shall be made available on the CITT website.

iii. Upon completion of each reallocation report, the MEFs and TIFs will be incrementally increased and the RDA evaluation process set forth in Article IV.D.1.d will be applied to ensure that Historic Farm Deliveries are met.

iv. The CITT shall maintain a complete record of reallocation reports and supporting data.

v. The CITT shall maintain a tracking database to record changes in Instream Flows and RDAs attributable to Reallocated Water.

vi. The CITT shall determine whether resource mitigation is required, and the conditions applicable to mitigation, for Water Rights Arising Under State Law and the Tribal Water Right as a result of Rehabilitation and Betterment projects. Resource mitigation requirements will be developed by the CITT according to the following principles:

a. In all circumstances, resource mitigation requirements shall be based on water measurement or estimates applied for a particular Rehabilitation and Betterment project.

b. Where an amount of water is required for resource mitigation, the water may be supplied from Reallocated Water or from other sources of water if use of those sources is more practicable.

c. Where there are costs associated with resource mitigation, those costs shall be provided from funds associated with the Rehabilitation and Betterment project that necessitated the resource mitigation.

d. Mitigation of impact to Water Rights Arising Under State Law and the Tribal Water Right may be accomplished using funds allocated for this purpose.

   - **ii.** The CITT shall plan for, design, and complete any necessary environmental and engineering review of Operational Improvements.

   - **iii.** As Operational Improvements are completed, and prior to full enforcement of MEFs and TIFs, the CITT shall transfer water saved through Operational Improvements incrementally to the corresponding MEF and TIF locations.

- **i. Rehabilitation and Betterment** – The CITT shall plan for and prioritize FIIP Rehabilitation and Betterment actions set forth in Appendix 3.6.

   - **i.** The CITT shall plan for, design, and complete environmental and engineering review of Rehabilitation and Betterment actions set forth in Appendix 3.6. These actions shall be implemented as settlement funds become available.

   - **ii.** The Tribes shall have the authority over Rehabilitation and Betterment actions that use funding from the Federal contribution to settlement.

- **j. Reallocated Water from Rehabilitation and Betterment**

   - **i.** The CITT shall directly measure water available for reallocation following a Rehabilitation and Betterment action. If direct measurement is not practicable, the CITT shall estimate Reallocated Water. The CITT shall assign Reallocated Water to one or more Instream Flow locations following a Rehabilitation and Betterment action. Reallocated Water may be assigned to an Instream Flow location as a seasonal or monthly volume.

   - **ii.** Once sufficient water has been reallocated to ensure that MEFs and TIFs are satisfied in every year, all additional Reallocated Water shall be split equally between Instream Flows and the FIIP Water Use Right as set forth in Article IV.C.2. The CITT shall determine when this condition occurs, and to which Instream Flow and RDA Area Reallocated Water will be assigned.

      - **a.** The CITT shall develop a reallocation report for each Rehabilitation and Betterment project, or group of related projects. Each reallocation report shall be submitted to the Project Operator and the Office of the Engineer.

      - **b.** The reallocation report shall, at minimum, include:

         - **1.** A description of the Rehabilitation and Betterment project(s), or other actions, that form the basis for Reallocated Water;

         - **2.** The seasonal volume or flow rate of Reallocated Water;

	applicable) to match anticipated snowmelt runoff
Mid June	Finalize projection of water supply and water-year type, update wet and normal streamflow targets for month, modify RDAs based on any changes in water year type, modify MEF timing (if applicable) to match anticipated snowmelt runoff
Early July	Set wet and normal streamflow targets for the month, evaluate RDAs, quantify portion of RDAs used to date
Mid July	Update wet and normal streamflow targets for the month
Early August	Set wet and normal streamflow targets for the month, evaluate RDAs, quantify portion of RDAs used to date
Early September	Set wet and normal streamflow targets for the month, quantify portion of RDAs used to date
Early October	Discuss annual reporting and water operations for the completed irrigation season, develop long-range forecast based on climatic indicators
Early December	Finalize annual reporting of water measurement, refine long-range forecast based on climatic indicators

g. **Within-Year Water Management Planning and Allocation** – The CITT shall make decisions based on water measurement, water availability, climatic variability, and irrigation management considerations to allocate water between Instream Flows and irrigation uses. At all times, these decisions shall comply with the provisions of the Compact and the appendices defining the MEFs, TIFs, and RDAs, each of which may be uniquely described by water-year type at a particular location, except that weekly or monthly adjustments to certain MEFs and TIFs may be made as provided in items 3.g.ii and iii, below. These adjustments are made pursuant to, and are not considered amendments of, the Compact.

   i. The CITT shall define TIFs (if applicable) and RDAs for a given year based on a determination of the water-year type following the coordination schedule set forth in Section 3.e, above. The CITT may adjust those levels throughout the planning period and irrigation season based on changing water supply, climate, or irrigation management conditions.

   ii. The CITT may agree to modify MEFs and TIFs (if applicable) by moving the MEF and TIF schedule for a given month either forward in time one month or backward in time one month between March 1 and July 31.

   iii. After the water management planning tools described in Section 3.e.i through 3.e.iv have been constructed and are operational, the CITT may modify the MEFs and TIFs by adjusting to weekly MEFs and TIFs that are distributed so as to mimic Natural Flows. The weekly values must cumulatively equal the monthly MEF and TIF volumes for the month during which this adjustment is made. Such adjustment may only be made between March 1 and July 31.

h. **Operational Improvements** – The CITT shall plan for and prioritize projects that are described in Appendix 3.4.

   i. The CITT may adjust or reorder the schedule set forth in Appendix 3.4 in response to changes to the expected availability of settlement contributions, experience implementing Operational Improvements, and other factors that justify such adjustment or reordering. The CMC shall review and approve such adjustment or reordering.

i. The CITT shall apply hydrologic and meteorological information to refine the classification of wet, normal, and dry Natural Flow water-year types set forth in Appendix 3.7. This process involves the designation of increments of water-year types between wet, normal and dry years and updates of water year-types to a new base period.

ii. The CITT shall develop water supply forecast procedures to plan for and allocate seasonal runoff that include long-range and seasonal forecast tools.

iii. The CITT shall develop water supply forecast procedures that provide the flexibility to shift MEF and TIF monthly and weekly enforceable flow rates to mimic anticipated runoff patterns.

iv. The CITT shall develop operational models or tools that provide for short-term (weekly to daily) instream flow and irrigation water supply adjustments. The Project Operator, in consultation with the CITT, may refine and update operational models or tools.

v. The CITT shall develop a water accounting program to track and report water measurement data collected by the Project Operator for lateral canal diversion works and on-farm delivery locations.

f. **Water Management Coordination** – The CITT shall meet regularly to implement the provisions of Adaptive Management; at a minimum at the frequency defined below, and additionally as needed. The CITT may agree to alter the frequency of meetings.

i. The responsibility to schedule, chair, and record water management coordination meetings will rotate on an annual basis, with the Tribes assigned that responsibility in year one.

Approximate date	Purpose of Meeting
End of January	Review reservoir carryover and initial projection of water supply, tentatively categorize water-year type
End of February	Review reservoir carryover and initial projection of water supply, tentatively categorize water-year type, set March wet and normal year streamflow targets, modify MEF timing (if applicable) to match anticipated snowmelt runoff
End of March	Refine projection of water supply, tentatively categorize water-year type, and set April wet and normal streamflow targets, modify MEF timing (if applicable) to match anticipated snowmelt runoff
Mid-April	Refine projection of water supply, categorize water-year type, update wet and normal streamflow targets for the month, set initial RDAs based on water year type, modify MEF timing (if applicable) to match anticipated snowmelt runoff
Early May	Refine projection of water supply, update water-year type (if applicable), set wet and normal streamflow targets for the month, review initial RDAs based on water year type, taking into account any changes in water year type, modify MEF timing (if applicable) to match anticipated snowmelt runoff
Mid-May	Refine projection of water supply, update water-year type, update wet and normal streamflow targets for the month, update RDAs based on any changes in water year type, modify MEF timing (if applicable) to match anticipated snowmelt runoff
Early June	Refine projection of water supply, update water-year type (if applicable), set wet and normal streamflow targets for month, quantify portion of RDAs used to date, modify MEF timing (if

  ix. The CITT shall enter into agreements with the appropriate State and Federal agencies to accept and expend funds to carry out CITT duties and implement Operational Improvements and Rehabilitation and Betterment Projects.

b. **River Diversion Allowance Evaluation Process**: The CITT shall implement the RDA evaluation process in Article IV.D.1.e.

c. **Shared Shortages Provision**: The CITT shall determine and communicate to the public when Shared Shortages conditions begin and end pursuant to the Shared Shortages provision in Article IV.E.

d. **Water Measurement**:

  i. The CITT shall implement the measurement program described above according to the schedule contained in Appendix 3.4 as settlement funds become available.

  ii. The CITT shall ensure that water measurement instrumentation, data collection, and data management follow the quality assurance protocol developed according to 3.a.ii. above.

  iii. The CITT shall ensure that data management systems are shared among the Parties and the Project Operator.

  iv. The CITT shall ensure that water measurement information is made available to the public at regular intervals in a timely manner, and shall cause a website to be developed and maintained for that purpose.

  v. The Tribes shall install and maintain water measurement equipment and shall manage data at Instream Flow sites and additional streamflow locations, at reservoirs, at RDA diversion works and FIIP irrigation wasteway locations.

  vi. The Project Operator shall be responsible for the installation and maintenance of water measurement equipment and the management of data for lateral canal diversion works and on-farm diversion locations.

  vii. The CITT shall produce an annual report of findings for the full water measurement program.

e. **Water Management Planning Tools** – The CITT shall develop or commission development of water management planning tools to support FIIP water management and Adaptive Management according to the implementation schedule provided in Appendix 3.4.

j. The CITT shall consult with staff within or outside of their respective organizations, including the Montana Bureau of Mines and Geology, to address technical issues that involve questions outside the expertise of the CITT members.

k. The CITT shall comply with applicable Tribal, Federal, and State law during all aspects of project planning and implementation.

3. **Responsibilities of the Compact Implementation Technical Team**

   a. **Planning, Design, and Implementation of Adaptive Management Tools Prior to the Effective Date** – Upon formation, the CITT shall engage in planning, design, and implementation of Adaptive Management prior to the effective date as settlement funds are appropriated. The CITT shall design and implement these programs according to the schedule set forth in Appendix 3.4.

      i. The CITT shall plan for and implement a comprehensive water measurement program.

      ii. The CITT shall devise a quality assurance protocol for implementation of the measurement program.

      iii. The CITT shall plan for and complete the development of the hydrologic and data management and reporting protocols described in 3.d.

      iv. The CITT shall plan for and prioritize implementation of Operational Improvements according to the schedule provided in Appendix 3.4 as settlement funds become available both prior to and following the Effective Date.

      v. The Tribes in consultation with the CITT shall plan for and prioritize implementation of Rehabilitation and Betterment Projects as settlement funds become available both prior to and following the Effective Date according to the schedule set forth in Appendix 3.6.

      vi. The CITT shall plan, prioritize, and implement Stock Water mitigation measures according to the schedule provided in Appendix 3.4 as settlement funds become available both prior to and following the Effective Date.

      vii. The CITT shall plan, prioritize, and implement on-farm efficiency measures according to the schedule provided in Appendix 3.4 as settlement funds become available both prior to and following the Effective Date.

      viii. The CITT shall plan, prioritize, and implement farm delivery accounting measures according to the schedule provided in Appendix 3.4 as settlement funds become available both prior to and following the Effective Date.

d. Irrigator Representation on the CITT.

  i. In the event FIIP operational control is transferred to irrigators served by the FIIP, the CITT position occupied by the FIIP irrigator representative will become an "at large" position to be selected by the other four CITT members.

  ii. In the event that the irrigators served by the FIIP are unable to select a representative, the seat will remain vacant and the CITT will carry out its responsibilities as described herein and in Article IV.G.

e. Each Party will select one representative to serve on a three-member review board to be termed the Compact Management Committee (CMC) as set forth in Article IV.G.5. The roles and responsibilities of the CMC are described in Article IV.G.5.

f. On formation, the CITT shall establish its own operating rules and shall provide for removal of CITT members for cause. Failure to vote with the majority is not cause for removal. CITT members must agree to diligently implement these Adaptive Management provisions and any other applicable Compact provisions.

g. The Parties agree to coordinate with the Project Operator regarding Adaptive Management upon formation of the CITT. The Parties further agree to initiate CITT responsibilities for implementation of Operational Improvements according to the schedule set forth in Appendix 3.4 as settlement appropriations become available.

h. The Parties recognize that title to the FIIP remains with the United States, and that any Operational Improvements or Rehabilitation and Betterment Projects that affect FIIP's real property interests are subject to the approval of the United States, acting through the BIA. It is anticipated that BIA approval shall be obtained through its participation as a member of the CITT; however, situations may occur where explicit BIA approval is necessary. In those situations the CITT shall request such changes in writing to the BIA and shall include a sufficiently detailed description of the contemplated work to allow evaluation. If BIA does not deny the request or grant it with conditions within 30 days of its submittal, it shall be deemed granted. If BIA denies the request or grants it with conditions, the action may be appealed under Title 25, Part 2, Code of Federal Regulations.

i. The CITT is responsible for the allocation of water between instream and irrigation uses based on the projected and realized annual water supply. The Parties agree that the CITT may adjust allocations throughout the irrigation season, based on water supply, seasonal climate variability, and irrigation management considerations. At all times, the CITT shall comply with the Compact and appendices setting forth MEFs, TIFs, and RDAs in its allocation of water.

- **iv.** Determination of River Diversion Allowances (RDAs) for wet, normal, and dry Natural Flow water-year types;
- **v.** Determination of Minimum Enforceable Instream Flows (MEFs) and Target Instream Flows (TIFs);
- **vi.** Prioritization of Operational Improvements and Rehabilitation and Betterment projects;
- **vii.** Quantification and apportionment of Reallocated Water following completion of Rehabilitation and Betterment actions;
- **viii.** Reporting of data collected and information generated by the CITT in a publically accessible format; and
- **ix.** Advising the Project Operator regarding the implementation of Operational Improvements, Rehabilitation and Betterment, and Adaptive Management.

2. Compact Implementation Technical Team

a. The CITT shall form within six months of the date the ratification of the Compact by the Montana legislature takes effect under State law. Each Party and the Project Operator shall assign a technical team member to the CITT; these representatives must meet the qualifications in 2.b of this Appendix. FIIP irrigators may assign an irrigator representative to the CITT provided that the representative meets the irrigator qualifications in 2.c of this Appendix or the conditions of 2.c.iii of this Appendix apply.

b. CITT Technical Member Qualifications: CITT technical team members shall, at a minimum, possess a bachelor's degree and three years of related experience in one or more of the following areas: water resources management, hydrology, hydrogeology, geology, environmental sciences, biological sciences, agricultural engineering, or civil engineering with an emphasis on water resources.

c. CITT Irrigator Team Member Qualifications:

- **i.** The CITT irrigator team member shall, at a minimum, own 40 acres served by the FIIP; have ten years of experience in irrigated agriculture; and be in compliance with applicable BIA rules and guidelines for the FIIP.
- **ii.** The irrigator member shall be selected by all irrigators served by the FIIP pursuant to a procedure of their choosing.
- **iii.** In the event the irrigators served by the FIIP hire a consultant to be their technical representative on the CITT, that consultant shall meet the CITT qualifications listed in 2.b of this Appendix.

Appendix 3.5: Adaptive Management & CITT

Article IV.G of the Compact establishes a Compact Implementation Technical Team (CITT) for purposes of planning for and implementation of Operational Improvements, Rehabilitation and Betterment, and Adaptive Management with regards to the Flathead Indian Irrigation Project (FIIP). This appendix specifies the structure and duties of the CITT.

1. Basis for Compact Implementation and Adaptive Management

a. This appendix identifies actions and tools necessary to carry out provisions of the Compact pertaining to Instream Flows, reservoir pool elevations, and irrigation water management on natural watercourses influenced by, and infrastructure associated with, the Flathead Indian Irrigation Project (FIIP).

b. The commitments and responsibilities of the Parties to implement this Appendix continue over the life of the Compact.

c. The Parties understand that Compact implementation and Adaptive Management represent a substantial commitment of staff and resources.

d. The Parties recognize that their respective roles and the nature of their involvement may change over the life of the Compact. The Parties will reevaluate their respective roles on the Effective Date of the Compact and at yearly intervals thereafter.

e. The Parties agree that data and information collected and prepared in the implementation of Adaptive Management is public information. The Parties shall develop a website on which to post data and information at reasonable intervals each year. Records from the Adaptive Management process shall be retained by the Compact Implementation Technical Team (CITT) and will be considered public records as set forth in Article IV.G.4.b.

f. Adaptive Management involves the following activities, which include Operational Improvements to be implemented according to the schedule set forth in Appendix 3.4:

i. Establishment of a comprehensive measurement program across the FIIP water supply area, including measurement of delivery and distribution infrastructure;

ii. Development and implementation of a water management coordination process for the CITT;

iii. Development of water management planning tools to support integrated management of Instream Flows, reservoir pool elevations, and irrigation water supplies under wet, normal, and dry water supply conditions;

Project Rehabilitation: Jocko Service Area – 11 structures; Mission South service area – 9 structures; Mission North service area – 28 structures; Camas service area – 18 structures.

Project Benefits: Rehabilitate critical project infrastructure. Greater operational control of irrigation water. Opportunity to incorporate automation and water measurement into select structures.

Project Benefits: Greater operational control for irrigation and streamflow management. Reduced impact to stream from current channel spanning diversion structure.

13. Camas A Canal Diversion on Little Bitterroot River

Project Scope: Diversion check dam, headworks and gates rehabilitation, and stream and floodplain reclamation at site.

Current Condition: Deteriorated high head check dam, headworks and gates. Diversion check dam is full barrier to fish passage on Little Bitterroot River. Condition of gates leads to dewatering below diversion check dam. Heavily modified stream and floodplain at site.

Proposed Rehabilitation: Due to site complexity, full site analysis to execute most effective rehabilitation and betterment approach for diversion check dam, headworks, and gate. Rebuild structures (or structure equivalents) based on analysis. Incorporate gate automation and fish passage. Preclude fish entrainment in headworks design. Stream and floodplain reclamation at site.

Project Benefits: Project would rebuild channel-spanning diversion check dam, headworks, and gate structure. Project would reconnect fisheries above and below structure. Project would eliminate river dewatering below structure. Project would improve irrigation water and streamflow management. Project would improve stream and floodplain conditions.

14. Mission Creek Structures

Project Scope: Improvements to Mission Dam outlet crossing structure at Mission A Canal to Pablo Feeder Canal, Mission B Canal diversion structure, and Mission C Canal diversion structure.

Current Condition: Deteriorated concrete at diversion structures. High maintenance due to condition and design. Modified stream and floodplain conditions at sites.

Project Rehabilitation: Rebuild structures with updated design to improve fishery conditions and reduce chronic maintenance. Stream and floodplain reclamation at sites.

Project Benefits: Greater operational control for irrigation and streamflow management. Reduced impact to stream and floodplain from current channel spanning diversion structures.

15. Structure Rehabilitation throughout FIIP Distribution System

Project Extent: Rehabilitate or replace irrigation structures with a cost over $20,000 each throughout the FIIP.

Current Condition: Deteriorated or failed concrete structures.

Project Benefits: Improve reliability of water supply to irrigated lands and reduce dependence on Revais Creek for irrigation water supply. Replacing oil-cooled pump with water-cooled pump will eliminate the potential for a release to Jocko River.

10. Pablo Feeder Canal Diversion at Post Creek

Project Scope: Diversion check dam, headworks and gate structure rehabilitation and stream and floodplain reclamation at site.

Current Condition: The diversion check dam and headworks has deteriorated concrete and gates. The stream and floodplain at the site have been heavily modified and fish passage is not incorporated into the diversion check dam. An overpass flume was recently constructed to separate the Pablo Feeder Canal south of Post Creek from Post Creek. A short section of stream below the diversion works may be dewatered due to site operations.

Proposed Rehabilitation: Rebuild diversion check dam, headworks and headworks gates. Headworks gate automation. Fish passage across diversion dam. Stream and floodplain reclamation at site.

Project Benefits: Project located in occupied bull trout habitat. Project would improve fishery conditions for endangered bull trout and would improve irrigation operations at site. Project would improve irrigation water and streamflow management. Project would improve stream and floodplain conditions.

11. Pablo Feeder Canal Diversion at North Crow Creek

Project Scope: Diversion check dam, headworks structure improvement and stream and floodplain reclamation at site.

Current Condition: Deteriorated diversion structure, overflow structure, headworks, and headworks gates. Stream and floodplain are heavily modified at site.

Proposed Rehabilitation: Rebuild diversion structure, headworks and gates. Install headworks gate automation. Stream and floodplain reclamation at site.

Project Benefits: Greater operational control for irrigation and streamflow management. Reduced impact to stream from current channel spanning diversion structure.

12. Pablo Feeder Canal Diversion at South Crow Creek

Project Scope: Diversion check dam and headworks rehabilitation.

Current Condition: Deteriorated concrete diversion structure, headworks, and headworks gates.

Proposed Rehabilitation: Rebuild diversion structure, headworks and gates. Install headworks gate automation.

7. Jocko Lower J Canal Diversion

Project Scope: Diversion check dam, headworks and gate structure rehabilitation, and stream and floodplain reclamation at site.

Current Condition: Diversion check dam is a pin and plank structure that is failing. Headworks has large forebay area that requires ongoing maintenance. Stream and floodplain reach through site have been modified.

Proposed Rehabilitation: Rebuild diversion check dam, headworks and headworks forebay. Install headworks gate automation. Restore stream channel and floodplain at site.

Project Benefits: Project located in occupied critical bull trout habitat. Project would improve fishery conditions and would improve irrigation operations through gate automation and reduction in site maintenance and disturbance. Project would improve irrigation water and streamflow management.

8. Crow Creek Pumping Plant and Canal Diversion on Crow Creek

Project Scope: Increase pumping plant capacity, modernize pumping plant, and improve diversion check dam.

Current Condition: Pumping plant is outdated and often non-operational. Diversion check dam is full barrier to fish passage on Crow Creek.

Proposed Rehabilitation: Reconstruct pumping plant to increase capacity and modernize facility. Place Crow pumping plant canal in pipe. Construct suitable fish passage at diversion dam.

Project Benefits: There is opportunity to pump water from Crow Creek into Ninepipe Reservoir during off-irrigation season months while maintaining proposed instream flows and downstream irrigation water requirements. This will benefit instream flow management in Post Creek during the irrigation season. Fish passage across the diversion dam will reconnect fisheries in Crow Creek. Replacing the oil-cooled pump with a water-cooled pump will eliminate the potential for a release to Crow Creek.

9. Revais Creek Pumping Plant

Project Scope: Modernize pumping plant.

Current Condition: Pumping plant is outdated and many components are obsolete.

Proposed Rehabilitation: Reconstruct pumping plant to modern standards intended. Headworks and diversion check dam are not optimal to address fisheries concerns and irrigation operations. The stream channel and floodplain have been modified at the site.

Proposed Rehabilitation: Improve fish passage and screening facilities and integrate into irrigation operations. Headworks gate automation and diversion check dam and headworks rehabilitation or reconstruction. Stream and floodplain reclamation at site.

Project Benefits: Project located in occupied critical bull trout habitat and listed as needed in 2009 BIOP for FIIP transfer. Project would improve fishery conditions for endangered bull trout and would improve irrigation operations at site. Project would improve irrigation water and streamflow management. Project would improve stream and floodplain conditions.

5. Flathead River Pumping Plant

Project Scope: Rehabilitation or replacement of Flathead Pumping Plant, Flathead Pumping Plant Canal, and access road to plant.

Current Condition: The three penstock pipes have geotechnical stability issues and deteriorated condition to the point where multiple leaks are occurring. Pump motor controls are obsolete and in poor condition. Impellers need replacement. Access roadway does not meet current safety standards. Flathead pump canal is concrete-lined, but a repair liner has been placed inside the original liner. Canal does not have adequate freeboard above the water surface when all three pumps are operating.

Project Rehabilitation: Full evaluation to modernize pumping plant and associated infrastructure.

Project Benefits: Rehabilitate critical project infrastructure which has the ability to increase irrigation water supply to FIIP.

6. Fish Entrainment – McDonald Reservoir, Tabor Reservoir, Flathead Pumps

Project Scope: Improvement to outlet works at two reservoirs and intake to Flathead Pumps.

Current Condition: All three sites are located in occupied bull trout habitat, and entrainment and loss of fish may occur at each site.

Proposed Rehabilitation: The 2009 BIOP for FIIP transfer identified screening as the approach to preclude entrainment. Based on Fisheries Biologist input, it is more appropriate to step back and develop optimal approach to preclude entrainment at each site and construct selected approach.

Project Benefits: Project(s) located in occupied critical bull trout habitat and listed as needed in 2009 BIOP for FIIP transfer. Project(s) would preclude fish entrainment at sites and potential take of endangered bull trout.

diversion check dam and headworks are not optimal to address fisheries concerns and irrigation operations. Deteriorated concrete at headworks. The stream channel and floodplain have been modified at the site.

Proposed Rehabilitation: Improve fish passage and screening facilities and integrate into irrigation operations. Headworks gate automation and diversion and headworks improvements. Stream and floodplain reclamation at site.

Project Benefits: Project located in occupied critical bull trout habitat and listed as needed in 2009 BIOP for FIIP transfer. Project would improve fishery conditions for threatened bull trout and would improve irrigation operations at site. Project would improve irrigation water and streamflow management. Project would improve sediment management and stream and floodplain conditions.

3. North Fork Jocko River Diversion at Tabor Feeder Canal and Fish Entrainment and Passage at site

Project Scope: Diversion dam, Tabor Feeder Canal headworks and gate structure rehabilitation, stream and floodplain reclamation at site.

Current Condition: Critically deteriorated concrete diversion dam, headworks, and headworks gates. No fish passage at dam or control of fish entrainment into Tabor Feeder Canal. Stream and floodplain at site heavily modified. Sediment management required at site.

Proposed Rehabilitation: Due to site complexity, full feasibility analysis is required to define the potential service life and rehabilitation options for the diversion dam, to define the optimal fish passage and canal fish entrainment facilities, and to execute the most effective rehabilitation and betterment approach. Irrigation and fish structure automation is needed at site.

Project Benefits: Project is located in occupied critical bull trout habitat and listed in the 2009 BIOP for FIIP transfer. Project would improve available habitat for bull trout, which are listed as threatened under the Endangered Species Act, and would preclude fish entrainment in Tabor Feeder Canal. Project would improve irrigation water and streamflow management. Project would improve sediment management and stream and floodplain conditions in diversion reach.

4. Jocko Upper S Canal Diversion and Fish Entrainment and Passage at site

Project Scope: Diversion check dam and Jocko upper S Canal headworks structure rehabilitation, and stream and floodplain reclamation at site.

Current Condition: The diversion check dam and headworks structure have been retrofitted to include selective fish passage and screening to preclude entrainment in the upper S Canal. The diversion check dam was reconstructed as an Obermeyer Gate, but cannot be operated as

Current Condition: Canals are shaped in native earth materials and have varying, but generally high rates of seepage. Condition varies, but lateral and sub-lateral canal prisms are generally deteriorated and in constant need of maintenance. Smaller water management structures are generally in a deteriorated to critically deteriorated condition. Open canals are difficult to regulate without allowing high tailwater losses.

Proposed Rehabilitation: Details for this rehabilitation and betterment project category will be developed during the pre-design phase but general criteria are listed as follows:

- Rehabilitation and betterment will, in most instances, target replacement of gravity earthen canals with pipe, although there may be individual canal sections where an open canal section is preferable.
- Focus for this project will be to rehabilitate lateral and sub-lateral canals with peak discharges less than 100 cfs, but in most instances peak canal discharge will be less than 40 cfs.
- Pipe material options will be defined during design planning, but may include reinforced concrete pipe (RCP), high density polyethylene (HDPE) pipe, and polyvinyl chloride (PVC) pipe.
- Water management structures, onfarm delivery points, and stock water access points will be integrated into specific project designs.
- Lateral and sub-lateral rehabilitation will be planned to support and optimize both canal water measurement and onfarm delivery water measurement.

Target Miles for Lateral and sub-lateral canal rehabilitation and betterment

Mission Valley south of Crow Creek	42 miles
Mission Valley north of Crow Creek	24 miles
Jocko Valley	18 miles
Little Bitterroot Valley	6 miles

Project Benefits: Lateral and sub-lateral rehabilitation will lead to water saving through reduced conveyance losses and will improve instream flow levels. Lateral and sub-lateral rehabilitation will reduce operation and maintenance costs for FIIP, eliminate numerous small water management structures, and will improve demand-based delivery to farm tracts. This activity will also reduce irrigation tailwater through improved water management and distribution.

2. Jocko K Canal Diversion and Fish Entrainment and Passage at site

Project Scope: Diversion check dam, Jocko K Canal headworks and gate structure rehabilitation, and stream and floodplain reclamation in diversion reach.

Current Condition: The diversion check dam and headworks structure have been retrofitted to include selective fish passage and screening to preclude entrainment in the K Canal. The

Appendix 3.6: Rehabilitation and Betterment

This appendix to the Compact identifies rehabilitation and betterment projects for the Flathead Indian Irrigation Project (FIIP). Projects are listed in relative order of priority. The priority scheme may be modified by the Compact Implementation Technical Team, as identified in Appendix 3.5 to the Compact. Rehabilitation and Betterment projects that are identified are intended to be supported from Federal appropriations. As such, implementation of projects cannot be guaranteed until Federal appropriations are specifically made available. The full list of projects may not be completed if funds are insufficient to complete the work, and it is not a requirement of the Compact that all rehabilitation and betterment projects be completed. The Compact Implementation Technical Team shall plan for and prioritize rehabilitation and betterment projects as identified in Appendix 3.5.

The Tribes shall have the authority over Rehabilitation and Betterment actions that use funding from the Federal contribution to settlement.

Rehabilitation and betterment projects are intended to benefit fishery and wildlife resources, irrigation project infrastructure and ongoing operation and maintenance of the FIIP. Specific projects will lead to water savings or improved utilization of existing irrigation project water supply sources. Most of the projects share benefits across these categories.

List of Projects

1. Irrigation canal lateral and sub-lateral rehabilitation and betterment implemented based on the following geographic priorities: 1) Mission Valley south of Crow Creek; 2) Mission Valley north of Crow Creek; 3) Jocko Valley; and 4) Little Bitterroot Valley

Project Scope: The majority of canal laterals and sub-laterals within FIIP service areas are gravity earthen canals, and there are well over 200 miles of this type of canal on the FIIP. Canal rehabilitation is distributed into four geographic areas due to the large scope of the project and the Parties' focus to phase in instream flows and river diversion allowances and to reduce or eliminate irrigation tailwater by geographic area.

Due to the large extent of gravity earthen canals across the FIIP, and the high cumulative cost to replace open canals with pipe, not all lateral and sub-lateral canals will be rehabilitated. The proposed rehabilitation detailed below identifies target canal lengths to be rehabilitated by geographic area.

Currently the FIIP distributes water based on a gravity canal network, generally designed for irrigation practices of the early 1900s. Lateral and sub-lateral rehabilitation provides an opportunity to modernize portions of the FIIP, and apply best irrigation management practices which conform to current standards. Prior to project implementation in any geographic area, a design planning phase will be completed to evaluate opportunities to re-align canals and reduce diversions, while maintaining service to assessed acres and valid farm turnouts on the FIIP.

5 Recommendations

Using the recorded April through July streamflow at the active natural flow monitoring gages around the periphery of the Project (indicator gages), the Hydrologic Condition for the Jocko, Mission, and Little Bitterroot areas can be quantified as follows:

Table 5.1: Hydrologic Condition Based on April-July Flow at Indicator Gages

Hydrologic Condition	***Jocko Area***	***Mission Area***	***Little Bitterroot Area***
	Combined April through July flow at: • South Fork Jocko River (USGS Gage 12381400) • Agency Creek above Jocko S Canal (CSKT Gage 5167.00)	Combined April through July flow at: • South Crow Creek (USGS Gage 12375900) • Mission Creek above Reservoir (USGS Gage 12377150) • Hellroaring Creek above Reservoir (CSKT Gage 0060.00) • North Crow Creek at Campground (CSKT Gage 3512.00)	April through July Flow at: • Mill Creek above Bassoo Creek (USGS Gage 12374250)
Wet Year	> 41,500 AF	> 66,500 AF	> 4,900 AF
Normal Year	29,000 AF – 41,500 AF	46,500 AF – 66,500 AF	2,200 AF – 4,900 AF
Dry Year	< 29,000 AF	< 46,500 AF	< 2,200 AF

Table 4.3: Little Bitterroot Area Wet / Dry / Normal Flows Using Active Natural Flow Gage

Rank	*Exceedance Probability*	*Apr-Jul Flow(AF)*	*Year*
1	5%	11,294	1997
2	10%	7,668	1991
3	14%	7,449	1996
4	19%	5,243	2002
5	24%	4,848	1990
6	29%	4,768	1986
7	33%	4,569	1989
8	38%	4,290	2000
9	43%	4,099	1999
10	48%	3,951	1985
11	52%	3,163	1983
12	57%	3,064	1998
13	62%	2,885	1995
14	67%	2,752	1987
15	71%	2,362	1984
16	76%	2,095	1993
17	81%	2,073	1988
18	86%	1,877	1994
19	90%	1,775	1992
20	95%	1,712	2001

4 Little Bitterroot Area

The Little Bitterroot River below Camas A Canal below Mill Creek (Node #313100) was used to determine wet, dry, and normal years for the Little Bitterroot Area.

Table 4.1: Little Bitterroot Area Wet / Dry / Normal Determination Using Natural Flow Model Results

Rank	*Exceedance Probability*	*Apr-Jul Flow(AF)*	*Year*
1	5%	53,025	1997
2	10%	33,448	1996
3	14%	30,047	1991
4	19%	26,122	1990
5	24%	21,840	2002
6	29%	20,455	1989
7	33%	19,272	1986
8	38%	16,436	1998
9	43%	16,196	1985
10	48%	13,737	1999
11	52%	13,376	1993
12	57%	13,141	1995
13	62%	12,790	1983
14	67%	12,254	1987
15	71%	12,157	2000
16	76%	9,162	1988
17	81%	8,792	1984
18	86%	8,739	1994
19	90%	7,979	2001
20	95%	6,900	1992

A number of natural flow gages have been maintained in the Little Bitterroot Area over the years:

Table 4.2: Little Bitterroot Area Natural Flow Gages with 1983 – 2002 Study Period Data

Station Number	*Station Name*	*Operating Entity*	*Status*
12374250	Mill Cr ab Bassoo Cr nr Niarada	USGS	Active
3122.00	Bassoo Creek near Niarada	CSKT	Discontinued
3126.00	Mill Creek bl Bassoo Creek	CSKT	Discontinued
3141.00	Mill Pocket Creek near Niarada	CSKT	Discontinued
12374800	Cromwell Creek near Niarada	USGS	Discontinued
3162.00	Deep Draw near Elmo	CSKT	Discontinued
3168.00	Sullivan Springs at Niarada	CSKT	Discontinued
3181.00	Oliver Gulch near Hot Springs	CSKT	Discontinued

Using the streamflow for the active natural flow gage located on the periphery of the Project (indicator gage), the Dry, Wet, and Normal years previously determined for the Little Bitterroot area fall as shown below.

Table 3.4: Mission Area Wet / Dry / Normal Flows Using Active Natural Flow Gages (2)

Hellroaring Cr (60.00)				*North Crow Cr (3512.00)*				*Combined*			
Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year	Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year	Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year
1	5%	7,310	1997	1	5%	25,277	1997	1	5%	78,151	1997
2	10%	5,785	1996	2	10%	24,748	1983	2	10%	73,446	1983
3	14%	4,892	1990	3	14%	23,058	1993	3	14%	69,626	1993
4	19%	4,786	1983	4	19%	22,937	1984	4	19%	68,547	1984
5	24%	4,636	1991	5	24%	21,692	1996	5	24%	66,406	1990
6	29%	4,629	1984	6	29%	20,925	1990	6	29%	66,305	1996
7	33%	4,342	1985	7	33%	20,547	1991	7	33%	63,730	1991
8	38%	4,251	1993	8	38%	19,943	1986	8	38%	60,223	1998
9	43%	4,136	1998	9	43%	19,889	1989	9	43%	60,182	1989
10	48%	4,033	1989	10	48%	18,601	1999	10	48%	60,000	1986
11	52%	3,832	1986	11	52%	18,546	1995	11	52%	55,746	1995
12	57%	3,771	1995	12	57%	17,800	1998	12	57%	54,994	1999
13	62%	3,641	1994	13	62%	17,367	2002	13	62%	53,970	2002
14	67%	3,626	2000	14	67%	16,984	1985	14	67%	51,550	1985
15	71%	3,612	2002	15	71%	16,294	2000	15	71%	50,732	2001
16	76%	3,390	2001	16	76%	15,302	1994	16	76%	49,113	2000
17	81%	3,334	1999	17	81%	14,169	2001	17	81%	46,464	1994
18	86%	3,255	1987	18	86%	13,367	1988	18	86%	45,296	1987
19	90%	3,156	1992	19	90%	13,016	1987	19	90%	43,528	1992
20	95%	2,998	1988	20	95%	12,860	1992	20	95%	42,512	1988

Using the combined streamflow for the active natural flow gages located on the periphery of the Project (indicator gages), the Dry, Wet, and Normal years previously determined for the Mission area fall as shown below.

Table 3.3: Mission Area Wet / Dry / Normal Flows Using Active Natural Flow Gages (1)

South Crow Cr (12375900)				*Mission Cr (12377150)*			
Rank	*Exceedance Probability*	*Apr-Jul Flow (AF)*	*Year*	*Rank*	*Exceedance Probability*	*Apr-Jul Flow (AF)*	*Year*
1	5%	14,159	1983	1	5%	31,484	1997
2	10%	14,080	1997	2	10%	30,401	1993
3	14%	13,290	1984	3	14%	29,753	1983
4	19%	11,916	1993	4	19%	29,140	1990
5	24%	11,449	1990	5	24%	28,122	1998
6	29%	11,309	1996	6	29%	27,731	1991
7	33%	10,994	1986	7	33%	27,691	1984
8	38%	10,816	1991	8	38%	27,519	1996
9	43%	10,316	1995	9	43%	26,177	1989
10	48%	10,165	1998	10	48%	25,369	1999
11	52%	10,083	1989	11	52%	25,231	1986
12	57%	10,057	2002	12	57%	24,919	2001
13	62%	9,692	1985	13	62%	23,113	1995
14	67%	8,254	2001	14	67%	22,934	2002
15	71%	8,028	1994	15	71%	21,390	1987
16	76%	7,926	2000	16	76%	21,267	2000
17	81%	7,690	1999	17	81%	21,000	1992
18	86%	7,635	1987	18	86%	20,532	1985
19	90%	6,784	1988	19	90%	19,493	1994
20	95%	6,512	1992	20	95%	19,363	1988

3 Mission Area

The combined flow of Mission Creek at Mission H Canal (Node #999412) and Crow Creek at Moiese A Canal (Node #999414) was used to determine wet, dry, and normal years for the Mission Area.

Table 3.1: Mission Area Wet / Dry / Normal Determination Using Natural Flow Model Results

Mission Cr				*Crow Cr*				*Combined*			
Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year	Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year	Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year
1	5%	147,252	1997	1	5%	61,593	1997	1	5%	208,846	1997
2	10%	118,515	1984	2	10%	56,562	1983	2	10%	171,562	1984
3	14%	111,710	1983	3	14%	53,048	1984	3	14%	168,272	1983
4	19%	109,717	1990	4	19%	50,875	1996	4	19%	159,322	1990
5	24%	105,739	1996	5	24%	50,513	1993	5	24%	156,615	1996
6	29%	103,724	1998	6	29%	49,605	1990	6	29%	152,716	1993
7	33%	102,253	1986	7	33%	48,170	1991	7	33%	148,364	1986
8	38%	102,203	1993	8	38%	46,399	1989	8	38%	145,903	1998
9	43%	98,587	1989	9	43%	46,112	1986	9	43%	145,558	1991
10	48%	97,389	1991	10	48%	42,970	1995	10	48%	144,986	1989
11	52%	92,443	1999	11	52%	42,179	1998	11	52%	133,445	2002
12	57%	91,267	2002	12	57%	42,178	2002	12	57%	131,407	1999
13	62%	85,544	2001	13	62%	40,283	1985	13	62%	123,131	1995
14	67%	80,160	1995	14	67%	38,964	1999	14	67%	119,546	2001
15	71%	77,671	2000	15	71%	36,382	2000	15	71%	115,018	1985
16	76%	76,729	1987	16	76%	34,615	1994	16	76%	114,053	2000
17	81%	74,735	1985	17	81%	34,002	2001	17	81%	108,559	1994
18	86%	73,944	1994	18	86%	31,280	1987	18	86%	108,009	1987
19	90%	72,349	1988	19	90%	30,603	1988	19	90%	102,952	1988
20	95%	63,643	1992	20	95%	30,360	1992	20	95%	94,003	1992

A number of natural flow gages have been maintained in the Mission Area over the years:

Table 3.2: Mission Area Natural Flow Gages with 1983 – 2002 Study Period Data

Station Number	*Station Name*	*Operating Entity*	*Status*
60.00	Hellroaring Creek ab Reservoir	CSKT	Active
81.00	Centipede Cr ab Twin Fdr Cnl	CSKT	Discontinued
3566.00	Big Creek near Pablo	CSKT	Discontinued
3564.00	North Ashley Creek ab Pablo Fdr Cnl	CSKT	Discontinued
3562.00	Mud Creek above Pablo Fdr Cnl	CSKT	Discontinued
3512.00	North Crow Creek at Campground	CSKT	Active
12375900	South Crow Creek near Ronan	USGS	Active
4870.50	Marsh Creek above Pablo Fdr Cnl	CSKT	Discontinued
4872.00	Eagle Pass Creek near Ronan	CSKT	Discontinued
4860.00	Post Creek above McDonald Reservoir	CSKT	Discontinued
12377150	Mission Cr ab Reservoir nr St Ignatius	USGS	Active
4850.00	Sabine Creek above Mission F Cnl	CSKT	Discontinued
4851.00	Thorne Creek near St Ignatius	CSKT	Discontinued

Table 2.3: Jocko Area Wet / Dry / Normal Flows Using Active Natural Flow Indicator Gages

South Fork Jocko R (12381400)				*Agency Cr (5167.00)*				*Combined*			
Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year	Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year	Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year
1	5%	66,635	1997	1	5%	11,337	1997	1	5%	77,972	1997
2	10%	45,364	1996	2	10%	8,224	1996	2	10%	53,588	1996
3	14%	38,580	1989	3	14%	7,652	1989	3	14%	46,232	1989
4	19%	36,312	2002	4	19%	6,887	1986	4	19%	42,579	2002
5	24%	34,823	1991	5	24%	6,843	1990	5	24%	41,569	1991
6	29%	34,592	1986	6	29%	6,746	1991	6	29%	41,479	1986
7	33%	34,512	1990	7	33%	6,479	1984	7	33%	41,355	1990
8	38%	34,334	1999	8	38%	6,443	1999	8	38%	40,777	1999
9	43%	33,725	1984	9	43%	6,267	2002	9	43%	40,204	1984
10	48%	31,091	1983	10	48%	6,068	1983	10	48%	37,159	1983
11	52%	29,417	1993	11	52%	5,961	2001	11	52%	34,957	1993
12	57%	28,810	2000	12	57%	5,540	1993	12	57%	32,934	2000
13	62%	27,172	1985	13	62%	5,101	1985	13	62%	32,273	1985
14	67%	26,075	2001	14	67%	5,011	1988	14	67%	32,036	2001
15	71%	24,233	1998	15	71%	4,830	1994	15	71%	29,009	1998
16	76%	24,071	1994	16	76%	4,776	1998	16	76%	28,999	1988
17	81%	23,988	1988	17	81%	4,600	1992	17	81%	28,901	1994
18	86%	21,251	1995	18	86%	4,242	1995	18	86%	25,493	1995
19	90%	20,124	1987	19	90%	4,209	1987	19	90%	24,333	1987
20	95%	17,611	1992	20	95%	4,124	2000	20	95%	22,211	1992

Table 2.1: Jocko Area Wet / Dry / Normal Determination Using Natural Flow Model Results

Rank	Exceedance Probability	Apr-Jul Flow (AF)	Year
1	5%	258,304	1997
2	10%	187,857	1996
3	14%	157,564	2002
4	19%	155,092	1990
5	24%	150,146	1989
6	29%	150,006	1986
7	33%	147,155	1999
8	38%	145,931	1991
9	43%	143,353	1984
10	48%	136,384	1983
11	52%	135,085	1993
12	57%	129,598	1998
13	62%	127,940	2000
14	67%	121,203	2001
15	71%	119,387	1985
16	76%	108,497	1988
17	81%	107,913	1994
18	86%	103,619	1987
19	90%	102,941	1995
20	95%	93,204	1992

A number of natural flow gages have been maintained in the Jocko Area over the years:

Table 2.2: Jocko Area Natural Flow Gages with 1983 – 2002 Study Period Data

Station Number	Station Name	Operating Entity	Status
12381400	South Fork Jocko River near Arlee	USGS	Active
12383500	Big Knife Creek near Arlee	USGS	Discontinued
5167.00	Agency Cr ab Jocko S Cnl	CSKT	Active
5161.00	East Fork Finley Cr ab Jocko N Cnl	CSKT	Discontinued
5182.00	Lamoose Cr ab Jocko K Cnl	CSKT	Discontinued
5191.00	East Fork Valley Cr near Arlee	CSKT	Discontinued
12387450	Valley Creek near Arlee	USGS	Discontinued
5191.20	Valley Creek below Hewolf Cr	CSKT	Discontinued
12388400	Revais Cr bl West Fork nr Dixon	USGS	Discontinued

Using the combined streamflow for the active natural flow gages located on the periphery of the Project (indicator gages), the Dry, Wet, and Normal years previously determined for the Jocko area fall as shown below.

1 Introduction

The River Diversion Allowances (RDA), Minimum Enforceable Instream Flows (MEF), and Target Instream Flows (TIF) of the CSKT Water Rights Compact are established to better achieve fishery objectives while also providing for existing irrigation use. The RDAs, MEFs, and TIFs are drawn from the Operational Improvements HYDROSS Model runs for the Jocko (Run Date 11/17/2011) and the Mission (Run Date 11/25/2011). The Little Bitterroot draws on the 2009 Irrigated Lands Mapping HYDROSS Model (Run Date 12/2/2011). Each of the RDAs, MEFs, and TIFs are based on hydrological conditions (wet, normal, and dry) as determined from modeled natural flow near the mouth of the Jocko River, Mission Creek, and Crow Creek, and on the Little Bitterroot River. Streamflow at these locations is impacted by storage regulation, diversions, and return flows and natural flow, therefore cannot be directly measured at these locations.

In order to implement the RDA, MEF, and TIF, the Compact Implementation Technical Team (CITT) must first determine which hydrological condition applies at the time of operation in the future. In order to determine the hydrologic condition, indicator gages must be selected for this purpose. Measurement of streamflow at these indicator gages will be used as a surrogate to the measurement of natural flow at the mouth of the Jocko, Mission, and Crow Creek, and on the Little Bitterroot. Natural flow gages on the periphery of the Project (above all diversions and storage) are selected for this purpose.

The determination of wet, dry, and normal years for the purpose of defining RDA, MEF, and TIF was based on modeled natural streamflow for the April through July forecasting period of the 1983-2002 study period. Dry years are the 4 years for which the Apr-Jul natural flow is below the 80th-percentile exceedance level. Wet years are the 4 years with Apr-Jul natural flow above the 20th-percentile exceedance level. Normal years are those falling between the 80th and 20th percentile exceedance levels.

Selection of the indicator gages for the Jocko, Mission, and Little Bitterroot areas which will be used to determine the Hydrologic Condition (Dry Year, Normal Year, or Wet Year) for future operations; and the range of Apr-Jul Streamflow for each of these conditions, is the subject of this report.

The Operational Improvements envisioned in the CSKT Water Rights Compact include development of improved tools for forecasting streamflow. These tools can be used in the future to forecast the streamflow, and the associated Hydrologic Condition, at these indicator gages.

2 Jocko Area

The Jocko River at Mouth (Node #519500) location was used to determine wet, dry, and normal years for the Jocko Area.

Appendix 3.7: Determination of Wet, Normal, and Dry Years

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List of Abbreviations

CSKT	Confederated Salish and Kootenai Tribes of the Flathead Nation
MEF	Minimum Enforceable Instream Flow
RDA	River Diversion Allowance
TIF	Target Instream Flow
USGS	United States Geological Survey

PROPOSED

UNITARY ADMINISTRATION AND MANAGEMENT ORDINANCE

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CHAPTER I
WATER RESOURCES CONSERVATION, DEVELOPMENT AND ADMINISTRATION

PART 1 - GENERAL PROVISIONS

1-1-101. Authority.

1. This Ordinance is adopted in exercise of the sovereign powers of the Confederated Salish and Kootenai Tribes (Tribes), as reserved and recognized in the Treaty of Hellgate, 12 Stat. 975, by which the Confederated Salish and Kootenai Tribes reserved the present Flathead Reservation for their exclusive use and benefit, and by the authority of the Tribal Council of the Tribes as provided in Article VI, Section 1(a), (n), (t), and (u) of the Tribal Constitution, approved October 26, 1935 by the Secretary of the Interior pursuant to Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 476). This Ordinance is also adopted by the United States pursuant to the Federal Legislation that ratifies and approves the Compact.
2. This Ordinance parallels legislation adopted by the State of Montana pursuant to legislative approval of the Confederated Salish and Kootenai Tribes-Montana Compact and the Montana Water Use Act of 1973 to effectuate Unitary Administration and Management on the Flathead Indian Reservation. Such parallel legislation will be codified in Title 85, MCA.
3. This Ordinance and the parallel Montana legislation are contingently effective; neither operates with the force and effect of law without the other. No modification by the Tribes or the State of Montana of these respective laws shall be effective within the exterior boundaries

of the Reservation unless and until the other makes an analogous modification. No amendment of this Ordinance that may affect a use of the Tribal Water Right may be made without Secretarial approval.

4. Upon the Effective Date of the Compact, this Ordinance shall govern all water rights, whether derived from tribal, state or federal law, and shall control all aspects of water use, including all permitting of new uses, changes of existing uses, enforcement of water right calls and all aspects of enforcement within the exterior boundaries of the Flathead Indian Reservation. Any provision of Title 85, MCA, that is inconsistent with this Law of Administration is not applicable within the Reservation.

1-1-102. Findings and Policy. The Tribal Council finds and declares as follows:

1. The waters of the Flathead Reservation are a hydrological unitary resource in that
    a. all waters of the Reservation drain into the Flathead River, a part of the Columbia River system, or into Flathead Lake, a naturally occurring lake which is fed by the Flathead River north of the Reservation and which empties into the Flathead River within the Reservation, and
    b. most of the water appropriated and utilized by the people on the Reservation is taken from streams and Groundwater arising on or under lands owned by the Tribes and tributary to the Flathead Lake or the Flathead River; the balance of the surface water consumed on the Reservation is appropriated and diverted from off-Reservation sources by the United States, and

   c. there is a clear hydrological interrelationship between the surface and Groundwater of the Reservation, and
   d. each use of water of the Reservation may affect water use by all Reservation residents;
2. Prudent and knowledgeable conservation, management, and protection of the uses of water resources of the Reservation are essential to the health and welfare of all Reservation residents;
3. The waters of the Reservation are one of the foremost assets of the Reservation, and Reservation resident well-being and development depends, in large measure, on wise and stable regulation of the appropriation, use, and conservation of this resource; and
4. The public policy of the Confederated Salish and Kootenai Tribes is
   a. to provide for the conservation, development, beneficial use, and quality of the water resources of the Reservation to promote the health, welfare, and economic and social prosperity of Reservation residents,
   b. to recognize and confirm valid existing uses of waters of the Reservation for any beneficial purpose consistent with the policies and provisions of the Compact and this Ordinance,
   c. to manage and protect supplies of waters of the Reservation that are adequate to preserve the ecosystem of the Reservation, to conserve and enhance Reservation wildlife and fisheries, to maintain and improve opportunities for water-based recreation, and to secure to Reservation residents the quiet enjoyment of the use of waters of the Reservation for beneficial uses,

d. to provide methods and procedures for the appropriation of the waters, for maintenance and enhancement of water quality, and for the establishment and maintenance of a system of central records of permitted water uses of the Reservation, and

e. to secure the greatest benefits from the use of Reservation waters by sound coordination of conservation and development with the development and use of other natural resources of the Reservation.

1-1-103. Notice of Enactment. To insure that all Persons affected by this Ordinance are given notice of its enactment, its effective date, and its purpose, the Water Management Board, no later than sixty (60) days prior to the date set in Section 1-1-116 of this Ordinance, establishing the effective date of this Ordinance shall cause the following notice to be posted on its website, and also published weekly for four weeks in (1) a daily newspaper of general circulation on the Flathead Reservation, (2) one or more weekly newspapers of general circulation on the Flathead Reservation, and (3) the Tribal newspaper:

[INSERT NOTICE HERE]

1-1-104. Definitions. Unless otherwise defined herein, capitalized terms used in this Ordinance shall have the meaning set forth in the Compact.

1. "Allottee" or "Allottees" means an owner of an interest in a tract of land held in trust by the United States which was allotted pursuant to the Act of April 23, 1904, 33 Stat. 302, as amended, or the Act of February 25, 1920, 41 Stat. 452, as amended.

2. "Appropriate" means to divert, impound, maintain an instream, inlake, inwetland or impoundment use, or withdraw a quantity of water for a beneficial use on the Flathead Indian Reservation under color of law.
3. "Appropriation" means the diversion, impoundment, maintenance of an instream, lake, Wetland, or impoundment use, or the withdrawal of a quantity of water for a Beneficial Use on the Flathead Indian Reservation under color of law.
4. "Appropriation Right" means a right to Appropriate water issued by the Water Management Board pursuant to the terms of the Compact and this Ordinance.
5. "Aquifer Injection" means the subsurface discharge of fluids into the ground by means of an Injection Well.
6. "Appropriator" means a Person who Appropriates water.
7. "Beneficial Use" means a consumptive or non-consumptive use of water for the benefit of the Appropriator, other Persons, the Tribes, one or more Tribal members, or the general public, including but not limited to agricultural, stock water, domestic, fish and wildlife, cultural and religious practices, industrial, Instream Flow, irrigation, mining, Mitigation Water, municipal, power, recreational uses, and Wetlands purposes.
8. "Business" means a building or site where commercial work is carried on, including but not limited to a factory, store, or office.
9. "Change in Use" means an authorized change in the point of diversion, the place of use, the period of use, the purpose of use, or the place of storage of an Appropriation Right issued by the Water Management Board under the Compact and this Ordinance, or of an Existing Use. A changed water right retains the original priority date of that right.

10. “Compact” means that water rights settlement entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States.
11. “Complainant” means one who files a Complaint.
12. “Complaint” means a written assertion of injury submitted to the Engineer pursuant to Section 3-1-102 of this Ordinance.
13. “Consumptive Use” means the amount of water used for a beneficial purpose, such as water transpired by growing vegetation, evaporated from soils or water surfaces, or incorporated into products, that does not return to the Groundwater or surface water source.
14. “Designee” means an individual selected by the Engineer to exercise, in regard to a particular application or objection, those powers assigned to the Engineer under Chapter II of this Ordinance. Any Staff is eligible to be selected as a Designee provided that he or she has not previously worked on the particular application or objection at issue.
15. “Developed Spring” means any artificial opening or excavation in the ground, however made, including any physical alteration at the point of discharge regardless of whether it results in any increase in the yield of Groundwater, from which Groundwater is sought or can be obtained or through which it flows under natural pressures or is artificially withdrawn.
16. “Development” means contiguous or closely grouped parcels of land under the same or affiliated ownership, including, but not limited to, housing subdivisions or any combination of business and residential units.
17. “DNRC” means the Montana Department of Natural Resources and Conservation, or any successor agency.

18. “Domestic Allowance” means an entitlement to use water issued to households and small businesses pursuant to the provisions of Section 2-2-117 of this Ordinance; Domestic Allowances include Individual Domestic Allowances, Shared Domestic Allowances, and Development Domestic Allowances.
19. “Domestic Use” means those water uses common to a household, including washing, drinking, bathing, waste disposal, cooling and heating, domestic animals, and garden and landscape irrigation. Domestic Use does not include the filling of ponds, pits, pit-dams or reservoirs.
20. “Effective Date” means the date on which the Compact is finally approved by the Tribes, by the State, and by the United States, and on which the Law of Administration has been enacted and taken effect as the law of the State and the Tribes, whichever date is latest.
21. “Emergency” means a situation that demands unusual or immediate action to prevent imminent injury to life, property, or the environment.
22. “Enclosed Storage” means a storage container fully enclosed to include a cistern or tank.
23. “Existing Use” means a use of water under color of Tribal, State or Federal law in existence as of the Effective Date, including uses in existence on that date that are eligible for either of the registration processes set forth in Sections 2-1-101 through 2-1-108 of this Ordinance; provided that any portion of a Water Right Arising Under State Law within the Reservation that is, at any point after the date the ratification of the Compact by the Montana Legislature takes effect under State law, voluntarily relinquished or is legally determined to be abandoned, relinquished, or have otherwise ceased to exist, shall be stricken from the

relevant basin decree as a Water Right Arising Under State Law and be entitled to no further protection as such a right or as an Existing Use.

24. "Flathead Indian Irrigation Project" or "FIIP" means the irrigation project developed by the United States to irrigate lands within the Reservation pursuant to the Act of April 23, 1904, Public Law 58-159, 33 Stat. 302 (1904), and the Act of May 29, 1908, Public Law 60-156, 35 Stat. 441 (1908), and includes, but is not limited to, all lands, reservoirs, easements, rights-of-way, canals, ditches, laterals, or any other FIIP facilities (whether situated on or off the Reservation), head gates, pipelines, pumps, buildings, heavy equipment, vehicles, supplies, records or copies of records and all other physical, tangible objects, whether of real or personal property, used in the management and operation of the FIIP.

25. "FIIP Influence Area" means the lands influenced by the operations of the FIIP as identified on the map attached to the Compact as Appendix 2.

26. "Flathead Indian Reservation" or "Reservation" means all land within the exterior boundaries of the Indian Reservation established under the July 16, 1855 Treaty of Hellgate (12 Stat. 975), notwithstanding the issuance of any patent, and including rights-of-way running through the Reservation.

27. "Flathead System Compact Water" means that portion of the Tribal Water Right consisting of 229,383 acre feet per year that the Tribes may withdraw from the Flathead River or Flathead Lake, which includes up to 90,000 acre feet per year stored in Hungry Horse Reservoir, with a maximum total volume consumed of 128,158 acre feet per year.

28. "Groundwater" means any water that is beneath the surface of the earth.

29. “Groundwater Management Area” means an area designated and managed under Section 1-1-109.

30. “Heating/Cooling Exchange Well” means a Well for the purpose and with the attributes set forth in Section 2-2-119(1) of this Ordinance.

31. “Home” means a house, apartment, or other shelter that is a permanent or temporary residence of a Person, family, or household.

32. “Illegal” or “Illegally” means, as it pertains to the use of water, to Appropriate water not pursuant to an Appropriation Right or Existing Use.

33. "Injection Well" means a Well utilized for injecting fluids or gases into geologic materials. Open pits, ponds, or excavations are not considered injection wells.

34. “Instream Flow” means a stream flow retained in a watercourse to benefit the aquatic environment. Instream Flow may include Natural Flow or streamflow affected by regulation, diversion, or other modification. A water right for Instream Flow purposes is quantified for a stream reach and measured for enforcement purposes at a specified point.

35. “Livestock” means cattle, bison, sheep, swine, horses, mules, goats, or other animals specifically raised and used for food or fiber or as a beast of burden.

36. “Mitigation” means the reallocation of surface water or Groundwater through a Change in Use or other means to offset adverse effect resulting from Net Depletion by any proposed new Appropriation.

37. “Mitigation Plan” means a plan as developed by an applicant to provide Mitigation.

38. “NRD” means the Confederated Salish and Kootenai Tribes’ Natural Resources Department.

39. “Natural Wetland” means a Wetland area that is maintained with a natural surface water source, natural Groundwater source or a combination of natural surface water and natural Groundwater without any artificial means of diversion, impoundment, withdrawal, excavation, or other artificial means of control.

40. "Net Depletion" means the calculated volume, rate, timing, and location of reductions to a water source resulting from a proposed new Appropriation that are not offset by the corresponding accretions to that source caused by the proposed new Appropriation.

41. “Non-consumptive Use” means any beneficial use of water that does not meet the definition of consumptive use.

42. “Other Instream Flows” means the Tribal instream flow water rights for stream reaches described in Article III.C.1.d.iii of the Compact.

43. “Office of the Engineer” means the Engineer and Staff, acting in their official capacities.

44. “Person” means an individual or any other entity, public or private, including the Tribes, the State, and the United States, and all officers, agents and departments of each sovereign.

45. “Pits, Pit-dams, Constructed Ponds, or Reservoirs” refer to bodies of water that are created by man-made means and which store water for beneficial use.

46. “Project Manager” means the person or team of persons hired by the Project Operator to operate and manage the FIIP in accordance with its direction, this and other applicable agreements, and applicable law, including the Compact.

47. “Project Operator” means that entity with the legal authority and responsibility to operate the Flathead Indian Irrigation Project.

48. "Public Water Supply System" means a system for the provision of water for human consumption that has at least 15 service connections or that regularly serves at least 25 Persons daily for any 60 or more days in a calendar year.

49. "Publish" or "Publication" means, unless otherwise designated, the printing of an announcement of document availability, or the text of the document itself, in a newspaper of general circulation on the Reservation and in the Tribal newspaper and posting on the Water Management Board's website.

50. "Redundant Well" means a Well to provide a backup source of water for a Public Water Supply System.

51. "Restored Natural Wetland" means a Wetland area that, upon restoration, shall be maintained with a natural surface water source, natural Groundwater source, or a combination of natural surface water and natural Groundwater without any artificial means of diversion, impoundment, withdrawal, excavation, or other artificial means of control.

52. "Secretary" means the Secretary of the United States Department of the Interior or the Secretary's duly assigned representative.

53. "Shall" means a mandatory and not a discretionary act.

54. "Shared Well" means a single Well that is physically manifold to multiple homes and/or businesses and is cooperatively used pursuant to a Shared Well Agreement.

55. "Shared Well Agreement" means a legally binding document that stipulates the manner in which a Shared Well is jointly used between or among all Homes or Businesses connected to the well; to be valid, it must be signed by representatives for each Person having a possessory interest in each individual Home or Business connected to a Shared Well.

56. "Spring" means a perennial hydrologic occurrence of water involving the natural flow of water originating from beneath the land surface and arising to the surface of the ground.

57. "Staff" means the employees, contractors and others assigned to or engaged by the Board or the Engineer to assist or facilitate the Engineer in carrying out the duties assigned to the Engineer by the Compact and this Ordinance, and by the Board pursuant to the same.

58. "Stock Tank" means a 30 to 1500 gallon tank used to provide drinking water for Livestock that is equipped with a water level regulator that shuts off supply to keep the Stock Tank from overflowing.

59. "Substitute Well" means a Well that replaces an existing Well which is to be abandoned.

60. "Temporary Emergency Appropriation" means the temporary beneficial use of water necessary to protect lives, property, or the environment, by reason of fire, storm, earthquake or other disaster, or unforeseen combination of circumstances which call for immediate action. An appropriation made necessary due to drought conditions is not a temporary emergency appropriation.

61. "Temporary Groundwater Management Area" means an area established pursuant to Section 1-1-109(10).

62. "Tribal Member" means a Person who is lawfully enrolled by and whose name appears on the official enrollment list of the Confederated Salish and Kootenai Tribes.

63. "Tribal Water Right" means the water rights of the Confederated Salish and Kootenai Tribes, including any Tribal member or Allottee, that arise under Federal law, as set forth in Article III.A, Article III.C.1.a through j, Article III.C.1.k.i, Article III.C.1.l.i, Article III.D.1 through 3, and Article III.D.7 and 8 of the Compact. The term "Tribal Water Right" also includes

those rights identified in Article III.H of the Compact that are appurtenant to lands taken into trust by the United States on behalf of the Tribes.

64. "Tribes" means the Confederated Salish and Kootenai Tribes of the Flathead Reservation, and all officers, agencies, and departments thereof.
65. "Waste or Wasting" means the unreasonable loss of water resulting from the design, construction, operation or maintenance of a water diversion, storage or distribution facility, Well, Developed Spring, or the application of water to anything but a beneficial use.
66. "Water Engineer" or "Engineer" means the Person satisfying the criteria in Section 1-2-109 employed by the Water Management Board pursuant to Article IV.I.5.c of the Compact to exercise the powers and duties of the Water Engineer as set forth in the Compact and this Ordinance.
67. "Water Management Board" or "Board" means the board created by Article IV.I of the Compact and vested with the responsibilities set forth in the Compact and in Tribal and State law for the administration of water within the Reservation.
68. "Water Rights Arising Under State Law" means those valid water rights Arising Under State Law existing as of the Effective Date and not subsequently relinquished or abandoned, as those rights are: decreed or to be decreed by the Montana Water Court pursuant to 85-2-234, MCA; permitted by the DNRC; exempted from filing in the Montana general stream adjudication pursuant to 85-2-222, MCA; or excepted from the permitting process pursuant to 85-2-306, MCA.

69. “Well” means any artificial opening or excavation in the ground, however made, by which Groundwater is sought or can be obtained or through which it flows under natural pressures or is artificially withdrawn.
70. “Well Log Report” means DNRC Form No. 603 (see ARM 36.12.102), or any successor reporting form and requirement promulgated in State law.
71. “Well Shaft Casing” means an impervious durable pipe placed in a well or Developed Spring to prevent the walls from caving, to seal off surface drainage, or undesirable water, gas, or other fluids to prevent their entering the well, and to prevent the Waste of Groundwater.
72. “Wetland” means an area that is inundated or saturated by surface water or Groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.
73. “Wetland Quantified Appropriation Right” means an Appropriation Right issued for a Wetlands purpose that utilizes any man-made diversions, impoundment, withdrawals, excavations, or other artificial means for the purposes of appropriation for either all or a portion of a Wetland.
74. “Wetland Protective Appropriation Right” means an Appropriation Right issued for either a Natural Wetland or Restored Natural Wetland.
75. “Works” means all property, real or personal, necessary or convenient to the appropriation, conservation, storage, diversion, distribution, development, screening and utilization of water.

1-1-105. Measurement of Water. Upon the effective date of this Ordinance, legal standards of measurement of water within the Flathead Reservation shall be as follows:

1. Flow rates shall be measured in cubic feet per second, unless otherwise provided herein. Where documentary evidence of an existing use is expressed in gallons per minute, 448.8 gallons per minute shall be considered equivalent to a flow of one cubic foot per second. Where documentary evidence of an existing use is expressed in statutory or miner's inches, 40 statutory or miner's inches shall be considered equivalent to a flow of one cubic foot per second.
2. Volumes of water shall be measured in acre-feet, unless otherwise provided herein. One acre-foot shall be considered equivalent to a volume of 43,560 cubic feet. One cubic foot shall be considered equivalent to a volume of 7.48 gallons.

1-1-106. Measurement of Time. Whenever in this Ordinance an action is required to be performed within a certain number of days, the time for completion of the act shall be measured in calendar days unless the last day falls on a Friday, Saturday, Sunday, or Tribal, State or Federal legal holiday, in which case the time for performance is extended to the next subsequent business weekday.

1-1-107. Appropriation Rights Allowed.

1. The following Appropriation Rights or Changes in Use may be authorized by the Board pursuant to the Compact and this Ordinance:

a. Appropriation Rights for Groundwater appropriations for Redundant or Substitute Wells as set forth in Section 2-2-115 of this Ordinance.

b. Appropriation Rights for Stock Water Allowances as set forth in Section 2-2-116 of this Ordinance.

c. Appropriation Rights for Domestic Allowances as set forth in Section 2-2-117 of this Ordinance.

d. Appropriation Rights for uses of Flathead System Compact Water as set forth in Section 2-2-118 of this Ordinance.

e. Appropriation Rights for non-consumptive geothermal heating or cooling exchange Wells as set forth in Section 2-2-119 of this Ordinance.

f. Appropriation Rights for Temporary Emergency Appropriations as set forth in Section 2-2-120 of this Ordinance.

g. Appropriation Rights or Change in Use authorizations for Wetlands as set forth in Sections 2-2-123 and 2-2-124 of this Ordinance.

h. Appropriation Rights for non-consumptive uses, including, but not limited to, hydropower generation and not including flow-through ponds.

i. Appropriation Rights for which adverse effects to existing Appropriators are offset by Mitigation.

j. Changes in Use of all Appropriation Rights or Existing Uses except for those Appropriation Rights authorized under subsections (1)(a), (1)(b), (1)(c), (1)(e), (1)(f), (1)(k), or (1)(l) of this Section or those for Existing Uses exempt from the permitting requirements of 85-2-306, MCA, or from the claim filing requirements of 85-2-221, MCA, as set forth in 85-2-222, MCA; provided that a use authorized under subsection (1)(h) may not be changed from a non-consumptive use to a consumptive use.

k. Appropriation Rights to Appropriate surface water to conduct response actions related to natural resource restoration required for:
   i. remedial actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601, et seq.;
   ii. aquatic resource activities carried out in compliance with and as required by the federal Clean Water Act of 1977, 33 U.S.C. 1251 through 1387; or
   iii. remedial actions taken pursuant to the Remedial Action Upon Release of Hazardous Substance Act, Title 75, chapter 10, part 7, MCA.

   No Appropriation Rights issued pursuant to this subsection may be used for dilution.

l. Appropriation Rights for uses of surface water for or by a municipality or regional distribution system.

m. Appropriation Rights for new uses of the Tribal Water Right by the Tribes, Tribal Members, or Allottees, provided that any such new uses be sourced from:
   i. Flathead System Compact Water; or
   ii. another source, provided that any adverse effects to existing Appropriators caused by the Net Depletion of the new Appropriation Right must be offset by Mitigation pursuant to Section 1-1-112 of this Ordinance.

2. Other than those Appropriation Rights set forth in subsection (1) of this Section, the Board may not grant an Appropriation Right or other authorization to Appropriate surface water or Groundwater within the exterior boundaries of the Flathead Indian Reservation.

1-1-108. Reservation Water Rights Database. The Board shall cause all Appropriation Rights and Changes in Use authorized by the Board, including those uses registered pursuant to the provisions of Sections 2-1-101 through 2-1-107 of this Ordinance, to be entered into the DNRC water rights database in a format agreed to by the Board and the DNRC.

1-1-109. Groundwater Management Areas.

The Board may designate, modify, or repeal either permanent or temporary Groundwater Management Areas as provided in this part.

1. Each designation of a Groundwater Management Area shall identify the need for the special management, the boundaries of the area, the water resources targeted for special management, and the specific restrictions that will apply in the Groundwater Management Area.
2. The designation, modification, or repeal of a Groundwater Management Area may be initiated by submission of a correct and complete petition by:
   a. the Tribes, the State, or the United States;
   b. a local public health agency;
   c. a municipality, county, or conservation district; or
   d. at least one-third of the water rights holders in a proposed Groundwater Management Area.
3. A correct and complete petition shall:
   a. be in a form prescribed by the Board;

   b. contain facts and analysis prepared by a hydrologist, hydrogeologist, qualified scientist, or a qualified licensed professional engineer demonstrating the existence of one or more of the criteria set forth in subsection (8) are met; and
   c. describe proposed measures, if any, needed to mitigate effects of the criteria identified in subsection (8) of this Section; and that are alleged in the petition or describe the rationale as to why a Groundwater Management Area should be repealed or modified.
4. Upon receipt of a completed petition complying with subsection (3) of this Section, the Office of the Engineer shall date stamp the petition.
5. Office of the Engineer review:
   a. within 180 days of the date of receipt of the petition pursuant to subsection (4) of this Section, the Office of the Engineer shall:
      i. determine in writing that the petition is correct and complete; or
      ii. notify the petitioner of any defects in a petition, with an explanation in writing of the defect(s).
   b. any petition that is returned pursuant to subsection (5)(a)(ii) of this Section and not corrected within 90 days from the date of return shall be deemed terminated.
   c. if the Office of the Engineer does not notify the petitioner pursuant to subsection (5)(a) of this Section, the petition shall be treated as correct and complete.
6. Board review:
   a. within 60 days after a petition is determined to be correct and complete, the Board shall:
      i. deny the petition in writing in whole or part, stating the reasons for denial;

   - ii. inform the petitioner in writing that the Board will study the information presented in the petition for a period not to exceed 90 days before denying or proceeding with the petition; or
   - iii. publish notice of the Board's consideration of action concerning a permanent or temporary Groundwater Management Area pursuant to subsection (8) of this Section.
- b. failure of the Board to act under subsection (6)(a) of this Section shall be deemed a denial of the petition.

7. If the Board determines that a correct and complete petition contains sufficient information to warrant the Board granting the petition, the Board shall proceed to hear the petition. The Board shall provide public notice of the hearing by:
   - a. publishing a notice at least once each week for 3 successive weeks, with the first notice not less than 30 days before the date of the hearing in a newspaper of general circulation on the Reservation;
   - b. serving by mail a copy of the notice, not less than 30 days before the hearing, upon each Person or public agency known from an examination of the records of the Board to be a water right holder within the proposed or existing Groundwater Management Area;
   - c. serving by mail a copy of the notice upon any other Person, including Tribal, State or federal agencies, that the Board knows to be interested in or affected by the proposed designation, modification, or repeal of a Groundwater Management Area.
   - d. the notice under subsections (7)(a) through (7)(c) must include a summary of the basis for the proposed action. Publication and mailing of the notice as prescribed in this Section,

when completed, is considered to be sufficient notice of the hearing to all interested parties.

  e. the Board shall make available to the public on its website a complete copy of the petition or request to designate, modify, or repeal either permanent or temporary Groundwater Management Areas.

8. The Board may designate a permanent Groundwater Management Area if it finds by a preponderance of the evidence that any of the following criteria have been met:
   a. current or projected reductions of recharge to the aquifer or aquifers within the boundaries of the proposed permanent Groundwater Management Area will cause Groundwater levels to decline to the extent that water rights holders cannot reasonably exercise their water rights;
   b. current or projected Groundwater withdrawals from the aquifer or aquifers in the boundaries of the proposed permanent Groundwater Management Area have reduced or will reduce Groundwater levels or surface water availability necessary for water rights holders to reasonably exercise their water rights;
   c. current or projected Groundwater withdrawals from the aquifer or aquifers in the proposed permanent Groundwater Management Area have impaired or will impair Groundwater quality necessary for water right holders to reasonably exercise their water rights based on relevant water quality standards;
   d. Groundwater within the proposed permanent Groundwater Management Area is not suitable for any beneficial use; or
   e. public health, safety, or welfare is or will become at risk.

9. Monitoring and studies:
   a. if the Board finds that sufficient facts, including monitoring information, are not available to designate a permanent Groundwater Management Area, the Board may designate a temporary Groundwater Management Area to allow studies to obtain the facts needed to:
      i. correct deficiencies that the Board identifies in a petition for a permanent Groundwater Management Area;
      ii. determine the extent to which the criteria identified in subsection (8) are met or not met;
      iii. determine appropriate control measures to implement to designate a permanent Groundwater Management Area.
   b. the Board shall set the length of time that the temporary Groundwater Management Area shall be in effect. The term of a temporary Groundwater Management Area may be extended by the Board, but may not exceed a total of 6 years.
   c. the Board shall determine the responsibility for funding the costs associated with subsection (9)(a). Any person on whom a funding responsibility is placed by the Board pursuant to this subsection may appeal that determination to a Court of Competent Jurisdiction, which shall review the determination for an abuse of discretion.
   d. prior to designating a temporary Groundwater Management Area, the Board shall provide notice and the opportunity for public hearing pursuant to the notice provisions of subsection (7) of this Section.

e. a temporary Groundwater Management Area designation is for the purpose of monitoring and study and shall not include the control provisions set forth in subsection (10) of this Section, other than measurement, water quality testing, and reporting.

f. prior to expiration of a temporary Groundwater Management Area, and subject to the limitations of subsection (9)(b) of this Section, the Board may amend or repeal the establishment of the temporary Groundwater Management Area, or may designate a permanent Groundwater Management Area under this Section.

10. A permanent Groundwater Management Area may include, but is not limited to, one or more of the following provisions:

   a. closing the permanent Groundwater Management Area to further appropriation of surface water and/or Groundwater;

   b. restricting the development of future surface water and/or Groundwater appropriations within the permanent Groundwater Management Area;

   c. prohibiting or restricting the issuance of Stock Water Allowances pursuant to Section 2-2-116 of this Ordinance;

   d. prohibiting or restricting the issuance of Domestic Allowances pursuant to Section 2-2-117 of this Ordinance;

   e. requiring measurement and reporting of future surface water or Groundwater appropriations within the permanent Groundwater Management Area;

   f. requiring water conservation measures within the permanent Groundwater Management Area;

g. requiring mitigation of Groundwater withdrawals within the permanent Groundwater Management Area;

h. reporting data to the Board within the permanent Groundwater Management Area; and

i. other provisions that the Board determines are appropriate and adopts.

11. The Board, upon petition, may modify or repeal a Groundwater Management Area. Any petition seeking the modification or repeal of a permanent Groundwater Management Area must demonstrate by a preponderance of the evidence that current or projected recharge to the aquifer or aquifers or changes to current or projected Groundwater withdrawals from the aquifer or aquifers in the boundaries of an existing Groundwater Management Area justify modification or repeal of that Groundwater Management Area.

12. Appeal from any final decision of the Board concerning the designation, modification or repeal of any permanent Groundwater Management Area pursuant to this Section shall be as set forth in Section 2-2-112 of this Ordinance.

13. If the Board determines that it is appropriate for a Groundwater Management Area identified pursuant to this section to extend to an area adjacent to but outside the boundaries of the Reservation, the Board, through the Office of the Engineer, may petition the DNRC, pursuant to § 85-2-506(2)(c)(i), MCA, to designate a Controlled Groundwater Area in that adjacent area. Designation or modification by the DNRC of a Controlled Groundwater Area in any such adjacent area shall be governed by the procedures set forth in § 85-2-506, MCA.

1-1-110. Standards for Applications for Appropriation Rights and Changes in Use.

For any application for an Appropriation Right or Change in Use that is not one of the categories of Appropriation Right identified in Sections 1-1-112(1) or 2-2-118 of this Ordinance, in addition to whatever information is required by specific provisions of the Ordinance, all applications for Appropriation Rights and Changes in Use must include:

1. An identification of the proposed beneficial use.
2. An identification of the source of water supply.
3. A project description, including an identification of any water right(s) to be changed to a new use, if applicable.
4. A legal description of the point of diversion and the place of use.
5. The monthly volume(s) and flow rate(s) of the water supply to be diverted, withdrawn, or impounded, and the monthly volume(s) to be consumed; however the Office of the Engineer may require a more frequent quantification time step.
6. The monthly historic diverted, withdrawn, or impounded volume(s) and flow rate(s) and the historically consumed volume(s) of the water right(s) to be changed to a new use, if applicable; however, the Office of the Engineer may require a more frequent quantification time step.
7. The calculations, references and methodologies used to determine the volume(s) and flow rate(s) in subsections (5) and (6) above.
8. Identification of physical water availability and existing legal demands on the source of supply of water.
9. Evidence that the proposed means of diversion, construction, and operation of the appropriation works are adequate.

10. Evidence of possessory interest or the written consent of the person with the possessory interest in the property where the water is to be put to beneficial use, diverted, conveyed, impounded, stored, transported, withdrawn, used, and distributed.

11. Information showing that the water quantity or quality of an Appropriator will not be adversely affected, if applicable.

12. A United States Geological Survey (USGS) quadrangle map or United States Department of Agriculture (USDA) aerial photo must be included with the application.

    a. The following items shall be clearly identified on the map:

        (1) North arrow;

        (2) Scale bar;

        (3) Section corners and numbers;

        (4) Township and range numbers;

        (5) Property lines and ownership;

        (6) Source(s);

        (7) Point(s) of diversion;

        (8) Means of conveyance;

        (9) Place(s) of use;

        (10) Place(s) of storage, if applicable:

        (11) Surface water features;

        (12) Measurement and instrument locations associated with the application; and

        (13) The place(s) of use of all associated and supplemental water rights.

b. If the application is for a Change in Use, the site map shall also show the historic point(s) of diversion, place(s) of use, and place(s) of storage, as applicable.

c. Additional maps shall be submitted if the information on one map cannot convey the required information clearly and shall be of the same scale so the maps can be overlain.

1-1-111. Groundwater Diversion Standards

1. Wells:
    a. Persons that drill, make, or construct Wells, including monitoring Wells, on the Reservation shall comply with Title 37 Chapter 43, MCA, and ARM 36 Chapter 21 licensing, conduct, and regulatory requirements, or any successor provisions promulgated in State law.
    b. All Well construction on the Reservation shall meet the standards set forth in ARM 36 Chapter 21, or any successor provisions promulgated in State law.
    c. Construction and operations of all Wells must comply with all applicable federal, State, Tribal, and local environmental regulations.
2. Developed Springs:
    a. All Developed Spring collection components, including but not limited to infiltration galleries, infiltration basins, and French drains, shall be installed and buried under the surface of the ground.
    b. All means of storage and conveyance, including but not limited to supply pipes, cisterns, and pump housings, shall be sealed and made impervious to water and designed in a manner that protects the source from backflow and surface contamination.
    c. Open pits, ponds, or excavations shall not be used as a means of diversion for Developed Springs.

   d. Construction and operation of all Developed Springs must comply with all applicable federal, State, Tribal, and local environmental regulations.

3. Aquifer Injection and Injection Wells are not allowed except when used exclusively for Heating/Cooling Exchange Wells.

1-1-112. Mitigation

1. Unless any provision of a Groundwater Management Area established pursuant to 1-1-109 specifically requires Mitigation for any of the following categories of Appropriation Rights, Mitigation is not required for Appropriation of:
   a. Redundant or Substitute Wells pursuant to Section 2-2-115 of this Ordinance;
   b. Stock Water Allowances pursuant to Section 2-2-116 of this Ordinance;
   c. Domestic Allowances pursuant to Section 2-2-117 of this Ordinance;
   d. Heating/Cooling Exchange Wells pursuant Section to 2-2-119 of this Ordinance;
   e. Temporary Emergency Appropriations pursuant to Section 2-2-120 of this Ordinance; or
   f. Short-term uses of an Appropriation Right pursuant to Sections 2-2-121 and 2-2-122 of this Ordinance.
2. Mitigation is not required for Appropriation of Flathead System Compact Water Pursuant to 2-2-118 of this Ordinance.
3. Any Appropriation Right that results in a Net Depletion of either surface water or Groundwater shall offset the entire Net Depletion that results in adverse effect to any Appropriator through the use of Mitigation pursuant to a Mitigation Plan.
4. An adverse effect to a Wetland Protective Appropriation Right recognized in Article III.C.1.f of the Compact or a Wetland Protective Appropriation Right issued pursuant to Section 2-2-

123 of this Ordinance that requires Mitigation shall include, but is not limited to, a water supply alteration that would cause:

   a. reductions of the Wetland boundary in excess of the normal range of variability in water; or
   b. unnatural Wetland plant community change.

5. A Mitigation Plan must include:
   a. a plan of use for the proposed Appropriation Right for which the Mitigation Plan is required;
   b. an identification of the location, volume, and timing (by monthly or more frequent time step as determined by the Engineer) of the adverse effect to be mitigated;
   c. if necessary, evidence that an application for a Change in Use has been submitted;
   d. the amount of water reallocated through exchange or substitution that is required to mitigate the adverse effect;
   e. evidence that the water for Mitigation is legally and physically available;
   f. evidence of how the Mitigation Plan will offset the Net Depletion in a manner that will offset any adverse effect to any Appropriator; and
   g. evidence that the necessary water quality permits, if any, have been applied for pursuant to the Tribal Water Quality Management Ordinance.
6. No applicant for an Appropriation Right shall be required to provide more Mitigation than the quantity needed to offset the adverse effects of that proposed new Appropriation Right on any Appropriator.

7. Compliance with a Mitigation Plan and proof of any water quality permit(s) issued pursuant to the Tribal Water Quality Management Ordinance, if applicable, must be included as a written condition on any Appropriation Right or Change in Use authorization that is conditioned on Mitigation.
8. If compliance with a Mitigation Plan or any applicable water quality permit(s) issued pursuant to the Tribal Water Quality Management Ordinance ceases or terminates, the holder of the Appropriation Right conditioned on compliance with the Mitigation Plan shall immediately notify the Office of the Engineer, and use of the Appropriation Right shall be suspended immediately until a new Mitigation Plan is approved and implemented pursuant to this Ordinance.

1-1-113. Codification, Severability and Defense.

1. The provisions of this Ordinance are severable, and a finding of invalidity of one or more provisions hereof shall not affect the validity of the remaining provisions.
2. This Ordinance is intended to function in conjunction with those portions of Title 85 of the Montana Code Annotated codified at ___________. Should those portions of the Mont. Code Ann. be amended by subsequent legislation without contemporaneous and materially identical Tribal amendment to this Ordinance, this Ordinance shall govern the use of waters within the Reservation, irrespective of the amended provisions of State law, until such time as the laws of the Tribes and the State are rendered mutually consistent. Similarly, should this Ordinance be amended without contemporaneous and materially identical amendment of the provisions adopted into State law, those pre-existing provisions of Montana law shall

govern the use of waters within the Reservation, irrespective of the amended provisions, until such time as the laws of the Tribes and the State are rendered mutually consistent.

3. This Ordinance and subsequent amendments thereto are subject to the approval of the Secretary.
4. Any amendment to this Ordinance that is approved by the Tribes, the State and the Secretary is pursuant to, and shall not be deemed a modification of, the Compact.
5. The Tribes adopt this code and the State adopts its parallel legislation only after concluding its provisions are lawful. Should the legality of the Ordinance, or parallel State legislation, or any provision thereof be challenged in any court, the parties shall use their best effort jointly to defend the enforceability of the Ordinance, the parallel State legislation and each of the respective provisions.

1-1-114. Effective Date. This Ordinance and each provision hereof according to its terms shall take effect on the Effective Date of the Compact.

PART 2 - UNITARY ADMINISTRATION AND MANAGEMENT

1-2-101. Purpose. The purpose of this Part is to establish the processes applicable to all surface and Groundwater use within the exterior boundaries of the Flathead Indian Reservation.

1-2-102. Establishment and Composition of the Water Management Board. Pursuant to Article IV.I of the Compact, the Water Management Board is established.

1-2-103. Qualifications of Board Members.

As set forth in Article IV.I.2.f of the Compact:

1. A Board member shall be over 18 years of age.
2. A Board member shall be a Reservation resident, which means, for the purposes of filling a position on the Board, an individual who:
   a. does business within Flathead Indian Reservation boundaries,
   b. is domiciled within Flathead Indian Reservation boundaries, or
   c. owns and maintains a seasonal residence within Flathead Indian Reservation boundaries.
3. No elected official of the State of Montana, or any political subdivision thereof, or of the United States, or of the Tribes is eligible for nomination to the Board while holding such elective office. However, a nominee for Board membership shall not be disqualified by reason of the fact that he or she is an employee or contractor of the State of Montana or any political subdivision thereof, or of the Tribes, or of the United States.
4. A Board member shall have education and experience in one or more of the following fields: natural resources management, public administration, agriculture, engineering, commerce or finance, hydrology, biological sciences, water law or water policy.
5. No Board member may vote on any application or appeal that the member participated in personally and substantially in any non-Board capacity.

1-2-104. Public Meetings and Records.

As set forth in Article IV.I.7 of the Compact:

1. Notwithstanding any other provisions of law, the Board is a public agency for purposes of the applicability of State and Tribal right to know laws.
2. All regular and special meetings of the Board, including all hearings conducted by the Office of the Engineer or the Board pursuant to the provisions of Chapter 2 Part 2, and Chapter 3 of this Ordinance, shall be open to the observation of the general public pursuant to State and Tribal open meeting laws. Where there is a conflict of laws, the law that provides for greater openness to the public applies.
3. Where no more specific notice provisions are set forth in this Ordinance, notice of any meeting, including a draft agenda, shall be provided to the public in a manner and on a timeframe consistent with the criteria set forth in State and Tribal law. Where there is a conflict of laws, the law that provides for earlier notice shall apply.
4. The Board shall keep the following records:
    a. minutes of all meetings;
    b. recordings of all hearings conducted by the Board or the Office of the Engineer pursuant to the provisions of Chapter 2 Part 2, and Chapter 3 of this Ordinance;
    c. all documents filed with or generated by the Board or the Office of the Engineer pursuant to this Ordinance;
    d. any other records required by applicable provisions of State or Tribal law, provided that if there is a conflict of laws, the law that provides for more expansive record retention shall apply.
5. All Board records are public records and shall be made available to the public for inspection under such reasonable terms and conditions as the Board shall establish.

1-2-105. Compensation and Expenses of the Board. As set forth in Article IV.I.2.h of the Compact, each Board member shall receive such compensation for services and reimbursement for expenses for attendance at Board meetings as shall be fixed by the State and the Tribal Council for the Board members appointed by the same. The compensation for the fifth Board member shall set jointly by the State and the Tribal Council. The compensation and expenses of the Federal *ex officio* member shall be paid for by the United States.

1-2-106, Quorum and Voting of the Board. As set forth in Article IV.I.3 of the Compact, four voting members of the Board shall constitute a quorum. No Board action may be voted upon in the absence of a quorum. All Board decisions shall be by affirmative vote of a majority of the Board. If a proposal put to a vote of a quorum of Board members ends in a tie vote, the proposal, or matter under consideration is deemed disapproved or denied.

1-2-107. Powers and Duties of the Board.

1. The Board shall have those powers and duties set forth in Article IV.I.4 and 5 of the Compact and in this Ordinance, including those powers necessary and proper to carry out all Board responsibilities as set forth in the Compact and this Ordinance.
2. As set forth in the Compact, the Board shall have exclusive jurisdiction to resolve any controversy as between the Parties or between or among holders of Appropriation Rights and Existing Uses on the Reservation over the meaning and interpretation of the Compact and this Ordinance.

1-2-108. Technical Assistance to the Board and the Engineer. The NRD and the DNRC shall, within the limits of their respective expertise and resources, and when so requested by the Board or the Office of the Engineer, collect, compile, and analyze information related to waters of the Reservation, their use, and the works associated with their use, and produce reports and provide technical assistance and advice to the Board or the Office of the Engineer.

1-2-109. Qualifications of the Water Engineer.

1. The Water Engineer shall be a professional in one or more of the following water resources or management related fields:
    a. water resources management;
    b. hydrology;
    c. hydrogeology;
    d. environmental science;
    e. business or public administration;
    f. biological science;
    g. civil engineering;
    h. environmental engineering; or
    i. law.

2. The Water Engineer shall have a minimum of a bachelor's degree with 10 years of increasingly responsible experience, including three years of management experience, or a master's degree with seven years of increasingly responsible experience, including three years of management experience, or an appropriate combination of education and experience.
3. The Water Engineer shall have the skill to deal with a diverse and sometimes contentious public.
4. The Water Engineer shall have the ability to:
   a. successfully manage the water resources staff;
   b. provide technical assistance to the Board; and
   c. act as a hearings officer and document decisions and orders in writing.

1-2-110. Duties of the Engineer. The Engineer shall be an employee of the Board and shall exercise the duties set forth in the Compact and this Ordinance, and as assigned by the Board pursuant to the Compact and this Ordinance. These duties include, but are not limited to:

1. The administration of water rights on the Reservation, and the enforcement of the terms of this Ordinance and the conditions of all Appropriation Rights, determinations, orders, regulations, plans, policies, guidelines, and other actions taken by the Engineer or the Board, pursuant to the Compact and this Ordinance;
2. Coordination with the Project Manager, as far as practicable, of the operations of the FIIP with the administration and enforcement of water rights outside of the FIIP;
3. The supervision and management of Staff; and

4. The development and submission to the Board of budget requests for approval by the Board and forwarding to the Tribes and State for the purpose of securing necessary appropriations.

1-2-111. Immunity from Suit. Members of the Board, the Engineer, any Designee, any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance, and any Staff shall be immune from suit for damages arising from the lawful discharge of an official duty associated with the carrying out of powers and duties set forth in the Compact or this Ordinance relating to the authorization, administration or enforcement of water rights on the Reservation.

1-2-112. Filing Fees. A filing fee shall be paid at the time an application is filed with the Office of the Engineer under Section 2-1-107, 2-2-104, 2-2-115, 2-2-116, 2-2-117, 2-2-118, 2-2-119, 2-2-123, or 2-2-124 of this Ordinance. The amount of the fee shall be the same as the fee charged by DNRC for the same type of application under State law, as those fees may be modified from time to time by the DNRC. The Board shall post notice of the applicable amount of these fees at the Office of the Engineer and on the Board's website.

CHAPTER II
WATER USE

PART 1. GENERAL PROVISIONS

2-1-101. Registration of Uses of the Tribal Water Right in Existence as of the Effective Date of the Compact.

1. Pursuant to Article III.C.1.b of the Compact, the Tribes, each Tribal Member, and each Allottee who claims to have an Existing Use of waters of the Reservation which is part of the Tribal Water Right shall file a registration of Existing Use of the Tribal Water Right with the Engineer. Uses of the Tribal Water Right for which abstracts are appended to this Compact, including uses on the FIIP, are exempt from this registration requirement.
2. Historically irrigated allotments with serviceable delivery systems that are held by individuals and in trust by the United States, and are not served by the FIIP, shall be eligible to be registered pursuant to the provisions of Sections 2-1-101 *et seq.* even if such allotments are not being irrigated on the Effective Date of the Compact.
3. The NRD shall provide assistance to the Tribes, Tribal Members, and Allottees in preparing registrations of Existing Uses of the Tribal Water Right for filing.
4. No Tribal Member or Allottee may exercise, for the same water use, both a registration of Existing Use of the Tribal Water Right and a Water Right Recognized Under State Law.

2-1-102. Process for Registration of Existing Use of the Tribal Water Right.

1. The Tribes, Tribal Members, and Allottees claiming a use of water that falls under the terms of Section 2-1-101 shall, within five years of the Effective Date of this Ordinance, file a Registration Form with the Board documenting the registration of Existing Use of the Tribal Water Right and identifying:

   a. the rate and volume of water used;

   b. the source of supply for the use;

   c. the point of diversion by legal land description;

   d. the place of use by legal land description;

   e. the period of use

   f. the period of diversion;

   g. the place of storage (if applicable);

   h. the capacity of storage (if applicable);

   i. the purpose; and

   j. the means of diversion.

2. Upon receipt, the Board shall transmit the Registration Form to the Office of the Engineer.

3. Upon receipt of the Registration Form, the Office of the Engineer shall review the Registration Form within 180 days and may either issue a Registration Certificate or return a defective Registration Form to the filer, together with the reasons for returning it. Upon receiving a corrected Registration Form, the Office of the Engineer has 90 days from the certified receipt of the corrected Registration Form to issue a Registration Certificate or reject the registration. If the Office of the Engineer neither issues a Registration Certificate nor rejects the registration within the initial 180 day review period, the Registration Form shall be deemed approved and the Board shall issue a Registration Certificate. If the Office of the Engineer neither issues a Registration Certificate nor rejects the registration within 30 days of certified receipt of a corrected Registration Form, the Registration Form shall be deemed approved and the Board shall issue a Registration Certificate.

4. Any Person filing a Registration Form or a corrected Registration Form with the Office of the Engineer pursuant to subsections (1) and (3) of this Section who is dissatisfied with the rejection of that corrected Registration Form by the Office of the Engineer pursuant to subsection (3) of this Section may appeal that rejection to the Board by filing a notice of appeal to the Board within 30 days of the rejection of the corrected Registration Form. To be filed, a notice must be placed in the custody of the Board within the time fixed for filing. Filing may be accomplished by mail addressed to the Board, but filing shall not be timely unless the papers are actually received within the time fixed for filing. Immediately upon receipt by the Board, the notice of appeal shall be date stamped.
5. Any appeal to the Board filed pursuant to subsection (4) of this Section shall be conducted pursuant to the provisions of Section 3-1-104 of this Ordinance.

2-1-103. Fee for Filing Registration of Existing Use of the Tribal Water Right.

The Board shall not charge any fees for the processing of registrations or corrected registrations of Existing Uses of the Tribal Water Right.

2-1-104. Tribal Member and Allottee Entitlements Pursuant to 25 U.S.C. Section 381.

All Tribal Members' and Allottees' entitlements pursuant to 25 U.S.C. Section 381 are hereby recognized and confirmed. The attributes of these entitlements shall be defined through either:

1. the process set forth in Section 2-1-101 *et seq.* of this Ordinance, if the Tribal Member or Allottee with an entitlement pursuant to 25 U.S.C. Section 381 also has a use of water eligible for the registration process set forth in those sections of this Ordinance; or

2. by applying for a New Appropriation as provided in Section 2-2-101 *et. seq.* of this Ordinance or by applying to develop a use of Flathead System Compact Water as provided in Section 2-2-118 of this Ordinance, if the Tribal Member or Allottee with an entitlement pursuant to 25 U.S.C. Section 381 does not have a use of water eligible for the registration process set forth in Section 2-1-101 *et seq.* of this Ordinance.

2-1-105. Tribal, Tribal Member and Allottee Challenge of a Registration Certificate Issued by the Office of the Engineer.

The Tribes, Tribal Members, and Allottees may seek judicial review of any final decision by the Board pursuant to Section 2-1-102(4) of this Ordinance by filing a petition for judicial review with the Tribal Court of the Tribes within 30 days of the issuance of the final Board decision. In considering the petition, the Board's legal conclusions shall be reviewed for correctness and its factual findings for abuse of discretion.

2-1-106. Registration of Certain Other Previously Unrecorded Existing Uses. Persons who have Existing Uses on the Reservation as of the effective date of this Ordinance shall register such Existing Uses with the Board if those uses:

1. Were not required to be filed, pursuant to 85-2-222, MCA, and in fact were not filed as claims in the Montana General Stream Adjudication for a pre-1973 use of water arising under State law; or
2. Were developed on or after July 1, 1973, at a volume and flow rate that would qualify as an exception to the permit requirements of 85-2-306, MCA, and for which a notice of

completion of Groundwater development (DNRC Form 602) or an application for provisional permit for completed Stock Water pit or reservoir (DNRC Form 605) was filed with the DNRC but not processed by the DNRC.

3. Were developed after July 1, 1973, at a volume and flow rate that would qualify as an exception to the permit requirements of 85-2-306, MCA, and for which a notice of completion of Groundwater development (DNRC Form 602) or an application for provisional permit for completed Stock Water pit or reservoir (DNRC Form 605) was not filed with the DNRC.

2-1-107. Process for Registration of Certain Other Previously Unrecorded Existing Uses.

1. Each Person claiming an Existing Use of water that falls under the terms of Section 2-1-106 shall, within 180 days of the effective date of this Ordinance, file a Registration Form with the Board documenting that the Existing Use is for a purpose and with a flow rate and volume that falls within the terms of Section 2-1-106, and identifying:
    a. the date of first use of the water;
    b. the source of supply for the use;
    c. the point of diversion by legal land description;
    d. the place of use by legal land description; and
    e. the period of use.
2. Within 30 days of the Effective Date, the DNRC shall transmit to the Board all filed but not processed completion notices (DNRC Form 602 or 605) it has received for water uses excepted from the permitting requirements of State law developed within the boundaries of

the Reservation after August 22, 1996. The transmission of these notices shall constitute compliance with Section 2-1-107(1) of this Ordinance for those uses eligible for registration pursuant to Section 2-1-106(2) of this Ordinance. No additional fee shall be required for the processing of the forms transmitted by the DNRC.

3. Upon receipt, the Board shall transmit the Registration Form to the Office of the Engineer.
4. Upon receipt of the Registration Form, the Office of the Engineer shall review the Registration Form within 180 days and may either issue a Registration Certificate or return a defective Registration Form to the filer, together with the reasons for returning it. If a corrected Registration Form is submitted within 30 days of its return by the Engineer, no new filing fee shall be required. Upon receiving a corrected Registration Form, the Office of the Engineer has 90 days from the certified receipt of the corrected Registration Form to issue a Registration Certificate or reject the registration. If the Office of the Engineer neither issue a Registration Certificate nor rejects the registration within the initial 180 day review period, the Registration Form shall be deemed approved and the Board shall issue a Registration Certificate. If the Office of the Engineer neither issues a Registration Certificate nor rejects the registration within 90 days of certified receipt of a corrected Registration Form, the Registration Form shall be deemed approved and the Board shall issue a Registration Certificate.
5. For any use registered under Section 2-1-106(1) of this Ordinance, the priority date of the use shall be the date of first beneficial use, and such a date shall be reflected on the Registration Certificate.

6. For any use under Section 2-1-106(2) of this Ordinance, the priority date for the use shall be the date of filing of the appropriate form, and such a date shall be reflected on the Registration Certificate.
7. For any use under Section 2-1-106(3) of this Ordinance, the priority date for the use shall be the Effective Date of the Compact, and that date shall be reflected on the Registration Certificate.
8. Any Person filing a corrected Registration Form with the Office of the Engineer pursuant to subsection (2) of this Section who is dissatisfied with the rejection of that corrected Registration Form by the Office of the Engineer pursuant to subsection (2) of this Section may appeal that rejection to the Board by filing a notice of appeal to the Board within 30 days of the rejection of the corrected Registration Form. To be filed, a notice must be placed in the custody of the Board within the time fixed for filing. Filing may be accomplished by mail addressed to the Board, but filing shall not be timely unless the papers are actually received within the time fixed for filing. Immediately upon receipt by the Board, the notice of appeal shall be date stamped.
9. Any appeal to the Board filed pursuant to subsection (6) of this Section shall be conducted pursuant to the provisions of Section 3-1-104 of this Ordinance.

2-1-108. Failure to Register an Existing Use of Water.

Failure to register an Existing Use that is subject to registration as provided for under Sections 2-1-101, 2-1-102, and 2-1-106(2) and (3) of this Ordinance, shall divest the holder of the Existing

Use of any legal protections otherwise afforded under the Compact and this Ordinance, to the extent not inconsistent with federal law.

2-1-109. Limitation to Beneficial Use. Beneficial use shall be the basis, measure and limit to Appropriation Rights issued pursuant to this Ordinance.

2-1-110. No Adverse Possession. No right to use water within the Reservation may be acquired by prescription or by adverse possession of use.

2-1-111. Abandonment of Appropriation Right.

1. No part of the Tribal Water Right is subject to abandonment by nonuse.
2. If an Appropriator, other than a user of any portion of the Tribal Water Right, ceases to use all or a part of an Appropriation Right, or any Existing Use, with the intention of wholly or partially abandoning the right, or if the appropriator ceases using the right according to its terms and conditions with the intention of not complying with those terms and conditions, the Appropriation Right or Existing Use is, to the extent of the nonuse, considered abandoned and must immediately expire.
3. If an Appropriator, other than a user of any portion of the Tribal Water Right, ceases to use all or part of an Appropriation Right or Existing Use, or ceases using the Appropriation Right or Existing Use according to its terms and conditions for a period of 10 successive years and there was water available for use, there is a prima facie presumption that the Appropriator has abandoned the right for the part not used.

4. If an Appropriator ceases to use all or part of an Appropriation Right or Existing Use in compliance with a candidate conservation agreement initiated pursuant to 50 CFR 17.32 or because the land to which the water is applied to a beneficial use is contracted under a state, tribal, or federal conservation, mitigation, or set-aside program:
   a. the land set-aside and resulting reduction in use of the Appropriation Right or Existing Use from the conservation, mitigation, or set-aside program shall not be construed as an intent by the appropriator to wholly or partially abandon the Appropriation Right or Existing Use or to not comply with the terms and conditions attached to the right; and
   b. the period of nonuse that occurs for part or all of the Appropriation Right or Existing Use as a result of the conservation, mitigation, or set-aside program shall not create and shall not be added to any previous period of nonuse to create a prima facie presumption of abandonment.

2-1-112. Procedure for Declaring Abandonment.

1. An Appropriator who claims to have been or alleges will be injured by the resumption of use of an Appropriation Right or Existing Use alleged to have been abandoned may file a petition with the Office of the Engineer to declare the Appropriation Right or Existing Use abandoned in whole or in part. Upon receipt of the petition, the Office of the Engineer shall date stamp it.
2. If the Engineer or Designee finds that the petition provides enough information to give rise to a question of abandonment, the petition shall be posted on the Board's website within 10 working days of the determination of validity. If the Engineer or Designee finds that the

petition fails to provide enough information to give rise to a question of abandonment, the petition shall be rejected.

3. Upon a finding of validity pursuant to subsection (2) of this Section, a hearing shall be set within 180 days of the determination of validity, or any extended period of time, not to exceed 90 days, granted by the Engineer, for the Engineer or Designee to determine whether the Appropriation Right or Existing Use has been abandoned. Discovery prior to hearing will be as provided by the Engineer or Designee, and may commence following the notice of the hearing.
4. The owner of the right alleged to have been abandoned shall be personally served notice of the hearing by the Office of the Engineer and the hearing shall be publicly noticed by the Office of the Engineer once via a legal notice in a local newspaper of general circulation and posted by the Office of the Engineer on the Board's website for a period of 10 days commencing not less than 30 days from the date of the hearing.
5. At the hearing on the petition, the burden of proof shall be on the petitioner who must prove by a preponderance of the evidence that the Appropriation Right or Existing Use has been abandoned pursuant to Section 2-1-111 of this Ordinance, unless a prima facie presumption of abandonment has arisen pursuant to Section 2-1-111(3). In such circumstances, the burden of proof is shifted to the owner of the right alleged to have been abandoned, who must prove by a preponderance of the evidence a lack of intent to abandon the right in question.
6. The hearing shall be recorded electronically and an official record maintained. All evidence that, in the opinion of the Engineer or Designee, possesses probative value shall be admitted,

including hearsay, if it is the type of evidence commonly relied upon by reasonably prudent Persons in the conduct of their normal business affairs. Rules of privilege recognized by law shall be given effect. Evidence which is irrelevant, immaterial, or unduly repetitious shall be excluded.

7. A written decision by the Engineer or Designee shall be rendered within 60 days of the hearing, disseminated to the parties, and posted by the Office of the Engineer on the Board's website within 10 days of its issuance. If the individual who conducted the hearing becomes unavailable to the Office of the Engineer, a decision may be prepared by an individual who has read the record only if the demeanor of witnesses is considered immaterial by all parties; if any party considers the demeanor of any witness to be material to the resolution of the appeal, a new hearing must be held.
8. Any party to the abandonment hearing dissatisfied with the decision of the Engineer or Designee may appeal to the Board (and become an appellant) and obtain review of the Engineer's or Designee's decision. A notice of appeal to the Board must be filed with the Board within 30 days of the Engineer's or Designee's decision. To be filed, a notice must be placed in the custody of the Board within the time fixed for filing. Filing may be accomplished by mail addressed to the Board, but filing shall not be timely unless the papers are actually received within the time fixed for filing. Immediately upon receipt by the Board, the notice of appeal shall be date stamped.
9. Appeal to the Board pursuant to subsection (8) of this Section, shall be made and resolved pursuant to the provisions of Section 2-2-111.

10. Any petitioner whose petition is rejected by the Engineer or Designee as failing to provide enough information to give rise to a question of abandonment may appeal the Engineer's decision to the Board pursuant to the provisions of Section 3-1-104 of this Ordinance.

2-1-113. Prevention of Waste and Interference with Lawful Use.

1. Waters within the Reservation may not be wasted, nor may water be used unlawfully, nor may a lawful use of water be interfered with.
2. All facilities, works and equipment associated with the withdrawal, impoundment, pumping, diversion, drainage, or transmission of waters on the Reservation shall be so constructed, installed, and maintained as to prevent the Waste, contamination, or pollution of surface and Groundwater and to avoid injury to the lands and property of others. All wells, producing and non-producing, which may contaminate other surface or Groundwater must be properly abandoned or upgraded with a sanitary seal, in accordance with the water well criteria incorporated by reference in Section 1-1-111 of this Ordinance. All flowing wells shall be capped or equipped with valves so that the flow of water can be stopped when the water is not being put to beneficial use.
3. The Board, on its own initiative or through the Office of the Engineer, may require the recipient of any Appropriation Right issued pursuant to this Ordinance to construct or install a weir, head gate, valve, meter, gauge, or other reasonable and appropriate device for the control and measurement of water and for the prevention of Waste.

2-1-114. Issuance of Appropriation Right Does Not Constitute Permission to Trespass. The issuance of an Appropriation Right pursuant to this Ordinance does not constitute a license or permission to trespass on land which the holder of the Appropriation Right does not otherwise have a legal right to access, not does it constitute a ditch right.

2-1-115. Development of Enforceable Schedule for the Tribes' Other Instream Flow Rights.

1. As set forth in the Compact, each of the Tribes' instream flow rights identified in Article III.C.1.d.iii of the Compact shall not be enforceable until after an enforceable schedule for that stream reach is promulgated pursuant to the process set forth in this Section. This process shall not commence for any stream reach until the Compact has been finally approved by the Montana Water Court, and until the Montana Water Court has issued a final decree for the water court basin (76L or 76LJ) in which that stream reach lies, including the expiration of all time for appeals, or the resolution of any such appeal, whichever date is latest (the "Eligibility Date").
2. At any time after the Eligibility Date, the Tribes may initiate the enforceable schedule process for any given stream reach included in the rights identified in Article III.C.1.d.iii of the Compact by:
   a. providing notice to water rights holders in the reach of the Tribes' initiation of the process to finalize and implement the enforceable schedule;
   b. developing a full summary of all Water Rights Arising Under State Law in the reach, including a monthly time-step pattern of water use;

   c. developing a summary of streamflow conditions, at or near each enforceable schedule compliance point within the reach area, utilizing:
      i. streamflow gaging information; or
      ii. an accepted hydrologic analysis procedure to estimate streamflow conditions. The method to develop streamflow information will be based on the professional judgment of the Tribes' hydrologist responsible for coordinating the enforceable schedule process; and
   d. preparing a report on the availability of water to fulfill the Tribes' instream flow water right for that reach area.
3. The Tribes shall prepare each proposed enforceable schedule based on a water budget that allows valid water rights to be exercised.
4. The Tribes shall hold one or more public meetings, and provide timely advanced notice to affected water users of each such meeting, to report on the completion of the water availability study and the proposed enforceable schedule for that reach area.
5. The Tribes shall consider the public comment received either at the public meeting(s) or within 30 days thereafter, and shall finalize the proposed enforceable schedule for a given reach area no fewer than 45 days after the day of the last public meeting.
6. The Tribes shall provide written notice to the Engineer of the finalized proposed enforceable schedule, including an explanation of the technical basis therefore. Upon receipt, the Engineer shall forward the proposed enforceable schedule to Staff for review.
7. Staff, using information from the written notice, as well as their own compilation of independent resources and analysis, if available, shall issue a recommended decision as to

whether to adopt the enforceable schedule within 90 days of the date of the written notice provided by the Tribes pursuant to subsection (6) of this Section.

8. If the recommended decision is to adopt the enforceable schedule, a summary of the proposed enforceable schedule and the recommended decision shall be publicly noticed by the Office of the Engineer once via a legal notice in a local newspaper of general circulation and posted by the Office of the Engineer on the Board's website for a period not less than 45 days from the date the recommendation is issued. A summary of the proposed enforceable schedule and the recommended decision shall also be distributed electronically to individuals or entities who have registered with the Board to receive electronic notice. If no objections are filed within 45 days of the initial publication of the recommended decision by the Office of the Engineer, or if all filed objections are unconditionally withdrawn prior to being ruled upon, the application shall be granted by the Engineer or Designee within 10 days after expiration of the time for filing objections or after the unconditional withdrawal of the last objection, whichever date is later.
9. Objections to a proposed enforceable schedule may be filed only by holders of water rights in the particular stream reach for which the enforceable schedule is proposed. The only cognizable ground for objection is that the proposed enforceable schedule will have an adverse effect on the objector's water right. An objection must describe the alleged adverse effect on the objector's water right. The burden of proof shall be on the objector.
10. An objector or the Tribes may elect to have any valid objection decided on the record or after hearing. If the objector elects to have a hearing, that request must be made at the same time as the filing of the objection or the objector's right to a hearing is waived. The Tribes must

invoke the right to a hearing within 10 days of receiving notice of the objection or the Tribes' right to a hearing is waived.

11. Discovery prior to hearing will be as provided by the Engineer or Designee, and may commence following the receipt of a valid objection.
12. The Engineer or Designee, after issuance of notice of hearing, may not communicate with any party to that case or any party's representative(s) in connection with any issue of fact or law in the case except upon notice and opportunity for all parties to participate.
13. The hearing shall be recorded electronically and an official record maintained.
14. All evidence that, in the opinion of the Engineer or Designee, possesses probative value shall be admitted, including hearsay, if it is the type of evidence commonly relied upon by reasonably prudent Persons in the conduct of their normal business affairs. Rules of privilege recognized by law shall be given effect. Evidence which is irrelevant, immaterial, or unduly repetitious shall be excluded.
15. A written decision by the Engineer or Designee shall be rendered within 60 days of the hearing, disseminated to the parties, and posted by the Office of the Engineer on the Board's website within 10 days of its issuance. If the individual who conducted the hearing becomes unavailable to the Office of the Engineer, a decision may be prepared by an individual who has read the record only if the demeanor of witnesses is considered immaterial by all parties to the case. If any party considers the demeanor of any witness to be material to the resolution of the appeal, a new hearing must be held.
16. The Tribes or any objector dissatisfied with the final decision of the Engineer or Designee may appeal to the Board (and become an appellant) and obtain review of the Engineer's or

Designee's decision. A notice of appeal to the Board must be filed with the Board within 30 days of the Engineer's or Designee's decision. To be filed, a notice must be placed in the custody of the Board within the time fixed for filing. Filing may be accomplished by mail addressed to the Board, but filing shall not be timely unless the papers are actually received within the time fixed for filing. Immediately upon receipt by the Board, the notice of appeal shall be date stamped. Appeal to the Board shall be resolved pursuant to the provisions of Section 2-2-111 of this Ordinance.

17. If the recommended decision is to reject the proposed enforceable schedule, the Tribes may withdraw the proposed enforceable schedule within 10 days of the issuance of the recommended decision, or may appeal the recommended decision to the Engineer by filing a notice of appeal within 30 days of issuance of the recommended decision. The Tribes may elect to have the appeal decided on the record, after submission of additional evidence and argument, or after hearing. If the Tribes elect to have a hearing, that request must be made at the same time as the filing of the notice of appeal or the right to a hearing is waived. The notice of appeal must specify those parts of the recommended decision claimed to be in error.
18. Within 60 days from the filing of the notice of appeal, or any extended period of time, not to exceed 60 days, granted by the Engineer or Designee, the Tribes may submit additional factual evidence and legal argument in support of the proposed enforceable schedule. Staff who issued the recommended decision shall have 45 days from the Tribes' submission to revise, amend, or affirm the recommended decision in a second recommended decision that explains in writing the rationale for the second recommended decision.

19. If the recommended decision or second recommended decision is to reject the proposed enforceable schedule and no notice of appeal is filed pursuant to this Section, the proposed enforceable schedule shall be deemed rejected the day after expiration of the time for filing a notice of appeal. The rejection of a proposed enforceable schedule does not preclude the Tribes from filing another proposed enforceable schedule for the same or any other stream reach identified in the rights set forth in Article III.C.1.d.iii of the Compact.
20. The Tribes bear the burden of demonstrating to the Engineer or Designee by a preponderance of the evidence, whether a hearing is held or not, that the recommended decision or second recommended decision is in error.
21. If the Tribes request a hearing before the Engineer or Designee, a hearing shall be held no later than the latest of the following:
    a. 90 days after the filing of the notice of appeal; or
    b. 30 days after the issuance of a second recommended decision pursuant to subsection (2) of this Section, whichever is later.
22. The hearing shall be recorded electronically and an official record maintained. All evidence that, in the opinion of the Engineer or Designee, possesses probative value shall be admitted, including hearsay, if it is the type of evidence commonly relied upon by reasonably prudent Persons in the conduct of their normal business affairs. Rules of privilege recognized by law shall be given effect. Evidence which is irrelevant, immaterial, or unduly repetitious shall be excluded.

23. A decision by the Engineer or Designee to reverse, modify, or affirm the recommended decision or the second recommended decision shall be made in writing within 60 days after the later of:
    a. the filing of a notice of appeal pursuant to subsection (1) of this Section;
    b. the submission of additional evidence or legal argument pursuant to subsection (2) of this Section;
    c. issuance of Staff's second recommended decision; or
    d. the completion of the hearing.
24. If the Engineer or Designee reverses the recommended decision or the second recommended decision, and determines that the enforceable schedule should not have been rejected, the proposed enforceable schedule shall be publicly noticed to the public and processed pursuant to the provisions of subsections (8)-(16) of this Section.
25. If the Engineer or Designee affirms the recommended decision or the second recommended decision, resulting in the rejection of the proposed enforceable schedule, the Tribes may either accept that decision by withdrawing the proposed enforceable schedule or taking no further action, or may appeal that decision to the Board pursuant to Section 2-2-111 of this Ordinance. If no timely notice of appeal is filed, the proposed enforceable schedule shall be deemed rejected on the day after the expiration of the time to file the notice of appeal.
26. Any final Board decision on implementation of the enforceable schedule made pursuant to the process outlined in this Section may be appealed pursuant to Section 2-2-112 of this Ordinance.

PART 2. PERMIT AND CHANGE APPLICATION PROCESS

2-2-101. Appropriation Rights and Change in Use Authorizations on the Reservation.

After the Effective Date, a Person within the exterior boundaries of the Reservation may not Appropriate surface water or Groundwater for a new beneficial use, or change an Existing Use, or commence construction of diversion, impoundment, withdrawal, or related distribution works except by applying for and receiving an Appropriation Right, or Change in Use authorization, from the Board.

2-2-102. Burden of Proof for Ground or Surface Water Permits and Change Authorizations.

1. For any application for an Appropriation Right or Change in Use that is not one of the categories of Appropriation Right identified in Sections 1-1-112(1) or 2-2-118 of this Ordinance, applicants for an Appropriation Right, or for a Change in Use authorization must prove by a preponderance of the evidence that the proposed new Appropriation Right or Change in Use authorization will not adversely affect any Appropriator.
2. For any application for an Appropriation Right or Change in Use that is not one of the categories of Appropriation Right identified in Sections 1-1-112(1) or 2-2-118 of this Ordinance, the Board, Engineer, or Designee may modify or condition the issuance of Appropriation Right or Change in Use authorization applied for, to assure that:
   a. the new Appropriation Right or Change in Use authorization will not adversely affect any Appropriator;

b. the proposed means of diversion, construction, and operation of the appropriation works are adequate;

c. except in the case of instream flows or other non-consumptive uses, the applicant has the possessory interest or the written consent of the Person(s) with possessory interest in the property where the water is to be put to beneficial use;

d. the water quality of an Appropriator will not be adversely affected;

e. the proposed use will be consistent with the classification of water set for the source of supply pursuant to water quality standards established under the federal Clean Water Act, 33 USC Section 1251 *et seq.*, and contained in regulations promulgated under the Confederated Salish and Kootenai Tribes' Water Quality Management Ordinance, Tribal Ordinance 89B; and

f. the proposed Appropriation Right or Change in Use authorization will not impair the ability of a discharge permit holder to satisfy effluent limitations set forth in a permit issued in accordance with water quality standards established under the federal Clean Water Act, 33 USC Section 1251 *et seq.*, and contained in regulations promulgated under the Confederated Salish and Kootenai Tribes' Water Quality Management Ordinance, Tribal Ordinance 89B.

2-2-103. Pre-Application Meeting with Office of the Engineer.

Prior to applying to the Board for a new Appropriation Right or Change in Use authorization, within the exterior boundaries of the Flathead Reservation, applicants may meet informally with Staff regarding the application process and information requirements.

2-2-104. Application to Board.

1. An applicant for a new Appropriation Right or Change in Use authorization must:
    a. pay the appropriate application fee in the amount set by the Board;
    b. fill out completely:
        i. the Flathead Reservation Appropriation Right Application; or
        ii. the Flathead Reservation Application for a Change in Use Authorization; and
        iii. all applicable addenda;
    c. attach to each application all required maps; and
    d. sign, date, and notarize or otherwise swear under appropriate oath to the accuracy of the contents of each application.
2. Upon the day of the receipt of an application, or amendment to an application, for a new Appropriation Right or Change in Use authorization, the Office of the Engineer must stamp it received.
3. If an application for a new Appropriation Right is ultimately granted, the priority date of the application is the date the application is stamped received by the Office of the Engineer.
4. All application forms may, upon recommendation by the Engineer, be modified by a unanimous vote of the Board. Any such modification is pursuant to and does not constitute a modification of this Ordinance or the Compact.

2-2-105. Adequate to Process Review.

1. Within 30 days of receipt by the Office of the Engineer of an application for a new Appropriation Right or Change in Use authorization, Staff shall review the application and make a determination whether the application is adequate to process. An application is adequate to process if it:
    a. clearly identifies the proposed project; and
    b. contains the information required by the following forms:
        i. Flathead Reservation Appropriation Right Application, including for Groundwater applications Addendum B – "Flathead Reservation Groundwater Minimum Aquifer Testing Requirements"; or
        ii. Flathead Reservation Application for a Change in Use Authorization.
2. Staff may waive aquifer testing requirements if sufficient hydrogeologic information already exists on the source and in the location of the proposed development.
3. An application determined to be adequate to process shall be posted on the Board's website within 10 working days of the determination of adequacy.

2-2-106. Not Adequate to Process Determination.

1. If Staff determines an application for a new Appropriation Right or Change in Use authorization is not adequate to process, the Office of the Engineer shall send a letter to the applicant notifying the applicant of the defects in the application.
2. An applicant has 90 days from the date of mailing of the notice of inadequacy pursuant to subsection (1) of this Section to make the application adequate to process. An application for

a new Appropriation Right whose defects are timely corrected and which is ultimately granted retains its priority of the date of the initial application.

3. Upon receipt of the information from the applicant to correct deficiencies, Staff must review the updated application and make a determination within 30 days whether the application is adequate to process.
4. An application that is not timely made adequate to process, either through the applicant's failure to respond to the notice of inadequacy issued pursuant to subsection (1) of this Section within the timeframe set forth in subsection (2) of this Section, or by the applicant's failure to provide sufficient information in response to a notice of inadequacy issued pursuant to subsection (1) of this Section within the timeframe set forth in subsection (2) of this Section, shall be deemed denied.
5. An applicant who disagrees with the decision to deny may appeal that decision to the Board pursuant to Section 3-1-104 of this Ordinance. If such an appeal is filed, the Engineer shall be the appellee.

2-2-107. Application Analysis and Recommended Decision.

1. Prior to the expiration of the time periods set forth in Sections 2-2-105(1), 2-2-106(2), 2-2-106(3), or 2-2-108(2) of this Ordinance, Staff may meet informally with an applicant to discuss an application, including any proposed Mitigation Plan. The results of such meetings shall be documented by a summary memo prepared by Staff and included in the application file. An applicant may also submit a memo documenting the meeting, which becomes part of the application file. If an application submitted pursuant to Section 2-2-104 or a Mitigation

Plan submitted pursuant to Section 2-2-108(2) of this Ordinance is amended during this informal process, the amended application shall be reviewed by an individual on Staff who was not involved in the informal process to determine whether the amendments are so substantial that they constitute a new application. If it is determined that the amended application constitutes a new application, that application must be reviewed in its entirety pursuant to Sections 2-2-105 and 2-2-106 of this Ordinance. A new application fee must be submitted. A determination that an application amendment is so substantial as to constitute a new application may be appealed to the Engineer pursuant to Section 2-2-109 of this Ordinance.

2. Staff shall analyze an application determined to be adequate to process pursuant to Section 2-2-105 of this Ordinance within 180 days of the determination of adequacy using tools or techniques that may include:
   a. independent resources compiled by Staff (including, but not limited to, Water Resources Surveys and field notes, aerial photographs, water rights decrees, stream gauging records, well logs, and water rights records);
   b. water use records (water measurement, ranch logs, etc.) submitted by the applicant;
   c. field inspection by Staff;
   d. hydrologic or geohydrologic evaluation completed by Staff, provided that all model results, if any, shall be documented.
3. All information relied on by Staff in analyzing an application pursuant to this Section shall be documented in the application file.

4. Staff, using information from the application as well as their own compilation of independent resources and analysis, shall draft a recommended decision with findings of fact and conclusions of law determining:
    a. whether the proposed Appropriation Right or Change in Use authorization will cause adverse effect to any Appropriator; and
    b. whether and, if so, what amount of Mitigation is required before the proposed Appropriation Right or Change in Use authorization may be issued.
5. If the recommended decision is to grant the application, a summary of the application and the recommended decision shall be publicly noticed by the Office of the Engineer once via a legal notice in a local newspaper of general circulation and posted by the Office of the Engineer on the Board's website for a period not less than 45 days from the date the recommendation is issued. A summary of the application and the recommended decision shall also be distributed electronically to individuals or entities who have registered with the Board to receive electronic notice. If no objections are filed within 45 days of the initial publication of the recommended decision by the Office of the Engineer, or if all filed objections are unconditionally withdrawn prior to being ruled upon, the application shall be granted by the Engineer or Designee within 10 days after expiration of the time for filing objections or after the unconditional withdrawal of the last objection, whichever date is later.
6. If the recommended decision is to deny the application, the applicant may withdraw the application within 10 days of the issuance of the recommended decision or appeal the recommended decision to the Engineer pursuant to Section 2-2-109 of this Ordinance. The application filing fee shall not be refunded upon withdrawal. Failure to withdraw the

application or file an appeal within the applicable timeframes shall result in the application being deemed denied on the day after the expiration of the time to appeal.

7. If the recommended decision is to grant the application with conditions other than Mitigation, the application shall be noticed to the public and processed pursuant to the procedures set forth in Sections 2-2-107(5) and 2-2-110 of this Ordinance unless the applicant withdraws the application within 30 days of the issuance of the recommended decision or appeals the recommended decision to the Engineer pursuant to Section 2-2-109 of this Ordinance. The application filing fee shall not be refunded upon withdrawal.
8. Amendments to applications are not allowed after the issuance of a recommended decision on that application, except as provided in Section 2-2-108(2) of this Ordinance.

2-2-108. Process if Mitigation Required.

1. If Staff analysis of an application concludes that Mitigation is necessary to approve an application, a recommended decision shall be issued to that effect. Upon issuance of a recommended decision finding that Mitigation is required, the applicant may:
    a. withdraw the application (with no refund of the application filing fee);
    b. appeal the recommended decision to the Engineer pursuant to Section 2-2-109 of this Ordinance; or
    c. prepare a Mitigation Plan.
2. If the applicant chooses to prepare a Mitigation Plan, the running of the time set forth in Section 2-2-107(2) of this Ordinance for processing that application is suspended until a timely Mitigation Plan is received from the applicant. The Mitigation Plan must be submitted

within 180 days of issuance of the recommended decision requiring Mitigation, or of the decision of the Engineer or Designee as set forth in Section 2-2-109(10) of this Ordinance, whichever date is later, and must include either or both of:

   a. an application for a Change in Use authorization for another water right so as to provide for the required Mitigation; and/or
   b. amendments describing the source, volume, flow rate, point of diversion, place of use, period of use, and place of storage of mitigation water that comes from other than a change authorization.

3. The running of the time set forth in Section 2-2-107(2) of this Ordinance for analyzing the application and issuing a recommended decision resumes upon the timely receipt by the Office of the Engineer of the material(s) required by subsection (2) of this Section.
4. If a Mitigation Plan is timely submitted by an applicant following a decision of the Engineer or Designee as set forth in Section 2-2-109(10) of this Ordinance, Staff shall issue a new recommended decision concerning the application within 180 days of the timely submission of the Mitigation Plan.
5. If the recommended decision is to grant the application conditioned on the Mitigation Plan submitted by the applicant pursuant to subsection (2) of this Section, the application shall be noticed to the public and processed pursuant to the procedures set forth in Sections 2-2-107(5) and 2-2-110 of this Ordinance.
6. If the recommended decision is to deny the application, the applicant may withdraw the application within 10 days of the issuance of the recommended decision or appeal the recommended decision to the Engineer pursuant to Section 2-2-109 of this Ordinance. The

application filing fee shall not be refunded upon withdrawal. Failure to withdraw the application or file an appeal within the applicable timeframes shall result in the application being deemed denied on the day after the expiration of the time to appeal.

7. If the Mitigation Plan is not submitted within 180 days of issuance of the recommended decision requiring Mitigation the application shall be deemed denied.

2-2-109. Appeal to Engineer from Recommended Decision.

1. If a recommended decision issued pursuant to Sections 2-2-107 or 2-2-108 of this Ordinance is to deny an application, or grant it with a requirement of Mitigation or other conditions, the applicant may appeal to the Engineer by filing a notice of appeal within 30 days of issuance of the recommended decision. An applicant may elect to have the appeal decided on the record, after submission of additional evidence and argument, or after hearing. If the applicant elects to have a hearing, that request must be made at the same time as the filing of the notice of appeal or the right to a hearing is waived. The notice of appeal must specify those parts of the recommended decision claimed to be in error.
2. Within 60 days from the filing of the notice of appeal, or any extended period of time, not to exceed 60 days, granted by the Engineer or Designee, the applicant may submit additional factual evidence and legal argument in support of the application. Staff who issued the recommended decision shall have 45 days from the applicant's submission to revise, amend, or affirm the recommended decision in a second recommended decision that explains in writing the rationale for the second recommended decision.

3. If the recommended decision or second recommended decision is to deny an application and no notice of appeal is filed pursuant to this Section, the application shall be deemed denied the day after expiration of the time for filing a notice of appeal.
4. The applicant bears the burden of demonstrating to the Engineer or Designee by a preponderance of the evidence, whether a hearing is held or not, that the recommended decision or second recommended decision is in error.
5. If the applicant requests a hearing before the Engineer or Designee, a hearing shall be held no later than the latest of the following:
    a. 90 days after the filing of the notice of appeal; or
    b. 30 days after the issuance of a second recommended decision pursuant to subsection (2) of this Section, whichever is later.
6. The hearing shall be recorded electronically and an official record maintained. All evidence that, in the opinion of the Engineer or Designee, possesses probative value shall be admitted, including hearsay, if it is the type of evidence commonly relied upon by reasonably prudent Persons in the conduct of their normal business affairs. Rules of privilege recognized by law shall be given effect. Evidence which is irrelevant, immaterial, or unduly repetitious shall be excluded.
7. A decision by the Engineer or Designee to reverse, modify, or affirm the recommended decision or the second recommended decision shall be made in writing within 60 days after the later of:
    a. the filing of a notice of appeal pursuant to subsection (1) of this Section;

b. the submission of additional evidence or legal argument pursuant to subsection (2) of this Section;

c. issuance of Staff's second recommended decision; or

d. the completion of the hearing.

8. If the Engineer or Designee reverses the recommended decision or the second recommended decision, and determines that the application should be granted, the application shall be publicly noticed to the public and processed pursuant to the provisions of Section 2-2-107(5) and Section 2-2-110 of this Ordinance.

9. If the Engineer or Designee affirms the recommended decision or the second recommended decision, resulting in the denial of an application, the applicant may either accept that decision by withdrawing the application or taking no further action, or may appeal that decision to the Board pursuant to Section 2-2-111 of this Ordinance. The application filing fee shall not be refunded upon withdrawal. If no timely notice of appeal is filed, the application shall be deemed denied on the day after the expiration of the time to file the notice of appeal.

10. If the Engineer or Designee affirms the recommended decision or the second recommended decision, resulting in the granting of an application with a requirement of conditions other than Mitigation, the applicant may withdraw the application; file with the Office of the Engineer written acceptance of the conditions within 30 days of the Engineer's or Designee's decision, in which case the application will be noticed to the public and processed pursuant to the provisions of Sections 2-2-107(5) and 2-2-110 of this Ordinance; or appeal the decision to the Board pursuant to Section 2-2-111 of this Ordinance. The application filing fee shall

not be refunded upon withdrawal. Failure to withdraw the application, file written acceptance of the condition, or file an appeal within the applicable timeframes shall result in the application being deemed denied on the day after the expiration of the time to appeal.

11. If an applicant has appealed to the Engineer a Staff determination that Mitigation is necessary pursuant to Section 2-2-108(1)(b) of this Ordinance, and the Engineer or Designee affirms the recommended decision resulting in a determination that Mitigation is required before the application may be granted, the applicant may withdraw the application; appeal the decision to the Board pursuant to Section 2-2-111 of this Ordinance; or prepare a Mitigation Plan pursuant to Section 2-2-108(2) of this Ordinance. The application filing fee shall not be refunded upon withdrawal. Failure to withdraw the application, file a Mitigation Plan, or file an appeal within the applicable timeframes shall result in the application being deemed denied on the day after the expiration of the time to file a Mitigation Plan.
12. If the Engineer or Designee affirms a recommended decision or second recommended decision that found a Mitigation Plan inadequate to justify the issuance of the proposed Appropriation Right or Change in Use authorization, the applicant may either accept that decision by withdrawing the application or taking no further action, or may appeal that decision to the Board pursuant to Section 2-2-111 of this Ordinance. The application filing fee shall not be refunded upon withdrawal. If no timely notice of appeal is filed, the application shall be deemed denied on the day after the expiration of the time to file the notice of appeal.
13. Any applicant wishing to appeal a decision of the Engineer or Designee pursuant to this Section must file a notice of appeal with the Board. Any such notice of appeal must be filed

with the Board within 30 days of the Engineer's or Designee's decision. To be filed, a notice must be placed in the custody of the Board within the time fixed for filing. Filing may be accomplished by mail addressed to the Board, but filing shall not be timely unless the papers are actually received within the time fixed for filing. Immediately upon receipt by the Board, the notice of appeal shall be date stamped.

2-2-110. Notice and Hearing on Recommended Decision to Grant.

1. Any Person alleging that they will suffer adverse effect from the grant of an application for proposed Appropriation Right or Change in Use authorization may file an objection to a recommended decision to grant an application. To be valid, an objection must describe the alleged adverse effect on the objector's water right.
2. An objector or an applicant may elect to have any valid objection decided on the record or after hearing. If the objector elects to have a hearing, that request must be made at the same time as the filing of the objection or the objector's right to a hearing is waived. The applicant must invoke the right to a hearing within 10 days of receiving notice of the objection or the applicant's right to a hearing is waived.
3. Discovery prior to hearing will be as provided by the Engineer or Designee, and may commence following the receipt of a valid objection.
4. If, prior to the hearing, valid objections are withdrawn pursuant to an agreement between or among the applicant and objector(s) setting forth various conditions on the application, the Engineer or Designee shall grant the application subject to those conditions necessary to satisfy the criteria set forth in Section 2-2-102(1) of this Ordinance, but the Engineer or

Designee has the discretion to accept or reject other conditions of the agreement between or among the applicant and objector(s).

5. The Engineer or Designee, after issuance of notice of hearing, may not communicate with any party to that case or any party's representative(s) in connection with any issue of fact or law in the case except upon notice and opportunity for all parties to participate.
6. The hearing shall be recorded electronically and an official record maintained.
7. All evidence that, in the opinion of the Engineer or Designee, possesses probative value shall be admitted, including hearsay, if it is the type of evidence commonly relied upon by reasonably prudent Persons in the conduct of their normal business affairs. Rules of privilege recognized by law shall be given effect. Evidence which is irrelevant, immaterial, or unduly repetitious shall be excluded.
8. The burden of proof is on the applicant to prove the applicable criteria of Section 2-2-102(1) of this Ordinance by a preponderance of evidence.
9. A written decision by the Engineer or Designee shall be rendered within 60 days of the hearing, disseminated to the parties, and posted by the Office of the Engineer on the Board's website within 10 days of its issuance. If the individual who conducted the hearing becomes unavailable to the Office of the Engineer, a decision may be prepared by an individual who has read the record only if the demeanor of witnesses is considered immaterial by all parties to the case. If any party considers the demeanor of any witness to be material to the resolution of the appeal, a new hearing must be held.
10. Any applicant or objector dissatisfied with the final decision of the Engineer or Designee may appeal to the Board (and become an appellant) and obtain review of the Engineer's or

Designee's decision. A notice of appeal to the Board must be filed with the Board within 30 days of the Engineer's or Designee's decision. To be filed, a notice must be placed in the custody of the Board within the time fixed for filing. Filing may be accomplished by mail addressed to the Board, but filing shall not be timely unless the papers are actually received within the time fixed for filing. Immediately upon receipt by the Board, the notice of appeal shall be date stamped.

2-2-111. Appeal to the Board.

1. Any question not raised before the Engineer or Designee may not be raised in the appeal to the Board unless it is shown to the satisfaction of the Board that there was good cause for failure to raise the question before the Engineer or Designee.
2. Appeal to the Board of decisions of the Engineer or Designee shall be confined to the record. If, before the date set for hearing the appeal, application is made to the Board for leave to present additional evidence and it is shown to the satisfaction of the Board that the additional evidence is material and that there were good reasons for failing to present it in the proceeding before the Engineer or Designee, the Board may order that the additional evidence be taken before the Engineer or Designee upon conditions determined by the Board, including the deadline for submission of additional evidence to the Engineer or Designee and for the conclusion of the Engineer's or Designee's review of any such additional evidence. The Engineer or Designee may modify the findings and decision by reason of the additional evidence or may affirm the prior decision and shall file a modified decision or notice of affirming the decision with the Board pursuant to a reasonable deadline set by the Board.

3. If the appellant requests an oral argument, the Board must hold oral argument on the appeal. If the appellant does not request an oral argument, the Board may, in its discretion, order oral argument or may resolve the appeal without one.
4. Review by the Board:
    a. the review by the Board must be confined to the record. In cases of alleged irregularities in procedure before the Engineer or Designee not shown in the record, proof of the irregularities may be taken by the Board. The Board, upon request, shall hear oral argument and receive written briefs.
    b. the Board may not substitute its judgment for that of the Engineer or Designee as to the weight of the evidence on questions of fact.
    c. the Board may affirm the decision of the Engineer or Designee or remand the case for further proceedings.
    d. the Board may reverse or modify the decision if substantial rights of an appellant have been prejudiced because:
        i. the Engineer's or Designee's findings, inferences, conclusions, or decisions are:
            (1) in violation of constitutional or statutory provisions;
            (2) in excess of the authority of the Engineer or Designee;
            (3) made upon unlawful procedure;
            (4) affected by other error of law;
            (5) clearly erroneous in view of the record as a whole;
            (6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or

ii. findings of fact, upon issues essential to the decision, were not made although requested.

2-2-112. Appeal to Court of Competent Jurisdiction.

Pursuant to Article IV.I.6 of the Compact, an aggrieved party may obtain review of a final decision of the Board by filing a petition for judicial review with a Court of Competent Jurisdiction within 30 days of the issuance of the final Board decision. In considering the petition, the Board's legal conclusions shall be reviewed for correctness and its factual findings for abuse of discretion. In the event that a court determines that it lacks subject matter or personal jurisdiction to rule on a petition for judicial review of a Board decision, the party filing the petition shall be entitled to petition for judicial review from any other Court of Competent Jurisdiction within thirty days from the date of a final court order finding lack of jurisdiction.

2-2-113. Completion.

1. Whenever an Appropriation Right or Change in Use Authorization is issued under this Chapter, the Engineer or Designee shall specify in writing as part of the Appropriation Right or Change in Use authorization issued, or in any authorized extension of time provided pursuant to subsection (2) of this Section, the time limits for commencement of the appropriation works, completion of construction, and actual application of water to the proposed beneficial use. In fixing those time limits, the Engineer or Designee shall consider the cost and magnitude of the project, the engineering and physical features to be encountered, and, on projects designed for gradual development and gradually increased use

of water, the time reasonably necessary for that gradual development and increased use. The Engineer or Designee shall issue the Appropriation Right or Change in Use authorization, or the authorized extension of time, subject to the terms, conditions, restrictions and limitations the Engineer or Designee considers necessary to ensure that work on the Appropriation is commenced, conducted, and completed and that the water is actually applied in a timely manner to the beneficial use specified in the Appropriation Right or Change in Use authorization.

2. The Engineer or Designee, for good cause shown, may extend the time limits specified in the Appropriation Right or Change in Use authorization for commencement of the appropriation works, completion of construction, and actual application of water to the proposed beneficial use. If commencement of the appropriation works, completion of construction, or actual application of water to the proposed beneficial use is not completed within the time limit set forth in the Appropriation Right or Change in Use authorization, or by any extension granted pursuant to this subsection, the Appropriation Right or Change in Use authorization is void upon lapse of the time limit.
3. Any owner of an Appropriation Right or Change in Use authorization who disagrees with the time limit specified by the Engineer or Designee pursuant to subsections (1) and (2) of this Section may appeal the Engineer's decision to the Board pursuant to Section 2-2-111 of this Ordinance. A notice of appeal must be filed with the Board within 30 days of the Engineer's or Designee's decision. To be filed, a notice must be placed in the custody of the Board within the time fixed for filing. Filing may be accomplished by mail addressed to the Board,

but filing shall not be timely unless the papers are actually received within the time fixed for filing.

2-2-114. Compliance with Completion Deadline.

Upon actual application of water to the proposed beneficial use within the time allowed by the Engineer or Designee pursuant to Section 2-2-113 of this Ordinance, the owner of the Appropriation Right or Change in Use authorization shall notify the Office of the Engineer that the Appropriation has been completed. The notification must contain a certified statement by an individual with experience in the design, construction, or operation of appropriation works describing how the Appropriation was completed. The Office of the Engineer shall review the certified statement and may then inspect the Appropriation, and if it determines that the Appropriation has been completed in substantial accordance with the Appropriation Right or Change in Use authorization, it shall issue the owner of the Appropriation Right or Change in Use authorization a Flathead Reservation Appropriation Right Document. The original of the document shall be sent to the owner of the Appropriation Right or Change in Use authorization, and a duplicate shall be kept in the Office of the Engineer.

2-2-115 Redundant and Substitute Wells.

1. An Appropriator may change an Appropriation Right or Existing Use without first applying for a Change in Use authorization pursuant to Sections 2-2-101 *et seq.* of this Ordinance for the purpose of constructing a Substitute Well if:

   a. the rate and volume of the appropriation from the Substitute Well are equal to or less than that of the Well being replaced;
   b. the water from the Substitute Well is appropriated from the same Groundwater source as the water appropriated from the Well being replaced; and
   c. a timely, correct and complete Notice of Substitute Well is submitted to the Engineer as provided in subsection 2 of this Section.
2. Review.
   a. Within 60 days after a Substitute Well is completed and delivering water, the Appropriator shall file a Notice of Substitute Well with the Office of the Engineer on a form provided by the Board. Upon receipt of the Notice, the Office of the Engineer shall date stamp it.
   b. The Engineer or Designee shall review the Notice of Substitute Well within 90 days of the date stamped on it pursuant to subsection (2)(a) of this Section, and shall issue a Change in Use authorization if all of the criteria identified in subsection (1) of this Section have been met and the Notice of Substitute Well is correct and complete.
   c. The Engineer or Designee may not issue a Change in Use authorization until a correct and complete Notice of Substitute Well has been filed with the Office of the Engineer. The Office of the Engineer shall return to the Appropriator a Notice that is determined by Staff to be defective, along with a description of defects in the Notice. The Appropriator shall refile a corrected and completed Notice of Substitute Well within 30 days of notification of defects or within a further time as the Engineer or Designee may allow, not to exceed 180 days. If the Appropriator does not refile within that timeframe, the

Appropriation Right will be deemed denied and the Appropriator must then comply with the provisions of subsection (d) of this Section.

d. If a Notice of Substitute Well is not completed within the time allowed, the Appropriator shall:

  i. cease appropriation of water from the Substitute Well pending approval by the Engineer or Designee; and

  ii. submit an application for a Change in Use authorization pursuant to Section 2-2-104 of this Ordinance; or

  iii. comply with the well abandonment procedures, standards and rules adopted by the board of water well contractors pursuant to 37-43-202, MCA, or any successor procedures, standards and rules that are promulgated in State law.

3. Wells that have been determined to be abandoned pursuant to Sections 2-1-111 and 2-1-112 of this Ordinance are not eligible to be replaced by Substitute Wells under this Section.

4. For each well that is replaced under subsection (1) of this Section, the appropriator shall follow the well abandonment procedures, standards, and rules adopted by the board of water well contractors pursuant to 37-43-202, MCA, or any successor procedures, standards and rules that are promulgated in State law.

5. An Appropriator may change an Appropriation Right or Existing Use without first applying for a Change in Use authorization pursuant to Section 2-2-101, *et seq.* of this Ordinance for the purpose of constructing a Redundant Well in a Public Water Supply System if the Redundant Well:

   a. withdraws water from the same Groundwater source as the original well; and

   b. is required by a State, federal, or Tribal agency.

6. The priority date of the Redundant Well is the same as the priority date of the original well. Only one well may be used at one time.

7. Within 60 days of completion of a Redundant Well, the Appropriator shall file a Notice of Construction of Redundant Well with the Office of the Engineer on a form provided by the Board. The Engineer or Designee shall review and process the Notice pursuant to the procedures set forth in subsection (2) of this Section.

8. If a Notice of Construction of Redundant Well is not completed within the time allowed, the Appropriator shall:
   a. cease appropriation of water from the Redundant Well pending approval by the Engineer or Designee; and
   b. submit an application for a Change in Use authorization pursuant to Section 2-2-104 of this Ordinance; or
   c. comply with the well abandonment procedures, standards and rules adopted by the board of water well contractors pursuant to 37-43-202, MCA, or any successor procedures, standards and rules that are promulgated in State law.

9. Any Appropriator aggrieved by a determination that a corrected Notice required by subsection (2) or (7) of this Section, as applicable, is defective may appeal that determination to the Board by filing a notice of appeal to the Board within 30 days of the rejection of the corrected Notice. To be filed, a notice must be placed in the custody of the Board within the time fixed for filing. Filing may be accomplished by mail addressed to the Board, but filing shall not be timely unless the papers are actually received within the time fixed for filing.

10. Any appeal to the Board filed pursuant to subsection (9) of this Section shall be conducted pursuant to the provisions of Section 3-1-104 of this Ordinance. If such an appeal is filed, the Engineer shall be the appellee.

2-2-116. Appropriation Rights for Stock Water Allowances.

1. Appropriation Rights for Stock Water Allowances include Stock Water Well Allowances, Stock Water Pit Allowances, and Stock Water Tank Served by Surface Water Allowances.
2. A Stock Water Well Allowance may be sourced from either Wells or Developed Springs.
3. A Stock Water Pit Allowance may be sourced from Groundwater seepage or a non-perennial stream.
4. A Stock Water Tank Served by Surface Water Allowance may be sourced from a perennial or non-perennial stream.
5. Before appropriating water for a Stock Water Well, approval from the Engineer is required. The Engineer may approve a Stock Water Well Allowance if:
    a. the Well construction complies with the requirements of Section 1-1-111 of this Ordinance;
    b. the maximum flow rate is 35 gallons per minute or less;
    c. the maximum annual diverted volume is 2.4 acre-feet or less;
    d. the means of diversion is a single Well or Developed Spring;
    e. the well is not physically connected to a Home or Business;
    f. the means of diversion includes Well Shaft Casing; and
    g. Stock Water use associated with the Appropriation is dispensed using Stock Tanks.

6. Before appropriating water for a Stock Water Pit Allowance, approval from the Engineer is required. The Engineer can approve a Stock Water Pit allowance if:
    a. the capacity of the Stock Water Pit is 5 acre feet or less;
    b. the maximum annual appropriated volume is 10 acre feet or less;
    c. the Stock Water Pit Allowance is sourced from Groundwater seepage, a non-perennial stream, or both, provided that a ditch or pipeline is not used;
    d. the Stock Water Pit Allowance is constructed on and accessible to a parcel of land 40 acres or larger and owned or under control of the applicant; and
    e. the construction of the means of diversion complies with Tribal Ordinance 87(A) (Aquatic Lands Conservation Ordinance).
7. Before appropriating water for a Stock Water Tank Served by Surface Water Allowance, approval from the Engineer is required. The Engineer can approve a Stock Water Tank Served by Surface Water Allowance if:
    a. the maximum flow rate is 10 gallons per minute or less;
    b. the combined maximum annual diverted volume is 2.4 acre-feet or less;
    c. the means of conveyance is a fully contained pipe or hose. Open ditch conveyance is not allowed;
    d. the construction of the means of diversion complies with Tribal Ordinance 87(A) (Aquatic Lands Conservation Ordinance); and
    e. Stock Water associated with the appropriation is dispensed using one or more Stock Tanks.

8. An applicant must file a completed Application for a Stock Water Allowance with the Office of the Engineer and obtain approval from the Engineer before developing and appropriating water for Stock Water use pursuant to this Section. A complete application shall also include:
    a. proof that the applicant has the possessory interest or the written consent of the Person(s) with possessory interest in the property where the point of diversion is located and where the water is to be put to beneficial use, and property rights in the diversion works; and
    b. a site-map that shows, in addition to the requirements of Section 1-1-110(12), the location of all proposed Stock Water Allowance development(s) including latitude and longitude in decimal degrees. The map must include the entire property boundaries where the Stock Water Allowance development is proposed, or a minimum radius of 500 feet from any proposed Stock Water Allowance development, whichever is greater, and include any of the following that are in existence or are proposed by the applicant:
        i. Well(s), Pits and Stock Tanks including purpose of each;
        ii. buildings on the site, including identification of Well connections;
        iii. property lines and ownerships; and
        iv. means of conveyance, water right points of diversions, and surface water features.
9. Upon receipt of a completed application form complying with subsection (8) of this Section, the Office of the Engineer shall date stamp the application form.
10. The Engineer or Designee shall review the application within 30 days of the date stamped on the application pursuant to subsection (9) of this Section, and within that timeframe may either approve the application or return a defective application to the applicant with a written

explanation of the defects. If a corrected application is submitted within 30 days of its return by the Office of the Engineer, no new filing fee shall be required. Upon receiving a corrected application, which shall be date stamped by the Office of the Engineer upon receipt, the Engineer or Designee has 30 days from the date stamped on the corrected application pursuant to this subsection (10) to approve or deny the application.

11. If the Engineer or Designee does not approve or return an application within 30 days of the date stamped on the application pursuant to subsection (9) of this Section, the application shall be deemed approved. If the Engineer or Designee does not approve or deny a corrected application within 30 days of the date stamped on the application pursuant to subsection (10) of this Section, the application shall be deemed approved.
12. Once an applicant meets the requirements of subsections (5) through (9) of this Section, as applicable, and an application is approved by the Engineer or Designee under subsection (10) or (11) of this Section, the Office of the Engineer shall issue an authorization to develop a Stock Water Allowance. The authorization to develop a Stock Water Allowance entitles an Appropriator to construct the authorized type of Stock Water Allowance within, but not to exceed, one year of the date of approval.
13. An Appropriation Right for a Stock Water Allowance becomes valid and final when, within 120 days of completing the diversion works and putting the water to beneficial use, an Appropriator files a Stock Water Allowance completion form accurately and completely. The completion form for a Stock Water Well Allowance must include a copy of the companion Well Log Report(s), and must identify the as-built attributes of any Well, Pit or Stock Tank constructed. If the as-built attributes are less than or equal to the size of the

Allowance for which the applicant originally applied, a Certificate of Stock Water Allowance shall be issued for the as-built attributes. No Certificate of Stock Water Allowance may be issued if the as-built system exceeds the volumes or flow rates set forth in subsections (5), (6) or (7) of this Section, as applicable.

14. If an Appropriation Right for a Stock Water Allowance is revoked by the Board pursuant to the provisions of Section 3-1-112(3) of this Ordinance, or is determined to be abandoned pursuant to the provisions of Sections 2-1-111 and 2-1-112 of this Ordinance, or is voluntarily abandoned, the Appropriator shall, within 180 days of the revocation or voluntary abandonment, fill in and rehabilitate any Pits, Pit-dams, Constructed Ponds, or Reservoirs associated with the revoked or abandoned Appropriation Right for a Stock Water Allowance, and shall, within 180 days of the revocation or voluntary abandonment, seal any tanks or supply lines associated with the revoked or abandoned Appropriation Right for a Stock Water Allowance.

2-2-117. Appropriation Rights for Domestic Allowances for Homes and Businesses; process for application, review, and issuance.

1. Appropriation Rights for Domestic Allowances include Individual Domestic Allowances, Shared Domestic Allowances and Development Domestic Allowances. An Individual Domestic Allowance may be used only to serve an individual Home or Business. A Shared Domestic Allowance may be used only to serve no less than two and no more than three Homes and/or Businesses. A Development Domestic Allowance may be used only to serve a Development.
2. A Domestic Allowance may be sourced from either Wells or Developed Springs.

3. A Domestic Allowance may not be used to fill or maintain Pits, Pit-Dams, Constructed Ponds, or Reservoirs.
4. Before appropriating water for Domestic Use for an Individual Domestic Allowance, approval from the Engineer is required. The Engineer may approve an Individual Domestic Allowance if:
    a. the Well construction complies with the requirements of Section 1-1-111 of this Ordinance;
    b. the maximum flow rate is 35 gallons per minute or less;
    c. the maximum annual diverted volume is 2.4 acre-feet or less;
    d. the means of diversion is a single Well or Developed Spring;
    e. the Well is physically connected to and serves one and only one Home or Business;
    f. the means of diversion includes Well Shaft Casing;
    g. Stock Water use associated with the allowance is dispensed using Stock Tanks; and
    h. the amount of land to be irrigated by the allowance is 0.7 acres or less.
5. Before appropriating water for a Shared Domestic Allowance, approval from the Engineer is required. The Engineer may approve a Shared Domestic Allowance if:
    a. the Well construction complies with the requirements of Section 1-1-111 of this Ordinance;
    b. the maximum flow rate is 35 gallons per minute or less;
    c. the maximum annual diverted volume is 2.4 acre-feet or less;
    d. the means of diversion is a single Well or Developed Spring;

e. the Well is physically connected to not less than two and not more than three Homes and/or Businesses that are not a Development;

f. the means of diversion includes Well Shaft Casing;

g. Stock Water use associated with the allowance is dispensed using Stock Tanks;

h. if the Well is connected to two homes and/or businesses, the amount of land to be irrigated with the allowances is 0.5 acres or less. If the well is connected to three Homes and/or Businesses, the amount of land to be irrigated by the allowance is 0.75 acres or less; and

i. the application includes a copy of the Shared Well Agreement signed by all parties.

6. Before appropriating water for a Development Domestic Allowance, approval from the Engineer is required. The Engineer may approve a Development Domestic Allowance if:

a. the Well construction complies with the requirements of Section 1-1-111 of this Ordinance;

b. the maximum flow rate from each Well or Developed Spring is 35 gallons per minute or less;

c. the combined maximum annual diverted volume from all wells and Developed Springs is 10 acre-feet or less;

d. Measurement devices approved by the Engineer and capable of recording cumulative volumes are installed on each Well or Developed Spring;

e. the means of diversion is one or more Wells and/or Developed Springs not to exceed one Well or Developed Spring per Home or Business within the Development;

f. the means of diversion includes Well Shaft Casing;

g. the allowance is physically connected to multiple Homes and/or Businesses that together constitute a Development;

h. Stock Water use associated with the allowance is dispensed using Stock Tanks;

i. the amount of land to be irrigated with the allowances is limited to 0.25 acres or less for each Home or Business within the Development;

j. the application includes a copy of any Shared Well Agreement(s) signed by all parties, if applicable;

k. the water supply requirements for all Homes and Businesses within the Development are satisfied by the allowance; and

l. the applicant includes a copy of the development plan, plat, or equivalent as required by the associated county government.

7. The owner(s) or operator(s) of a Development Domestic Allowance must submit a Development Domestic Allowance Water Measurement Report by March 31st of the year following the year covered by the report.

8. An applicant must file a completed Application for a Domestic Allowance and obtain approval from the Engineer before drilling any Well(s) or developing any spring(s) and putting water to use pursuant to this Section. A completed application shall also include:

   a. proof that the applicant has a possessory interest or the written consent of the Person(s) with possessory interest in the property where the point of diversion is located and where the water is to be put to beneficial use, and property rights in the diversion works; and

   b. a site-map that shows, in addition to the requirements of Section 1-1-110(12), the location of all proposed Wells and Developed Springs including latitude and longitude in decimal degrees. The map must include the entire property boundaries where the Well associated with the Domestic Allowance is proposed, or a minimum of 500 feet in radius around the proposed Well(s) or Developed Spring(s), whichever is greater, and include any existing or proposed by the applicant:

- i. Well(s) and Stock Tanks, including purpose of each well;
- ii. sewage facilities including septic tanks and drainfields;
- iii. buildings on the site, including identification of Well connections;
- iv. property lines and ownerships;
- v. irrigated acres per lot or unit Well(s); and
- vi. means of conveyance, water right points of diversions, and surface water features.

9. Upon receipt of a completed application form complying with subsection (8) of this Section, the Office of the Engineer shall date stamp the application form.
10. The Engineer or Designee shall review the application within 30 days of the date stamped on the application pursuant to subsection (9) of this Section, and within that timeframe may either approve the application or return a defective application to the applicant, together with a written explanation of the defects. If a corrected application is submitted within 30 days of its return by the Office of the Engineer, no new filing fee shall be required. Upon receiving a corrected application, which shall be date stamped by the Office of the Engineer upon receipt, the Engineer or Designee has 30 days from the date stamped on the corrected application pursuant to this subsection (10) to approve or deny the application.
11. If the Engineer or Designee does not approve or return an application within 30 days of the date stamped on the application pursuant to subsection (9) of this Section, the application

shall be deemed approved. If the Engineer or Designee does not approve or deny a corrected application within 30 days of the date stamped on it pursuant to subsection (10) of this Section, the application shall be deemed approved.

12. Once an applicant meets the requirements of subsections (4), (5), or (6) of this Section, as applicable, as well as the requirements of subsection (8) of this Section, and an application is approved by the Engineer or Designee under subsection (10) or (11) of this Section, the Office of the Engineer shall issue an authorization to develop a Domestic Allowance. The authorization to develop a Domestic Allowance entitles an Appropriator to construct the authorized type of Domestic Allowance within, but not to exceed, one year of the date of approval.
13. An Appropriation Right for a Domestic Allowance becomes valid and final when, within 120 days of completing the Well(s) or Developed Spring(s) and putting the water to beneficial use, an Appropriator files a Domestic Allowance completion form accurately and completely. The completion form must also include a copy of the companion Well Log Report(s), and must identify the as-build attributes of any Well or Stock Tank constructed. If the as-built attributes are less than or equal to the size of the allowance for which the applicant originally applied, a Certificate of Domestic Allowance shall be issued for the as-built attributes. No Certificate of Domestic Allowance may be issued if the as-built system exceeds the volumes or flow rates set forth in subsections (4), (5) or (6) of this Section , as applicable.
14. If an Appropriation Right for a Domestic Allowance is revoked by the Board pursuant to the provisions of Section 3-1-112(3) of this Ordinance, or is determined to be abandoned

pursuant to the provisions of Sections 2-1-111 and 2-1-112 of this Ordinance, or is voluntarily abandoned, the Appropriator shall, within 180 days of the revocation or voluntary abandonment, follow the well abandonment procedures, standards, and rules adopted by the board of water well contractors pursuant to 37-43-202, MCA, or any successor procedures, standards and rules that are promulgated in State law, for any Well associated with the revoked or abandoned Appropriation Right for a Domestic Allowance.

2-2-118. Process for development of new uses from Flathead System Compact Water.

1. Subject to the terms and conditions of the Compact, the Tribal Council or its delegate, or any Person with the written consent of the Tribal Council or its delegate, may apply to utilize Flathead System Compact Water for any beneficial use within the Reservation by submitting a correct and complete application to the Office of the Engineer.
2. A correct and complete application for a use of Flathead System Compact Water shall contain the following information:
   a. the name of the applicant;
   b. a description of the proposed purpose of use;
   c. the point of diversion
   d. the means of diversion
   e. the place of use;
   f. the flow rate, volume diverted, and volume consumed;
   g. the means of conveyance;
   h. the period of use;

i. the duration or term of the proposed use;

j. a project plan, including a proposed completion period and, if applicable, a list of water rights to be used in conjunction with or to be replaced by the proposed use of Flathead System Compact Water for which the application is being filed;

k. a map depicting all the features described in this subsection (2); and

l. if the applicant is not the Tribal Council or its delegate, written authorization from the Tribal Council or its delegate to submit the application.

3. Upon receipt of a completed application for the use of Flathead System Compact Water, the Office of the Engineer shall date stamp it.
4. Staff shall analyze the application for the use of Flathead System Compact Water within 180 days of the date stamped on the application pursuant to subsection (3) of this Section using the tools and techniques identified in Section 2-2-107(2) to determine compliance with the criteria identified in Section 2-2-102(2)(b) through (f) of this Ordinance.
5. All information relied upon by Staff in analyzing an application pursuant to this Section shall be documented in the application file.
6. Staff, using information from the application as well as their own compilation of independent resources and analysis, shall draft a recommended decision with findings of fact and conclusions of law determining whether the application satisfies the criteria set forth in Section 2-2-102(2)(b) through (f).
7. If the recommended decision is to grant the application, a summary of the application and the recommended decision shall be publicly noticed by the Office of the Engineer once via legal notice in a newspaper of general circulation on the Reservation and shall be posted on the

Board's website for a period of 45 days from the date the recommended decision is issued, during which time objections may be filed with the Engineer. If no objections are filed, or if all filed objections are withdrawn prior to being ruled upon, the application shall be granted by the Engineer within 10 days after expiration of the time for filing objections, or after the unconditional withdrawal of the last objection, whichever date is later.

8. If the recommended decision is to deny the application, the applicant may appeal the recommended decision to the Engineer pursuant to the provisions of Section 2-2-109 of this Ordinance.
9. If the recommended decision is to grant the application with conditions, the application shall be noticed to the public pursuant to the provisions of subsection (7) of this Section unless the applicant withdraws the application within 30 days of the issuance of the recommended decision or appeals the recommended decision to the Engineer pursuant to the provisions of Section 2-2-109 of this Ordinance. The application filing fee shall not be refunded upon withdrawal.
10. To be valid for processing, an objection to an application for the use of Flathead System Compact Water must assert and describe how the proposed development of Flathead System Compact Water fails to comply with one or more of the criteria set forth in Section 2-2-102(2)(b) through (f) of this Ordinance. Any such valid objection shall be resolved pursuant to the procedures set forth in Sections 2-2-110 through 2-2-112 of this Ordinance, provided however, that the burden of proof in the hearing before the Engineer or Designee shall be on the objector to prove by a preponderance of the evidence that the application fails to comply

with one or more of the criteria set forth in Section 2-2-102(2)(b) through (f) of this Ordinance.

11. Unless an objection to the application is sustained, the application shall be granted within 10 days of expiration of the time to appeal the decision relating to any objection or after the exhaustion of the objector's last appeal, whichever date is later.
12. The priority date of any use of Flathead System Compact Water is the date of the Tribes' Flathead System Compact Water right as set forth in Article III.C.1.c of the Compact.

2-2-119. Appropriation Rights for Non-consumptive Geothermal Heating or Cooling Exchange Wells.

1. Appropriation Rights may be issued for non-consumptive geothermal heating or cooling exchange Wells with a maximum appropriation of 350 gallons a minute or less if all of the water extracted is returned without delay to the same source aquifer, if the distance between the extraction well and both the nearest existing well and any hydraulically connected surface waters is more than twice the distance between the extraction well and the injection well, and if all Well construction complies with the requirements of Section 1-1-111 of this Ordinance. Before appropriating water for a use described in this subsection (1), approval of the Engineer is required.
2. An applicant must file a completed application form and obtain approval from the Engineer before drilling any Well(s) or developing any spring(s) and putting water to use pursuant to this Section. A completed application shall also include:

a. proof that the applicant has the possessory interest or the written consent of the Person(s) with possessory interest in the property where the point of diversion is located and where the water is to be put to beneficial use, and property rights in the diversion works; and

b. a site-map showing the location of all proposed wells including latitude and longitude in decimal degrees. The map must also include the entire property boundaries where the Wells are proposed, or a minimum of 500 feet in radius around the proposed Well(s) or spring(s), whichever is greater, and include any of the following that exist or are proposed by the applicant:

   i. Wells including purpose of each well;
   ii. sewage facilities including septic tanks and drainfields;
   iii. buildings on the site, including identification of Well connections;
   iv. property lines and ownerships;
   v. irrigated acres per lot or unit well(s); and
   vi. means of conveyance, water right points of diversions, and surface water features.

3. Upon receipt of a completed application form complying with subsection (2) of this Section, the Office of the Engineer shall date stamp the application form.

4. The Engineer or Designee shall review the application within 45 days of the date stamped on the application pursuant to subsection (3) of this Section, and within that timeframe may either approve the application or return a defective application to the applicant, together with a written explanation of the defects. If a corrected application is submitted within 30 days of its return by the Office of the Engineer, no new filing fee shall be required. Upon receiving a corrected application, which shall be date stamped by the Office of the Engineer upon

receipt, the Engineer or Designee has 30 days from the date stamped on the corrected application pursuant to this subsection (4) to approve or deny the application.

5. If the Engineer or Designee does not approve or return an application within 45 days of the date stamped on the application pursuant to subsection (3) of this Section, the application shall be deemed approved. If the Engineer or Designee does not approve or deny a corrected application within 30 days of the date stamped on this application pursuant to subsection (4) of this Section, the application shall be deemed approved.
6. Once an applicant meets the requirements of subsection (1) of this Section and the application is approved pursuant to subsection (4) or (5) of this Section, as applicable, the Engineer shall issue an authorization to develop the Appropriation Right for a Heating/Cooling Exchange Well.
7. An Appropriation Right for a Heating/Cooling Exchange Well becomes valid and final when, within 120 days of completing the Well(s) or Developed Spring(s) and putting the water to beneficial use, an Appropriator files a Heating/Cooling Exchange completion form accurately and completely. The completion form must also include a copy of the companion Well Log Report(s) for the extraction Well and the injection Well.
8. If an Appropriation Right for a Heating/Cooling Exchange Well is revoked by the Board pursuant to the provisions of Section 3-1-112(3) of this Ordinance, or is determined to be abandoned pursuant to the provisions of Sections 2-1-111 and 2-1-112 of this Ordinance, or is voluntarily abandoned, the Appropriator shall, within 180 days of the revocation or voluntary abandonment, follow the well abandonment procedures, standards, and rules adopted by the board of water well contractors pursuant to 37-43-202, MCA, or any

successor procedures, standards and rules that are promulgated in State law, for any Well associated with the revoked or abandoned Appropriation Right for a Heating/Cooling Exchange Well.

2-2-120. Temporary Emergency Appropriations.

1. A Temporary Emergency Appropriation may be made without prior approval from the Board, but the use must cease immediately when the water is no longer required to meet the emergency.
2. A Temporary Emergency Appropriation does not include the use of water for the ordinary operation and maintenance of any trade or business, including but not limited to agricultural production.
3. Within 60 days after the cessation of a Temporary Emergency Appropriation, the Appropriator shall notify the Board of the use to which the water was put, the dates of use, and the estimated amount of water used.
4. Except as set forth in subsection (5) of this Section, a Temporary Emergency Appropriation may not include the use of Enclosed Storage.
5. When the Temporary Emergency Appropriation is made by a local governmental fire agency organized under Title 7, chapter 33, MCA, or applicable Tribal law, and the Temporary Emergency Appropriation is used only for emergency fire protection, the Temporary Emergency Appropriation may include enclosed storage.

2-2-121. Short-term use of a portion of the Tribal Water Right for road construction or dust abatement.

The Tribes, or a Person with the written consent of the Tribes, may use a portion of the Tribal Water Right for road construction or dust abatement purposes, without prior approval of the Board, subject to the following provisions:

1. For uses of 20,000 gallons or less per day from a single source of supply, no notice is required;
2. For uses greater than 20,000 gallons per day and less than 60,000 gallons per day from a single source of supply, a notice must be posted at the site of the diversion or withdrawal for the entire period during which water is being diverted or withdrawn. The notice posted shall be clearly legible and visible and provide the following information:
    a. source of water;
    b. purpose of use;
    c. starting and ending date of diversion;
    d. place of use;
    e. diversion flow rate;
    f. maximum volume of water to be diverted or withdrawn per day; and
    g. name and contact information for the user of the water and for the Board.
3. For uses greater than 60,000 gallons per day from a single source of supply, the Board must be notified at least 10 days but not more than 45 days in advance of the initial use of the water. Notice must be posted at the site of the diversion or withdrawal, as provided in subsection (2) of this Section. Notification to the Board must provide the following information:

a. source of water;

b. legal description of the point of diversion or withdrawal;

c. place of use;

d. map showing preceding three items;

e. purpose of use;

f. starting and ending date of use;

g. diversion flow rate;

h. maximum volume of water to be diverted or withdrawn per day; and

i. name and contact information for the user.

4. The diversion or withdrawal of water pursuant to this Section shall not adversely affect any legal use of water in existence as of the date of the diversion or withdrawal; and

5. If notified that the diversion or withdrawal of water pursuant to this Section is adversely affecting any legal use of water in existence as of the date of the diversion or withdrawal, the user will immediately cease diversion or withdrawal from that source of supply. To resume the diversion or withdrawal, the user may move the diversion or withdrawal to another source of supply, or may satisfy the Board and the holder(s) of the affected legal use(s) of water in existence as of the date of the diversion or withdrawal that use will not cause adverse effects.

2-2-122. Short-term use of an appropriation right that is not part of the Tribal Water Right for road construction or dust abatement.

1. An Appropriator may lease, for a term not to exceed 90 days, all or part of an Appropriation Right or Existing Use that is not part of the Tribal Water Right for road construction or dust

abatement without the prior approval of the Board, subject to the requirements of this Section. The lease agreement must include the following information:

a. the name and address of the lessee;
b. the name of the owner of the Appropriation Right or Existing Use;
c. the number of the Appropriation Right or Existing Use;
d. the purpose of use of water for which the lease is being made;
e. the source of water to be appropriated;
f. the starting and ending date of the proposed use of water;
g. the proposed point of diversion;
h. the proposed place of use;
i. the diversion flow rate and volume of water to be used during the period of use; and
j. a description of how the prior use of water will be reduced to accommodate the temporary change of use of the Appropriation Right or Existing Use, including the number and location of acres to be removed from irrigation, if applicable.

2. A short-term lease of an Appropriation Right or Existing Use under this Section may not exceed 60,000 gallons a day or the amount of the Appropriation Right or Existing Use, whichever is less. Any combination of short-term leases cannot exceed 120,000 gallons a day for one project.

3. Except as provided in subsection (7) of this Section, the following information must be submitted to the Board at least 2 days prior to the use of water by a lessee under this Section:

a. a copy of the publication notice or copies of the individual notice required under subsection (4) of this Section;

   b. a copy of the lease agreement; and
   c. for a combination of short-term leases greater than 60,000 gallons a day for one project, an analysis by the lessee of any potential adverse effects and a description of planned actions to mitigate any potential adverse effects to Appropriators in the area of the proposed point of diversion.
4. Except as provided in subsection (7) of this Section, the lessee of an Appropriation Right or Existing Use under this section shall, 30 days prior to the use of the water, publish a notice of the proposed use of water once in a newspaper of general circulation in the area of the diversion or mail individual notice to potentially affected Appropriators in the area of the proposed point of diversion. The published notice or the individual notice must contain the information listed in subsections (1)(a) through (1)(j) and (3)(c) of this Section.
5. Complaints regarding temporary use
   a. an Appropriator, whether the water right is prior or subsequent in priority to the short-term lease acquired by a Person under this Section, who cannot satisfy in full the Appropriator's right during the time that the short-term lessee is diverting water, may make a complaint to the Engineer pursuant to Section 3-1-102 of this Ordinance and cause the short-term lessee's diversion to be discontinued.
   b. the diversion is discontinued until the complaining Appropriator’s water right is satisfied or until the lessee establishes to the Engineer that the discontinuance has had no effect on the complaining Appropriator's water right. Upon establishment that discontinuance has not had an effect, the Engineer shall enter an order allowing the diversion to continue.

6. This Section does not limit the remedies available to an Appropriator to enjoin or to seek damages from a Person appropriating water under this Section.

7.

   a. a consolidated city-county or a county or an incorporated city or town is not subject to the requirements of subsections (3)(a) and (4) of this Section when conducting dust abatement that was not scheduled or contracted for 30 days or more prior to the use of the water.

   b. a consolidated city-county or a county or an incorporated city or town that does not publish notice as provided in subsection (4) of this Section shall post a copy of the lease agreement at the point of diversion at least 24 hours prior to and during the time that water is diverted.

2-2-123. Wetland Protective Appropriation Rights.

1. Pursuant to the provisions of Sections 2-2-101 *et seq.*, a Wetland Protective Appropriation Right for a Natural Wetland or Restored Natural Wetland may be issued, subject to the following limitations:

   a. except as authorized by Appropriation Rights issued pursuant to Section 1-1-107(1)(k), irrigation return flows may not be used as a source for an Appropriation Right issued pursuant to this Section.

   b. No Wetland Protective Appropriation Right shall be issued for any Wetland using Pits, Pit-dams, or Constructed Ponds.

   c. No Wetland Protective Appropriation Right shall be issued for any Wetland occurring solely as a result of seepage from irrigation reservoirs, canals, laterals or ditches.
   d. No Wetland Protective Appropriation Right shall be used for any other purpose and shall not be changed to another purpose.
2. Wetlands eligible for Wetlands Protective Appropriation Rights are:
   a. Those Wetlands identified on the map of Wetlands eligible for Wetlands Protective Appropriations Rights (available from the Office of the Engineer); or
   b. Those Wetlands not identified on the Map if:
      i. the proposed use is a Restored Natural Wetland;
      ii. the applicant provides a site-specific Wetlands delineation, using any delineation method approved by the Engineer, that includes:
         (1) the total number of acres and a detailed map showing the proposed boundary of the Wetland for which the Wetland Protective Appropriation Right is being applied; and
         (2) an identification of the Wetlands delineation method used, along with supporting field data.

2-2-124. Wetland Quantified Appropriation Rights.

1. Pursuant to the provisions of Sections 2-2-101 *et seq.,* an Appropriations Right or Change in Use Authorization to divert, impound, or withdraw surface water or Groundwater for a Wetland purpose may be issued.

2. All Wetlands that utilize man-made diversions, impoundments, withdrawals, excavations, or other artificial means for the purposes of Appropriation for either all or a portion of a Wetland water supply in excess of a Natural Wetland water supply or Restored Natural Wetland water supply shall obtain, in advance of Appropriation, an Appropriation Right or Change in Use authorization for that Wetland purpose.
3. In addition to the information required by Sections 1-1-110 and 2-2-104 of this Ordinance, an application for an Appropriation Right or Change in Use authorization pursuant to this section shall include the following information:
    a. A delineation of pre-project existing Wetlands and post-project Wetlands using a Wetland delineation method approved by the Engineer. The delineation shall describe the following pre-project and post-project Wetland attributes:
        i. the outer Wetland boundary and area in acres;
        ii. the boundaries of permanently inundated areas, depth in feet, and area in acres;
        iii. the boundaries of seasonally inundated areas, period of inundation, depth in feet, and area in acres;
        iv. the boundaries of permanently saturated areas and area in acres;
        v. the boundaries of seasonally saturated areas, period of saturation, and area in acres; and
        vi. Wetland vegetation boundaries and area in acres.
    b. The location and description of the manmade diversions, impoundments; withdrawals, excavations, or other artificial means for the purposes of Appropriation;

c. The flow rate and volume of water to be appropriated in monthly time steps; however, the Office of the Engineer may require a more frequent quantification time step;

d. The consumptive volume for each Wetland attribute delineated pursuant to Section 2-2-124(a) in monthly time steps; however, the Office of the Engineer may require a more frequent quantification time step;

e. non-consumed water, including flow rate and volume estimates, and a description of return flows and their eventual destination and timing; and

f. the volume of Natural Wetland water supply, if applicable, in monthly time steps.

2-2-125. Notice of Trust Status Conversion for Lands with Appurtenant Water Rights Arising Under State Law Acquired by the Tribes.

As provided for by the Compact, Article III.H, the following process shall be used to notify the Water Management Board of the transfer of Tribally-owned fee land to trust status:

1. Starting upon the Effective Date of the Compact, the Tribes may file a Trust Transfer form with the Board for any lands acquired by the Tribes with appurtenant Water Rights Arising Under State Law that have been taken into trust by the United States on behalf of the Tribes.
2. A copy of the deed transferring the fee land to trust status shall be attached to the form.

2-2-126. Water Management Board Adjustment of Priority Date Pursuant to Compact.

Upon submission of a Trust Transfer form by the Tribes, the priority date of any Water Rights Arising Under State Law appurtenant to land identified on the Trust Transfer form shall be adjusted by the Water Management Board to July 16, 1855. The Board shall cause the adjusted priority date to be entered into the Reservation water rights database identified in Section 1-1-108 of this Ordinance.

2-2-127. Tribal Utilization of Water Right with Adjusted Priority Date.

Any water right whose priority date is adjusted pursuant to Section 2-2-126 shall be subject to the following use conditions:

1. The water right must be used as historically used; or
2. Changes to the water right must be made pursuant to the provisions set for the in Article IV.B.4 of the Compact and Section 2-2-101 *et seq.* of this Law of Administration.

2-2-128. Public Water Supply Reporting Requirements

1. The following shall comply with the reporting requirements set forth in subsection (2) of this Section:
    a. any new Public Water Supply System approved pursuant to this Ordinance;
    b. any Public Water Supply System in existence prior to the effective date of this Ordinance whose authorized use is expanded pursuant to this Ordinance.
2. On an annual basis, any entity responsible for the operation of a Public Water Supply System identified in subsection (1) of this Section shall report to the Office of the Engineer the total volume by month of pumping or diversion of the Public Water Supply System.

Chapter III
Enforcement

3-1-101. Scope

1. The enforcement powers set forth in this Chapter apply to the resolution of disputes between Appropriators who are not served by the Flathead Indian Irrigation Project, or between any Appropriators who are not served by the FIIP and any water user(s) or holders of Existing Rights, if any, whose use of water is served by the FIIP. Disputes exclusively between or among users whose water is delivered by the FIIP shall remain subject to the oversight of the Project Operator and the Enforcement provisions of this Ordinance shall not apply. The powers and duties set forth in this Chapter, as they extend to uses of the Tribal Water Right within the FIIP, extend only to the resolution of disputes concerning the delivery of water to FIIP diversion facilities and shall not extend to the administration of that water in FIIP facilities or on lands served by the FIIP, which shall remain subject to the oversight of the Project Operator.
2. Nothing in this Chapter, or in the Ordinance, is intended to preclude a water user from working informally with other water users, any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance, or the Engineer, to resolve disputes or real-time water operation issues without recourse to the provisions of this Chapter. A synopsis of all such resolutions between a water user and any Water Commissioner or the Engineer shall be reduced to writing, and dated, a copy of which shall be kept in the Office of the Engineer and available for public inspection. A synopsis of any such resolution between or among water users may be reduced to writing. Provided, however, that any water user not party to

any such informal resolution who believes himself or herself to be injured by the informal resolution may seek redress by invoking the provisions of this Chapter, subject to the limitation concerning FIIP water use set forth in subsection (1) of this Section, to challenge the informal resolution.

3. Any of the timeframes set forth in Sections 3-1-102 through 3-1-107 of this Ordinance may be extended upon mutual agreement of the parties to any dispute.

3-1-102. Complaint to the Engineer Regarding Actions or Inactions Between Appropriators.

1. Subject to the limitation concerning FIIP water use set forth in Section 3-1-101(1) of this Ordinance, any Appropriator aggrieved by the action or inaction of any other Appropriator, or by any Person the Complainant believes is Wasting water to the detriment of a right to use water the Complainant possesses, may file a Complaint with the Engineer. Such Complaint must be submitted in writing and describe specifically the action or inaction being complained of and the justification for the Complaint.
2. Upon receipt of a Complaint, the Office of the Engineer shall date stamp it and return a copy to the Complainant along with a written statement indicating that informal resolution of the dispute between the Appropriators, or between an Appropriator and a Person accused of Wasting water, may provide a more timely and cost-effective remedy than having the Complaint adjudicated by the Engineer.
3. Within 3 days of the receipt of the Complaint, the Office of the Engineer shall serve a copy of it on the Appropriator or other Person whose action or inaction is being complained of (the "Respondent"), and shall post notice of the Complaint on the Board's website. The notice to

the Respondent shall include a written statement indicating that informal resolution of the dispute between the Complainant and the Respondent may provide a more timely and cost-effective remedy than having the petition adjudicated by the Engineer.

3-1-103. Resolution of Complaint.

1. No later than 15 days after the provision of notice of the Complaint to the Respondent, pursuant to Section 3-1-102(3) of this Ordinance, the Engineer or Designee shall hold a hearing on the Complaint, provided, however that the Engineer or Designee may take an additional 10 days before holding the hearing to perform such independent investigation into the Complaint as the Engineer or Designee deems appropriate. At such time, both the Complainant and the Respondent shall explain their positions concerning the matter complained of. All evidence that, in the opinion of the Engineer or Designee, possesses probative value shall be admitted, including hearsay, if it is the type of evidence commonly relied upon by reasonably prudent Persons in the conduct of their normal business affairs. Rules of privilege recognized by law shall be given effect. Evidence which is irrelevant, immaterial, or unduly repetitious shall be excluded.
2. A decision by the Engineer or Designee on the Complaint shall be made in writing within 7 days after the completion of the hearing.
3. The decision of the Engineer or Designee may include an award of declaratory relief, and/or the imposition of conditions on the use or exercise of a water right. Such conditions may include, but are not limited to, instructions regarding the proper delivery of water, the installation of measuring devices, the construction of suitable ditches to carry the return

waters from any ditch or lands to the main stream or proper waste way, or the mandate of structural changes to diversion structures.

4. Any Complainant or Respondent dissatisfied with the final decision of the Engineer or Designee may appeal to the Board (and become an Appellant) and obtain review of the Engineer's or Designee's decision. A notice of appeal to the Board must be received by the Board within 30 days of the issuance of the Engineer's or Designee's written decision. The decision of the Engineer or Designee shall not be stayed during the pendency of the appeal unless the Board expressly orders such a stay upon motion of the Complainant or Respondent.

3-1-104. Appeal to the Board.

1. Upon receipt of a notice of appeal pursuant to Section 3-1-103(4) of this Ordinance, or any other Section of this Ordinance that provides for appeal to the Board pursuant to the provisions of this Section, the Board, acting through the Office of the Engineer, shall date stamp the notice and return a copy to the Appellant. Within three days of receipt of the notice of appeal, the Board, acting through the Office of the Engineer, shall serve a copy of the notice of appeal on the other party to the dispute (who becomes the Appellee).
2. Either party to the appeal may elect to have oral argument prior to the resolution of the appeal. The Appellant must request oral argument at the time of the filing of the notice of appeal or the Appellant's right to oral argument is waived. The Appellee must request oral argument within 10 days of the Appellee's receipt of the notice of appeal pursuant to subsection (1) of this Section, or the Appellee's right to oral argument is waived. If either

party to the appeal requests oral argument, such argument must be held within 60 days of the filing of the notice of appeal, or within 30 days of the receipt of evidence or argument pursuant to subsection (3) or (4) of this Section, whichever date is later.

3. Within 60 days from the filing of the notice of appeal, or any extended period of time, not to exceed 60 days, granted by the Board, the Appellant and Appellee may each submit additional factual evidence and legal argument concerning the appeal to the Board and shall serve copies of the same on the other party to the dispute.
4. Either party to the appeal shall have 60 days from the date of receipt of the evidence or argument served pursuant to subsection (3) of this Section, or any extended period of time granted by the Board, not to exceed 60 days, to respond in writing to the evidence and argument submitted by the other party to the dispute pursuant to subsection (3) of this Section.
5. If oral argument is held, the argument shall be recorded electronically and an official record maintained.
6. A decision by the Board on the appeal shall be made in writing within 60 days after the completion of oral argument or, if the right to oral argument is waived, within 60 days after the deadline for the submission of evidence and argument pursuant to subsections (3) and (4) of this Section, whichever is later. The written decision shall set forth the ruling of the Board along with a statement of the reasons therefor.
7. In ruling on the appeal, the Board may sustain the decision of the Engineer or Designee, may overturn that decision and set aside any relief ordered by the Engineer or Designee, or may

remand the matter to the Engineer or Designee for such further proceedings as may be specified in the Board's written decision.

3-1-105. Petition to the Engineer by Any Appropriator Aggrieved by Actions or Inactions of a Water Commissioner.

1. Any Appropriator aggrieved by the action or inaction or written directive from any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance, may petition the Engineer for relief (and become a Petitioner). Such petition must be submitted in writing and describe with particularity the action, inaction or directive giving rise to the petition and the justification for the petition.
2. Upon receipt of a petition, the Office of the Engineer shall date stamp it and return a copy to the Petitioner along with a written statement indicating that informal resolution of the dispute between the Petitioner and the Water Commissioner may provide a more timely and cost-effective remedy than having the petition adjudicated by the Engineer.
3. Within 3 days of the date stamped on the petition pursuant to subsection (2) of this Section, the Office of the Engineer shall serve a copy of it on the Water Commissioner whose action, inaction or written directive is being petitioned against, and shall post notice of the Petition on the Board's website.

3-1-106. Resolution of Petition.

1. A Petitioner may elect to have the Petition decided on the record after submission of additional evidence and argument, or after hearing. If a Petitioner elects to have a hearing, that request must be made at the same time as the filing of the Petition or the right to a hearing is waived.
2. The Water Commissioner may elect to have the Petition decided after a hearing. The request for a hearing must be made within 5 days of the Water Commissioner's receipt of notice of the Petition pursuant to Section 3-1-105(3) of this Ordinance or the Water Commissioner's right to a hearing is waived.
3. If either the Petitioner or the Water Commissioner elects to have the Petition resolved after a hearing, the Engineer or Designee shall hold a hearing on the Petition no later than 14 days after the filing of the Petition, or within 14 days of the expiration of the time for the submission of evidence or argument pursuant to subsection (5) of this Section, whichever date is later; provided, however that the Engineer or Designee may take an additional 10 days before holding the hearing to perform such independent investigation into the petition as the Engineer or Designee deems appropriate.
4. Within 5 days from the filing of the Petition, or any extended period of time, not to exceed 5 days, granted by the Engineer, the Petitioner and Commissioner may each submit additional factual evidence and legal argument concerning the Petition to the Engineer or Designee and shall serve copies of the same on the other party to the dispute.
5. Either party to the dispute shall have 5 days from the date of receipt of the evidence or argument served pursuant to subsection (4) of this Section, or any extended period of time

granted by the Engineer or Designee, not to exceed 5 days, to respond in writing to the evidence and argument submitted by the other party to the dispute pursuant to subsection (4) of this Section.

6. The Petitioner shall bear the burden of proof before the Engineer or Designee.
7. The hearing shall be recorded electronically and an official record maintained. All evidence that, in the opinion of the Engineer or Designee, possesses probative value shall be admitted, including hearsay, if it is the type of evidence commonly relied upon by reasonably prudent Persons in the conduct of their normal business affairs. Rules of privilege recognized by law shall be given effect. Evidence which is irrelevant, immaterial, or unduly repetitious shall be excluded.
8. A decision by the Engineer or Designee on the Petition shall be made in writing within 7 days after the completion of the hearing or, if the right to a hearing is waived, within 7 days after the deadline for the submission of evidence and argument pursuant to subsections (4) and (5) of this Section, whichever is later. If the individual who conducted the hearing becomes unavailable to the Office of the Engineer, a decision may be prepared by an individual who has read the record only if the demeanor of witnesses is considered immaterial by all parties; if any party considers the demeanor of any witness to be material to the resolution of the petition, a new hearing must be held.
9. The decision of the Engineer or Designee may include an award of declaratory relief, and/or the imposition of conditions on the use or exercise of an Appropriation Right or Existing Use. Such conditions may include, but are not limited to, the installation of measuring devices, the construction of suitable ditches to carry the return waters from any ditch or lands

to the main stream or proper waste way, or the mandate of structural changes to diversion structures.

10. Any Petitioner or Commissioner dissatisfied with the final decision of the Engineer or Designee may appeal to the Board (and become an Appellant) and obtain review of the Engineer's or Designee's decision. A notice of appeal to the Board must be received by the Board within 30 days of the issuance of the Engineer's or Designee's written decision.

3-1-107. Appeal to the Board from a Decision on a Petition.

The process for appeal to the Board of the Engineer's or Designee's decision on a Petition shall be as set forth in Section 3-1-104 of this Ordinance.

3-1-108. Appeal from a Decision of the Board.

The process for appeal from a decision of the Board issued pursuant to Section 3-1-104 of this Ordinance shall be as set forth in Section 2-2-112 of this Ordinance.

3-1-109. Emergency Enforcement Powers of the Engineer.

In an Emergency, the Engineer, or any Staff who is so directed by the Engineer, or any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance, shall have the authority to lock, remove, render inoperative, shut down, close, seal, cap, modify, or otherwise control methods of diversions and withdrawals, and obstructions to the flow of water, subject to expedited appeal to the Board by the affected Person, as provided in Section 3-1-110 of this Ordinance.

3-1-110. Additional Enforcement Powers of the Engineer.

1. The Engineer, or any Staff who is so directed by the Engineer, or any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance, may enter upon lands on the Reservation with reasonable notice to the owner or occupant, to investigate and inspect methods of diversion, withdrawal, and other activities affecting water quantity, to install measuring devices at the expense of the water user on surface and Groundwater diversions for the purpose of enforcing and administering this Ordinance, to monitor water use, water quality, and diversion structures.
2. The Engineer, or any Staff who is so directed by the Engineer, or any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance, may take action to prevent the Illegal use of water, including, but not limited to the temporary decommissioning of head gates or other diversion works.
3. The Engineer may issue written notices of violation to Appropriators and to Illegal users of water for violations of this Ordinance or of the terms and conditions of any Appropriation Right or Existing Use or of any lawful order of the Engineer or the Board or any action or directive of any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance.
4. Any notice issued pursuant to subsection (3) of this Section shall specify the particular violation or violations, the step(s) to be taken to come into compliance, and identify a reasonable time frame within which such steps are to be taken.

5. In the event of non-compliance with any written notice issued pursuant to subsection (3) of this Section within the specified time frame, the Engineer may move the Board to exercise its powers pursuant to Sections 3-1-112 and 3-1-113 of this Ordinance.
6. Upon receipt of any written recommendation, pursuant to Section 3-1-115(3) of this Ordinance, from any Water Commissioner, the Engineer or Designee may reject the recommendation or may issue notice of intent to hold a hearing to determine whether the imposition of such conditions identified in the recommendation is warranted. The process for the consideration and resolution of any such matter shall be as set forth in Sections 3-1-105 through 3-1-108 of this Ordinance, with the recommendation being treated as a petition, the Water Commissioner as the Petitioner and the affected water user(s) as Respondent(s).

3-1-111. Expedited Appeal to the Board in the Event of Certain Actions by the Engineer.

1. Any Appropriator whose use of water is affected by an action taken pursuant to Section 3-1-109 or 3-1-110(2) of this Ordinance may file a written notice of appeal with the Board (and become an Appellant). The notice of appeal must describe with particularity the action being appealed and the justification for the appeal.
2. The Board must immediately notify the Engineer of the filing of a notice of appeal pursuant to subsection (1) of this Section, and must hear the appeal within 10 days of the notice of appeal being filed.
3. If the Board finds in favor of the Appellant, it may award appropriate relief, including declaratory relief, but not monetary penalties against the Office of the Engineer or any

employee thereof, including any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance, acting in either their professional or personal capacities.

3-1-112. Additional Enforcement Powers of the Board.

Upon motion by the Engineer, and after notice to any affected Appropriator and the opportunity for all parties to be heard, the Board may:

1. Impose fines, as set forth in Section 3-1-113 of this Ordinance.
2. Impose conditions on the future use of any Appropriation Right to prevent further violation, but only upon a finding that the holder of any such Appropriation Right is violating or has violated any provision of that Appropriation Right, or is violating or has violated any order issued by the Engineer or any directive of any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance concerning the use of that permit. The process for appeal from any Board decision imposing conditions pursuant to this Section shall be as set forth in Section 2-2-112 of this Ordinance.
3. Revoke or suspend any Appropriation Right, but only upon a finding that the holder of any such Appropriation Right is willfully violating or has willfully violated any provision of that Appropriation Right, or is willfully violating or has willfully violated any order issued by the Engineer concerning the use of that Appropriation Right. The process for appeal from any Board decision revoking or suspending a permit shall be as set forth in Section 2-2-112 of this Ordinance.

3-1-113. Fines.

1. The Board, pursuant to the provisions of this Section, may impose a fine not to exceed $1,000 per violation on any Person who fails to comply with the provisions of this Ordinance, including any written order of the Board or Engineer or written directive of any Water Commissioner.
2. If a Person is using water under the color of law, fines may only be imposed commencing on the day after the resolution of any appeal from the written order of the Board or Engineer or action or written directive of any Water Commissioner whose violation gives rise to the proposed imposition of fines, or the deadline for filing an appeal if no appeal is filed, after receipt of a written notice of violation pursuant to Section 3-1-111(2) of this Ordinance.
3. If a Person is using water Illegally, the Board may impose fines on that Person at any time commencing from the date of that Person's receipt of the notice of violation from the Engineer pursuant to section 3-1-111(3)(a), if the Illegal use is not ceased immediately upon receipt of the notice of violation.
4. Each day of violation constitutes a separate violation.
5. The process for appeal from any Board decision imposing fines pursuant to this Section shall be as set forth in Section 2-2-112 of this Ordinance.

3-1-114. Appointment of Water Commissioners.

Pursuant to Article IV.I.5.d of the Compact, the Board may appoint one or more Water Commissioners to provide day-to-day administration of water on the Reservation. The appointment shall specify the geographic area for which the commissioner shall have responsibility.

3-1-115. Powers and Duties of Water Commissioners.

Subject to the jurisdictional limitation set forth in Article IV.I.5.d.ii of the Compact and Section 3-1-101(1) of this Ordinance, any Water Commissioner appointed pursuant to Section 3-1-114 of this Ordinance:

1. Shall, consistent with the terms and conditions of the Compact, the federal legislation ratifying the Compact, this Ordinance, and the terms of all applicable Appropriation Rights and Existing Uses, distribute water in the proper priority;
2. Shall, as near as may be practicable, divide, regulate and control the use of the water of all streams, springs, lakes or other sources of water within that Water Commissioner's district to prevent the Waste of water or its use in excess of the volume to which any Appropriator is lawfully entitled, including through the opening and closing of headgates. Whenever a Water Commissioner regulates a headgate to a ditch or the controlling works of reservoirs, it shall be that Water Commissioner's duty to attach to such headgate or controlling works a written notice, properly dated and signed, setting forth the fact that such headgate or controlling works has been properly regulated and is wholly under the Water Commissioner's control and such notice shall be a legal notice to all parties interested in the division and distribution of the water of such ditch or reservoir;
3. Shall notify the Engineer in writing of the non-compliance of any water user with a prior order of the Engineer or the Board or any prior written directive of that Water Commissioner issued pursuant to subsection (4) of this Section;

4. May issue written directives to any Appropriator, or any Illegal user of water, concerning day-to-day actions that must be taken to facilitate the execution of the duties of that Water Commissioner as set forth in subsections (1) and (2) of this Section; and
5. May recommend to the Engineer, in writing, conditions to be placed on the exercise of any Appropriation Right or Existing Use on the Reservation, including the requirement of measuring devices and the necessity of structural changes to diversion or other structures. The Water Commissioner shall serve copies of any such written recommendation on the Appropriator(s) whose Appropriation Right(s) or Existing Use(s) are referenced in the recommendation.

3-1-116. Recourse from Water Commissioner Decisions.

Any Person who may be injured by the action or inaction of a Water Commissioner has the right to petition the Engineer pursuant to the provisions of Section 3-1-105 of this Ordinance.

3-1-117. Removal of Water Commissioners.

Water Commissioners shall serve at the pleasure of the Board and may be removed by unanimous vote of the Board at any time.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

****** THIS IS AN INTERBASIN TRANSFER ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE FLATHEAD RIVER, BELOW FLATHEAD LAKE (BASIN 76L) AND FROM TRIBUTARIES TO THE BLACKFOOT RIVER (BASIN 76F) AND USES THE WATER IN THE FLATHEAD RIVER DRAINAGE, BELOW FLATHEAD LAKE (BASIN 76L).

Water Right Number: 76L 30052931 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: JULY 16, 1855 at 12:00 A.M.

Enforceable Priority Date: JULY 16, 1855 at 12:00 A.M.

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

THIS WATER RIGHT IS INCIDENTALLY USED FOR STOCKWATER, WETLANDS, AND LAWN AND GARDEN.

Maximum Flow Rate:

THE MAXIMUM FLOW RATE IS SUBJECT TO ARTICLE IV.C THROUGH F OF THE COMPACT.

Maximum Volume:

THE MAXIMUM VOLUME (RIVER DIVERSION ALLOWANCE) IS SUBJECT TO ARTICLE IV.C THROUGH F OF THE COMPACT AND APPENDIX 3.2.

Maximum Acres: 11,163.69

Source Name: FINLEY CREEK, EAST FORK
Source Type: SURFACE WATER

Source Name: PLACID CREEK, NORTH FORK
Source Type: SURFACE WATER

Source Name: SCHLEY CREEK
Source Type: SURFACE WATER

Source Name: JOCKO RIVER
Source Type: SURFACE WATER

Source Name: BLODGETT CREEK
Source Type: SURFACE WATER

Source Name: GOLD CREEK
Source Type: SURFACE WATER

Source Name: STEVENS CREEK
Source Type: SURFACE WATER

Source Name: BARNABY CREEK
Source Type: SURFACE WATER

Source Name: BIG KNIFE CREEK
Source Type: SURFACE WATER

Source Name: MOIESE CREEK
Source Type: SURFACE WATER

Source Name: AGENCY CREEK
Source Type: SURFACE WATER

Source Name: MCCLURE CREEK
Source Type: SURFACE WATER

Source Name: PELLEW CREEK
Source Type: SURFACE WATER

Source Name: REVAIS CREEK
Source Type: SURFACE WATER
Source Name: AGATE STEVENS CREEK
Source Type: SURFACE WATER
Source Name: JOCKO RIVER, MIDDLE FORK
Source Type: SURFACE WATER
Source Name: FINLEY CREEK
Source Type: SURFACE WATER
Source Name: COLD CREEK
Source Type: SURFACE WATER
Source Name: LAMOOSE CREEK
Source Type: SURFACE WATER

COLD CREEK IS A TRIBUTARY OF JOCKO RIVER.

FINLEY CREEK IS A TRIBUTARY OF JOCKO RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	6	15N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: SCHLEY CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: DONEY DITCH

2 NESW 1 16N 19W LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 50.00 CFS
Source Name: GOLD CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO S CANAL

3 SWNW 5 16N 19W LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MOIESE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: JOCKO K CANAL

4 NWNW 9 16N 19W LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: AGATE STEVENS CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: JOCKO K CANAL

5 SWNE 10 16N 19W LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 245.00 CFS
Source Name: JOCKO RIVER
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: JOCKO K CANAL

6 SWNW 14 16N 19W LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 55.00 CFS
Source Name: BIG KNIFE CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO S CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
7		SWSE	15	16N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 55.00 CFS
Source Name: BLODGETT CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO S CANAL

8		SWSW	15	16N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: UPPER JOCKO C3

9		NESW	16	16N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 35.00 CFS
Source Name: AGENCY CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: JOCKO E CANAL

10		NENW	20	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MCCLURE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: JOCKO E CANAL

11		SESE	20	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MCCLURE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO J CANAL

12		NENW	21	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: UPPER JOCKO C5

13		NESE	21	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 10.00 CFS
Source Name: AGENCY CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO J CANAL

14		SESE	21	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 55.00 CFS
Source Name: AGENCY CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO S CANAL

15		NWNW	22	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: UPPER JOCKO C2

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
16		NESW	22	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 55.00 CFS
Source Name: STEVENS CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO S CANAL

17		SENW	28	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MCCLURE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO S CANAL

18		NWNW	30	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 14.00 CFS
Source Name: FINLEY CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: JOCKO E CANAL

19		SESW	32	16N	19W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 14.00 CFS
Source Name: FINLEY CREEK, EAST FORK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: JOCKO N CANAL

20		NWSE	29	17N	16W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 120.00 CFS
Source Name: PLACID CREEK, NORTH FORK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: PLACID CANAL

21		SENW	26	17N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: JOCKO RIVER, MIDDLE FORK
Diversion Means: DAM
Diversion Type: PRIMARY

22		SENE	28	17N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: JOCKO RIVER, MIDDLE FORK
Diversion Means: DAM
Diversion Type: PRIMARY

23		NESE	29	17N	18W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 50.00 CFS
Source Name: JOCKO RIVER
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO S CANAL

24		SENE	31	17N	18W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 50.00 CFS
Source Name: COLD CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: UPPER JOCKO S CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
25		SESW	30	17N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: BARNABY CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: JOCKO K CANAL

26		NWSW	32	17N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: PELLEW CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: JOCKO K CANAL

27		NWNW	23	17N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: JOCKO K44

28		NWNW	24	17N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: LAMOOSE CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: JOCKO K CANAL

29		SWSE	35	17N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 15.00 CFS
Source Name: JOCKO RIVER
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: LOWER JOCKO S CANAL

30		SENW	31	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 35.00 CFS
Source Name: JOCKO RIVER
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: LOWER JOCKO J CANAL

31		SENW	22	18N	22W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 27.00 CFS
Source Name: REVAIS CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: REVAIS R CANAL

32		SWNE	23	18N	22W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

WATER DIVERTED AT #20 (N FORK PLACID) IS CONVEYED THROUGH PLACID CANAL TO JOCKO RIVER, MIDDLE FORK WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #21 (UPPER JOCKO RESERVOIR) AND #22 (LOWER JOCKO RESERVOIR). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSIONS #21 (UPPER JOCKO RESERVOIR) AND #22 (LOWER JOCKO RESERVOIR) USES JOCKO RIVER, MIDDLE FORK (JOCKO RIVER) AS A NATURAL CARRIER TO DIVERSIONS #23 (UPPER S), #5 (JOCKO K), #29 (LOWER S) AND #30 (LOWER J). WATER DIVERTED AT #23 (JOCKO R), #24 (COLD CR), #2 (GOLD CR), #6 (BIG KNIFE), AND #7 (BLODGETT CR) IS CONVEYED THROUGH UPPER JOCKO S CANAL TO THE PLACE OF USE; TO DIVERSION #16 (UPPER S AT STEVENS CR); TO STEVENS CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #15 (UPPER C2) AND #8 (UPPER C3); AND THROUGH JOCKO D CANAL AND JOCKO R CANAL TO THE PLACE OF USE.

WATER DIVERTED AT #16 (STEVENS CR) IS CONVEYED THROUGH UPPER JOCKO S CANAL TO DIVERSION #14 (UPPER S AT AGENCY CR) AND AGENCY CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #13 (UPPER J), #12 (UPPER C5), AND #9 (JOCKO E). WATER DIVERTED AT #14 (AGENCY CR) AND #17 (MCCLURE CR) IS CONVEYED THROUGH UPPER JOCKO S CANAL TO THE PLACE OF USE. WATER DIVERTED AT #13 (AGENCY CR) AND #11 (MCCLURE CR) IS CONVEYED THROUGH UPPER JOCKO J CANAL TO THE PLACE OF USE. WATER DIVERTED AT #5 (JOCKO R) IS CONVEYED THROUGH JOCKO K CANAL TO THE PLACE OF USE; TO DIVERSION #4 (JOCKO K AT AGATE STEVENS CR); AND THROUGH JOCKO R CANAL TO THE PLACE OF USE AND DIVERSION #9 (JOCKO E AT AGENCY CR). WATER DIVERTED AT #9 (AGENCY CR), 10 (MCCLURE CR), AND #18 (FINLEY CR) IS CONVEYED THROUGH JOCKO E CANAL TO THE PLACE OF USE. WATER DIVERTED AT #19 (E FORK FINLEY) IS CONVEYED THROUGH JOCKO N CANAL TO THE PLACE OF USE.

WATER DIVERTED AT #1 (SCHLEY CR) IS CONVEYED THROUGH DONEY DITCH TO THE PLACE OF USE. WATER DIVERTED AT #4 (AGATE STEVENS CR), #3 (MOIESE CR), #26 (PELLEW CR), AND #25 (BARNABY CR) IS CONVEYED TO THE PLACE OF USE; TO DIVERSION #28 (JOCKO K AT LAMOOSE CR); AND TO LAMOOSE CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #27 (JOCKO K44). WATER DIVERTED AT #30 (JOCKO R) IS CONVEYED THROUGH LOWER JOCKO J CANAL AND REVAIS PUMP CANAL TO THE PLACE OF USE AND AN UNNAMED COULEE WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSION #32. WATER DIVERTED AT #31 (REVAIS CR) IS CONVEYED THROUGH REVAIS R CANAL AND REVAIS PUMP CANAL TO THE PLACE OF USE AND AN UNNAMED COULEE WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSION #32.

SECONDARY POINT OF DIVERSION WATER SOURCES ARE A MIX OF RELEASES FROM THE PRIMARY POINTS OF DIVERSION.

UPPER JOCKO RESERVOIR IS ALSO SUPPLIED BY DIVERSION #20 (N FK PLACID CR).

LOWER JOCKO RESERVOIR IS ALSO SUPPLIED BY DIVERSION #20 (N FK PLACID CR).

Reservoir: ON STREAM **Reservoir Name** UPPER JOCKO RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SENW	26	17N	17W	MISSOULA

Diversion to Reservoir: DIVERSION # 21

Dam Height: 75.00 FEET
Surface Area: 165.00 ACRES

Current Capacity: 5,200.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** LOWER JOCKO RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SENE	28	17N	17W	MISSOULA

Diversion to Reservoir: DIVERSION # 22

Dam Height: 20.00 FEET
Surface Area: 130.00 ACRES

Current Capacity: 6,497.00 ACRE-FEET

SEE THE ATTACHED RESERVOIR DIAGRAMS.

Period of Use: APRIL 15 to OCTOBER 15

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	16N	19W	LAKE
2				6	16N	19W	LAKE
3				7	16N	19W	LAKE
4				8	16N	19W	LAKE
5				9	16N	19W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
6				15	16N	19W	LAKE
7				16	16N	19W	LAKE
8				17	16N	19W	LAKE
9				18	16N	19W	LAKE
10				19	16N	19W	MISSOULA
11				20	16N	19W	MISSOULA
12				21	16N	19W	MISSOULA
13				22	16N	19W	MISSOULA
14				28	16N	19W	MISSOULA
15				29	16N	19W	MISSOULA
16				30	16N	19W	MISSOULA
17				31	16N	19W	MISSOULA
18				32	16N	19W	MISSOULA
19				1	16N	20W	LAKE
20				2	16N	20W	LAKE
21				11	16N	20W	LAKE
22				12	16N	20W	LAKE
23				13	16N	20W	LAKE
24				14	16N	20W	LAKE
25				23	16N	20W	MISSOULA
26				24	16N	20W	MISSOULA
27				25	16N	20W	MISSOULA
28				30	17N	19W	LAKE
29				31	17N	19W	LAKE
30				32	17N	19W	LAKE
31				14	17N	20W	LAKE
32				15	17N	20W	LAKE
33				16	17N	20W	LAKE
34				21	17N	20W	LAKE
35				22	17N	20W	LAKE
36				23	17N	20W	LAKE
37				24	17N	20W	LAKE
38				25	17N	20W	LAKE
39				26	17N	20W	LAKE
40				27	17N	20W	LAKE
41				35	17N	20W	LAKE
42				36	17N	20W	LAKE
43				31	18N	20W	LAKE
44				17	18N	21W	SANDERS
45				18	18N	21W	SANDERS
46				19	18N	21W	SANDERS
47				20	18N	21W	SANDERS
48				21	18N	21W	SANDERS
49				26	18N	21W	SANDERS
50				27	18N	21W	SANDERS
51				28	18N	21W	SANDERS
52				35	18N	21W	SANDERS
53				36	18N	21W	SANDERS
54				13	18N	22W	SANDERS
55				14	18N	22W	SANDERS
56				22	18N	22W	SANDERS
57				23	18N	22W	SANDERS
58				24	18N	22W	SANDERS

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION.

30052929 30052931 30052932

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

30052931 30052932

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

NO MORE THAN 135,000 ACRES MAY BE IRRIGATED DURING ANY GIVEN IRRIGATION SEASON WITHIN THE PLACE OF USE DESCRIBED BY WATER RIGHTS 76L 30052930, 76L 30052931, AND 76L 30052932.

THE FOLLOWING ADMINISTRATIVE AREAS , AS DEFINED IN APPENDIX 3.2 TO THE COMPACT, ARE PERTINENT TO THIS WATER RIGHT: PLACID CANAL DIVERSION, UPPER JOCKO RIVER, AGENCY / FINLEY CREEK, LOWER JOCKO RIVER, REVAIS CREEK.

SEE 30052931 MAP EXHIBIT(S) 1 THROUGH 13.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

****** THIS IS AN INTERBASIN TRANSFER ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE FLATHEAD RIVER, BELOW FLATHEAD LAKE (BASIN 76L) AND TRIBUTARIES TO THE CLARK FORK RIVER BELOW THE FLATHEAD RIVER (BASIN 76N), AND USED THE WATER IN THE FLATHEAD RIVER DRAINAGE, BELOW FLATHEAD LAKE (BASIN 76L).

Water Right Number: 76L 30052930 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: JULY 16, 1855 at 12:00 A.M.

Enforceable Priority Date: JULY 16, 1855 at 12:00 A.M.

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

THIS WATER RIGHT IS INCIDENTALLY USED FOR STOCKWATER, WETLANDS, AND LAWN AND GARDEN.

Maximum Flow Rate:

THE MAXIMUM FLOW RATE IS SUBJECT TO ARTICLE IV.C THROUGH F OF THE COMPACT.

Maximum Volume:

THE MAXIMUM VOLUME (RIVER DIVERSION ALLOWANCE) IS SUBJECT TO ARTICLE IV.C THROUGH F OF THE COMPACT AND APPENDIX 3.2.

Maximum Acres: 13,767.07

Source Name: LITTLE BITTERROOT RIVER
Source Type: SURFACE WATER

Source Name: BRIGGS CREEK
Source Type: SURFACE WATER

Source Name: MARKLE CREEK
Source Type: SURFACE WATER

Source Name: LETZEN GULCH
Source Type: SURFACE WATER

Source Name: UNNAMED TRIBUTARY OF MCGINNIS CREEK
Source Type: SURFACE WATER

Source Name: HOT SPRINGS CREEK
Source Type: SURFACE WATER

Source Name: DRY FORK CREEK
Source Type: SURFACE WATER

Source Name: LITTLE CREEK
Source Type: SURFACE WATER

Source Name: MILL CREEK
Source Type: SURFACE WATER

Source Name: MILL POCKET CREEK
Source Type: SURFACE WATER

Source Name: FINLEY CREEK
Source Type: SURFACE WATER

Source Name: MCGINNIS CREEK
Source Type: SURFACE WATER

Source Name: ALDER CREEK
Source Type: SURFACE WATER

Source Name: GARDEN CREEK
Source Type: SURFACE WATER
Source Name: UNNAMED TRIBUTARY OF ALDER CREEK
Source Type: SURFACE WATER
Source Name: REDMOND CREEK
Source Type: SURFACE WATER

MILL CREEK IS A TRIBUTARY OF LITTLE BITTERROOT RIVER.

FINLEY CREEK IS A TRIBUTARY OF DRY FORK CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENE	1	21N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

2		NESE	2	21N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

3		NESW	2	21N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

4		SWNW	3	21N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: HOT SPRINGS CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: CAMAS C CANAL

5		NENW	13	21N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MARKLE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: CAMAS C CANAL

6		SENE	30	22N	23W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

7		SENE	30	22N	23W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY

8	2		31	22N	23W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: DRY FORK CREEK
Diversion Means: DAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
9	4		3	22N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 55.00 CFS
Source Name: DRY FORK CREEK
Diversion Means: DAM
Diversion Type: PRIMARY
Ditch Name: CAMAS C CANAL

10	3		4	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: LETZEN GULCH
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: CAMAS D CANAL

11		NENE	9	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: LITTLE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: CAMAS D CANAL

12		NESE	10	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

13		SWNE	11	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

14		NWSE	11	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

15		SESW	13	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

16		NWNE	14	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

17		SENE	14	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

18		SENE	21	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: GARDEN CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: CAMAS C CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
19		NWSE	23	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

20		NWNE	25	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

21		NWNW	25	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

22		SWSE	25	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

23		SESW	25	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

24		NENE	26	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

25	2		31	22N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

26		SESW	27	22N	25W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 8.00 CFS
Source Name: UNNAMED TRIBUTARY OF MCGINNIS CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MCGINNIS DITCH

27		SWNE	34	22N	25W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 8.00 CFS
Source Name: MCGINNIS CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MCGINNIS DITCH

28		NENW	34	22N	25W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 8.00 CFS
Source Name: UNNAMED TRIBUTARY OF MCGINNIS CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MCGINNIS DITCH

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
29		SESW	16	23N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: DRY FORK CREEK
Diversion Means: DAM
Diversion Type: PRIMARY
Ditch Name: DRY FORK FEEDER CANAL

30		SENW	21	23N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: DRY FORK CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: CAMAS B AND D CANALS

31		SWNW	28	23N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: FINLEY CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: CAMAS D CANAL

32		NESE	34	23N	24W	SANDERS

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

33		NWSW	15	23N	25W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 25.00 CFS
Source Name: UNNAMED TRIBUTARY OF ALDER CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: ALDER DITCH

34		NWSW	15	23N	25W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 25.00 CFS
Source Name: UNNAMED TRIBUTARY OF ALDER CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: ALDER DITCH

35		NESW	16	23N	25W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 25.00 CFS
Source Name: ALDER CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: ALDER DITCH

36		NWSE	16	24N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 89.00 CFS
Source Name: LITTLE BITTERROOT RIVER
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: CAMAS A CANAL

37		NENW	21	24N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 89.00 CFS
Source Name: MILL CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: CAMAS A CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
38		NWNW	34	24N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 89.00 CFS
Source Name: MILL POCKET CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: CAMAS A CANAL

39		SENE	18	25N	24W	FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: LITTLE BITTERROOT RIVER
Diversion Means: DAM
Diversion Type: PRIMARY

40		SESW	13	25N	25W	FLATHEAD

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: BRIGGS CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: BRIGGS-REDMOND DITCH

41		NESW	24	25N	25W	FLATHEAD

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: REDMOND CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: BRIGGS-REDMOND DITCH

42	5		16	27N	24W	FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: LITTLE BITTERROOT RIVER
Diversion Means: DAM
Diversion Type: PRIMARY

WATER DIVERTED AT #41 (REDMOND CR) AND #40 (BRIGGS CR) IS CONVEYED THROUGH BRIGGS-REDMOND DITCH TO DIVERSION #39 (HUBBART RESERVOIR). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSIONS #42 (LITTLE BITTERROOT RESERVOIR) AND #39 (HUBBART RESERVOIR) USES LITTLE BITTERROOT RIVER AS A NATURAL CARRIER TO DIVERSION #36 (CAMAS A). WATER DIVERTED AT #36 (L BITTERROOT RIVER), #37 (MILL CR) AND #38 (MILL POCKET CR) IS CONVEYED TO THE PLACE OF USE AND DRY FORK CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #30 (CAMAS B AND D) AND #9 (LOWER DRY FORK RESERVOIR). WATER DIVERTED AT #35 (ALDER CR), #33 (ALDER CR TRIB), & #34 (ALDER CR TRIB) IS CONVEYED THROUGH ALDER DITCH TO DRY FORK CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #29 (UPPER DRY FORK RESERVOIR).

WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #29 (UPPER DRY FORK RESERVOIR) USES DRY FORK CREEK AT A NATURAL CARRIER TO DIVERSIONS #30 (CAMAS B AND D) AND #9 (LOWER DRY FORK RESERVOIR) AND IS CONVEYED THROUGH DRY FORK FEEDER CANAL TO THE PLACE OF USE. WATER DIVERTED AT #30 (DRY FORK CR), #31 (FINLEY CR), #10 (LETZEN GULCH), AND #11 (LITTLE CR) IS CONVEYED THROUGH CAMAS D CANAL TO THE PLACE OF USE. WATER DIVERTED AT #30 (DRY FORK CR) IS ALSO CONVEYED THROUGH THE CAMAS B CANAL TO THE PLACE OF USE AND MULTIPLE UNNAMED COULEES WHICH ARE USED AS NATURAL CARRIERS TO PUMP-BACK DIVERSIONS #32, #13, #14 AND #7 (RESERVOIR). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #7 (PUMP-BACK RESERVOIR) USES AN UNNAMED COULEE AS A NATURAL CARRIER TO PUMP-BACK DIVERSION #6.

WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #9 (LOWER DRY FORK RESERVOIR) USES DRY FORK CREEK AS A NATURAL CARRIER TO PUMP-BACK DIVERSIONS #12, #16, #17, #15, #20, #22 AND #8 (RESERVOIR) AND IS CONVEYED THROUGH CAMAS C CANAL TO THE PLACE OF USE, DIVERSION #18 (CAMAS C AT GARDEN CR) AND GARDEN CREEK WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSIONS #19, #24, #21 AND #23. WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #8 (PUMP-BACK RESERVOIR) USES DRY FORK CREEK AS A NATURAL CARRIER TO PUMP-BACK DIVERSION #25. WATER DIVERTED AT #26 (MCGINNIS CR TRIB), #28 (MCGINNIS CR TRIB) AND #27 (MCGINNIS CR) IS CONVEYED THROUGH MCGINNIS DITCH TO GARDEN CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #18 (CAMAS A) AND PUMP-BACK DIVERSIONS #19, #24, #21 AND #23.

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

WATER DIVERTED AT #18 (GARDEN CR) AND #4 (HOT SPRINGS CR) IS CONVEYED THROUGH CAMAS C CANAL TO THE PLACE OF USE; TO DIVERSION #5 (CAMAS C AT MARKLE CR); AND TO WARM SPRINGS CREEK WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSIONS #3, #2, AND #1. WATER DIVERTED AT #5 (MARKLE CR) IS CONVEYED THROUGH CAMAS C CANAL TO THE PLACE OF USE.

SECONDARY POINT OF DIVERSION WATER SOURCES ARE A MIX OF RELEASES FROM THE PRIMARY POINTS OF DIVERSION.

UNNAMED DRY FORK PUMP-BACK RESERVOIR IS ALSO SUPPLIED BY DIVERSION(S) #35 (ALDER CR), #33 (ALDER CR TRIB), #34 (ALDER CR TRIB), #36 (CAMAS A AT LITTLE BITTERROOT R), #37 (CAMAS A AT MILL CR), AND #38 (CAMAS A AT MILL POCKET CR).

LOWER DRY FORK RESERVOIR IS ALSO SUPPLIED BY DIVERSIONS #35 (ALDER CR), #33 (ALDER CR TRIB), #34 (ALDER CR TRIB), #36 (CAMAS A AT LITTLE BITTERROOT R), #37 (CAMAS A AT MILL CR), AND #38 (CAMAS A AT MILL POCKET CR).

UPPER DRY FORK RESERVOIR IS ALSO SUPPLIED BY DIVERSIONS #35 (ALDER CR), #33 (ALDER CR TRIB), AND #34 (ALDER CR TRIB).

UNNAMED CAMAS B PUMP-BACK RESERVOIR IS ALSO SUPPLIED BY DIVERSIONS #35 (ALDER CR), #33 (ALDER CR TRIB), #34 (ALDER CR TRIB), #36 (CAMAS A AT LITTLE BITTERROOT R), #37 (CAMAS A AT MILL CR), AND #38 (CAMAS A AT MILL POCKET CR).

WATER IN UNNAMED CAMAS B PUMP-BACK RESERVOIR IS IMPOUNDED AT DIVERSION #7.

HUBBART RESERVOIR IS ALSO SUPPLIED BY DIVERSIONS #40 (BRIGGS CR) AND #41 (REDMOND CR).

Reservoir: ON STREAM **Reservoir Name** UNNAMED DRY FORK PUMP-BACK

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2		31	22N	23W	SANDERS

Diversion to Reservoir: DIVERSION # 8

Reservoir: ON STREAM **Reservoir Name** LOWER DRY FORK RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
4		3	22N	24W	SANDERS

Diversion to Reservoir: DIVERSION # 9
Dam Height: 29.50 FEET
Surface Area: 370.00 ACRES
Current Capacity: 3,860.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** UPPER DRY FORK RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SESW	16	23N	24W	SANDERS

Diversion to Reservoir: DIVERSION # 29
Dam Height: 40.00 FEET
Surface Area: 320.00 ACRES
Current Capacity: 2,800.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** UNNAMED CAMAS B PUMP-BACK

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SENW	21	23N	24W	SANDERS

Diversion to Reservoir: DIVERSION # 30

Reservoir: ON STREAM **Reservoir Name** HUBBART RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SENE	18	25N	24W	FLATHEAD

Diversion to Reservoir: DIVERSION # 39
Dam Height: 130.00 FEET
Surface Area: 1,450.00 ACRES
Current Capacity: 12,000.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** LITTLE BITTERROOT RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
5		16	27N	24W	FLATHEAD

Diversion to Reservoir: DIVERSION # 42
Dam Height: 17.00 FEET
Surface Area: 3,950.00 ACRES
Current Capacity: 26,400.00 ACRE-FEET
SEE THE ATTACHED RESERVOIR DIAGRAMS.

Period of Use: APRIL 15 to OCTOBER 15

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	21N	23W	SANDERS
2				7	21N	23W	SANDERS
3				1	21N	24W	SANDERS
4				2	21N	24W	SANDERS
5				3	21N	24W	SANDERS
6				10	21N	24W	SANDERS
7				11	21N	24W	SANDERS
8				12	21N	24W	SANDERS
9				13	21N	24W	SANDERS
10				6	22N	23W	SANDERS
11				7	22N	23W	SANDERS
12				18	22N	23W	SANDERS
13				19	22N	23W	SANDERS
14				20	22N	23W	LAKE
15				29	22N	23W	LAKE
16				30	22N	23W	SANDERS
17				31	22N	23W	SANDERS
18				32	22N	23W	LAKE
19				1	22N	24W	SANDERS
20				2	22N	24W	SANDERS
21				3	22N	24W	SANDERS
22				4	22N	24W	SANDERS
23				9	22N	24W	SANDERS
24				10	22N	24W	SANDERS
25				11	22N	24W	SANDERS
26				12	22N	24W	SANDERS
27				13	22N	24W	SANDERS
28				14	22N	24W	SANDERS
29				15	22N	24W	SANDERS
30				16	22N	24W	SANDERS
31				21	22N	24W	SANDERS
32				22	22N	24W	SANDERS
33				23	22N	24W	SANDERS
34				24	22N	24W	SANDERS
35				25	22N	24W	SANDERS
36				26	22N	24W	SANDERS
37				27	22N	24W	SANDERS
38				34	22N	24W	SANDERS
39				35	22N	24W	SANDERS
40				36	22N	24W	SANDERS
41				3	23N	24W	SANDERS
42				9	23N	24W	SANDERS
43				10	23N	24W	SANDERS
44				15	23N	24W	SANDERS
45				16	23N	24W	SANDERS
46				21	23N	24W	SANDERS
47				26	23N	24W	SANDERS
48				27	23N	24W	SANDERS
49				28	23N	24W	SANDERS
50				33	23N	24W	SANDERS
51				34	23N	24W	SANDERS
52				35	23N	24W	SANDERS
53				36	23N	24W	SANDERS
54				34	24N	24W	SANDERS

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION AND RESERVOIR.

30052927 30052930

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THE FOLLOWING ADMINISTRATIVE AREAS , AS DEFINED IN APPENDIX 3.2 TO THE COMPACT, ARE PERTINENT TO THIS WATER RIGHT: LITTLE BITTERROOT LAKE, HUBBART RESERVOIR, LITTLE BITTERROOT RIVER, ALDER DIVERSION, MCGINNIS DIVERSION.

SEE 30052930 MAP EXHIBIT(S) 1 THROUGH 15.

THIS WATER RIGHT CANNOT BE EXERCISED, IN ORDER TO FILL LITTLE BITTERROOT RESERVOIR OR HUBBART RESERVOIR, TO MAKE A CALL ON ANY WATER RIGHT ARISING UNDER STATE LAW THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT BETWEEN THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT. THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER PERSON'S WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT'S ABILITY TO FILL LITTLE BITTERROOT RESERVOIR AND HUBBART RESERVOIR.

NO MORE THAN 135,000 ACRES MAY BE IRRIGATED DURING ANY GIVEN IRRIGATION SEASON WITHIN THE PLACE OF USE DESCRIBED BY WATER RIGHTS 76L 30052930, 76L 30052931, AND 76L 30052932.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

****** THIS IS AN INTERBASIN TRANSFER ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE FLATHEAD RIVER, BELOW AND INCLUDING FLATHEAD LAKE (BASINS 76L AND 76LJ) AND FROM TRIBUTARIES TO THE BLACKFOOT RIVER (BASIN 76F) AND USES THE WATER IN THE FLATHEAD RIVER, BELOW AND INCLUDING FLATHEAD LAKE (BASINS 76L AND 76LJ).

Water Right Number: 76L 30052932 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: JULY 16, 1855 at 12:00 A.M.

Enforceable Priority Date: JULY 16, 1855 at 12:00 A.M.

Purpose (use): IRRIGATION

Irrigation Type: SPRINKLER/FLOOD

THIS WATER RIGHT IS INCIDENTALLY USED FOR STOCKWATER, WETLANDS, AND LAWN AND GARDEN.

Maximum Flow Rate:

THE MAXIMUM FLOW RATE IS SUBJECT TO ARTICLE IV.C THROUGH F OF THE COMPACT.

Maximum Volume:

THE MAXIMUM VOLUME (RIVER DIVERSION ALLOWANCE) IS SUBJECT TO ARTICLE IV.C THROUGH F OF THE COMPACT AND APPENDIX 3.2.

Maximum Acres: 110,069.25

Source Name: JOCKO RIVER, MIDDLE FORK
Source Type: SURFACE WATER

Source Name: SOUTH CROW CREEK
Source Type: SURFACE WATER

Source Name: MOLLMAN CREEK
Source Type: SURFACE WATER

Source Name: NORTH CROW CREEK
Source Type: SURFACE WATER

Source Name: HELLROARING CREEK
Source Type: SURFACE WATER

Source Name: FALLS CREEK
Source Type: SURFACE WATER

Source Name: JOCKO RIVER, NORTH FORK
Source Type: SURFACE WATER

Source Name: CENTIPEDE CREEK
Source Type: SURFACE WATER

Source Name: FLATHEAD RIVER
Source Type: SURFACE WATER

Source Name: PLACID CREEK, NORTH FORK
Source Type: SURFACE WATER

Source Name: MISSION CREEK
Source Type: SURFACE WATER

Source Name: THORNE CREEK
Source Type: SURFACE WATER

Source Name: MARSH CREEK
Source Type: SURFACE WATER
Source Name: CROW CREEK
Source Type: SURFACE WATER
Source Name: MUD CREEK
Source Type: SURFACE WATER
Source Name: COURVILLE CREEK
Source Type: SURFACE WATER
Source Name: MIKES CREEK
Source Type: SURFACE WATER
Source Name: SABINE CREEK
Source Type: SURFACE WATER
Source Name: COLD CREEK
Source Type: SURFACE WATER
Source Name: LOST CREEK
Source Type: SURFACE WATER
Source Name: ROCK CREEK
Source Type: SURFACE WATER
Source Name: DRY CREEK
Source Type: SURFACE WATER
Source Name: GRIZZLY CREEK
Source Type: SURFACE WATER
Source Name: POST CREEK
Source Type: SURFACE WATER
Source Name: VALENTINE CREEK
Source Type: SURFACE WATER
Source Name: POIRIER CREEK
Source Type: SURFACE WATER
Source Name: S-14 CREEK
Source Type: SURFACE WATER
Source Name: ASHLEY CREEK
Source Type: SURFACE WATER
Source Name: MCCOLLUM CREEK
Source Type: SURFACE WATER
Source Name: POISON OAK CREEK
Source Type: SURFACE WATER
Source Name: MIDDLE CROW CREEK
Source Type: SURFACE WATER
Source Name: FLATHEAD RIVER (IMPOUNDMENTS BEHIND KERR DAM)
Source Type: SURFACE WATER
Source Name: SPRING CREEK
Source Type: SURFACE WATER
Source Name: EAGLE PASS CREEK
Source Type: SURFACE WATER
Source Name: BISSON CREEK
Source Type: SURFACE WATER

DRY CREEK IS A TRIBUTARY OF MISSION CREEK.

COLD CREEK IS A TRIBUTARY OF DRY CREEK.

DRY CREEK, A TRIBUTARY OF ASHLEY CREEK, IS ALSO KNOWN AS NORTH DRY CREEK.

ASHLEY CREEK IS A TRIBUTARY OF POST CREEK.

SPRING CREEK, A TRIBUTARY OF CROW CREEK, IS ALSO KNOWN AS RONAN SPRING CREEK.

ASHLEY CREEK, A TRIBUTARY OF MUD CREEK, IS ALSO KNOWN AS NORTH ASHLEY CREEK.

WATER IMPOUNDED BY KERR DAM MAY BE DIVERTED PER ARTICLES #41 THROUGH #43 OF THE FERC LICENSE IN ORDER TO MEET THE IRRIGATION DEMANDS OF THIS WATER RIGHT, INCLUDING STORAGE IN PABLO AND HORTE RESERVOIRS.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	29	17N	16W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 120.00 CFS
Source Name: PLACID CREEK, NORTH FORK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: PLACID CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2		SWSW	20	17N	17W	MISSOULA

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 150.00 CFS
Source Name: JOCKO RIVER, MIDDLE FORK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3		SENW	26	17N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: JOCKO RIVER, MIDDLE FORK
Diversion Means: DAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
4		SENE	28	17N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: JOCKO RIVER, MIDDLE FORK
Diversion Means: DAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
5	2		6	17N	18W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: DRY CREEK
Diversion Means: DAM
Diversion Type: PRIMARY
Ditch Name: DRY CREEK LINING

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
6		SESE	15	17N	18W	LAKE

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 450.00 CFS
Source Name: FALLS CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
7		SWSW	15	17N	18W	LAKE

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 450.00 CFS
Source Name: S-14 CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
8		NWNW	16	17N	18W	LAKE

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 450.00 CFS
Source Name: GRIZZLY CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
9		NWNE	24	17N	18W	LAKE

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 420.00 CFS
Source Name: JOCKO RIVER, NORTH FORK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
10	2		4	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: ASHLEY CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
11		SENW	5	18N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: ASHLEY CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MISSION B CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
12		NESW	5	18N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: DRY CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MISSION B CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
13	3		7	18N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: DITCH
Diversion Type: SECONDARY
Ditch Name: MISSION 13B-1

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
14		NWNW	10	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: DRY CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
15	4		16	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: MISSION CREEK
Diversion Means: DAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
16	4		16	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: MISSION CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
17		SWNE	19	18N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 60.00 CFS
Source Name: MISSION CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: MISSION B CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
18		SWSE	21	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 255.00 CFS
Source Name: MIKES CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
19		SWSW	28	18N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 27.00 CFS
Source Name: DRY CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: MISSION F CANAL

20		SWSW	28	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 255.00 CFS
Source Name: DRY CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

21		SESE	29	18N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 27.00 CFS
Source Name: THORNE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MISSION F CANAL

22		SESE	31	18N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: SABINE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MISSION F CANAL

23		NESW	34	18N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: COLD CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: COLD CREEK DITCH

24		SWSW	35	18N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: DRY CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: DC-2

25		SWNW	1	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 21C-3-3

26		SWSE	1	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 21C

27		NESW	1	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 21C-3-2

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
28		NESW	1	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 21C-3-1

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
29		SENE	2	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 21C-3-5

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
30		SESE	2	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 17C-1

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
31		SENE	3	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
32		SWNW	3	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 11C-2B

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
33	3		3	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
34	1		4	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
35		SENW	11	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 11CX

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
36		SWSW	11	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
37		NWNW	12	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: DITCH
Diversion Type: SECONDARY
Ditch Name: MISSION 17C

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
38		SWNW	12	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 13C

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
39		SWNE	14	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 10.00 CFS
Source Name: MISSION CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: MISSION 6C

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
40		NWNE	24	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 100.00 CFS
Source Name: MISSION CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: MISSION C CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
41		SENE	24	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MISSION CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: TOWN DITCH

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
42		SWNE	36	18N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MCCOLLUM CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MISSION F CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
43		SENE	4	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 220.00 CFS
Source Name: POST CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
44		SWNE	5	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 250.00 CFS
Source Name: POST CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: KICKING HORSE FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
45	4		6	19N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 29C

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
46		SWSW	7	19N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 70.00 CFS
Source Name: POST CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: POST F CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
47	1		10	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: POST CREEK
Diversion Means: DAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
48		NWSE	16	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: VALENTINE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
49		SESE	17	19N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: VALENTINE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MISSION B CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
50		NENE	20	19N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: POISON OAK CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MISSION B CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
51		NENW	20	19N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: POISON OAK CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MISSION C CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
52		SWNE	21	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: POISON OAK CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
53		NWNW	30	19N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: DITCH
Diversion Type: SECONDARY
Ditch Name: MISSION 44C-3

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
54		NESW	30	19N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 44C-2

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
55		NESW	30	19N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 44C-26

56		SWSE	31	19N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: ASHLEY CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: MISSION C CANAL

57		NWNW	8	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

58		NENW	13	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

59	1		18	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

60	1		19	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

61		NWNW	20	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 22.00 CFS
Source Name:
Diversion Means: DIVERSION DAM
Diversion Type: SECONDARY
Ditch Name: DUBLIN DITCH

62		NESE	21	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: POST 22F

63		SWSE	21	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: DITCH
Diversion Type: SECONDARY
Ditch Name: POST 24F

64		SESE	22	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
65		SWSE	22	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

66		NESW	22	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: POST 21F

67		NWSW	24	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

68		SESW	24	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

69		SENW	29	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: POST 33F

70		NENW	30	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: POST 40F

71		NESE	33	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

72		SWSE	34	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

73		NESW	34	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

74		SESW	34	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
75		SESE	35	19N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: MISSION 21C-3-11

76	1		2	19N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

77		NESE	12	19N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

78		SESE	12	19N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

79		NWSE	15	19N	21W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 52.00 CFS
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY
Ditch Name: HILLSIDE DITCH

80		NWNE	25	19N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: POST 45F-1-B

81		SENW	25	19N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: HEADGATE
Diversion Type: SECONDARY
Ditch Name: POST 45F

82		NWNW	26	19N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

83		SENW	36	19N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 15.00 CFS
Source Name: MISSION CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: MISSION H CANAL

ID	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
84		NWSW	4	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 270.00 CFS
Source Name: LOST CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

85		NESW	16	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 270.00 CFS
Source Name: SOUTH CROW CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

86		NENE	19	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 275.00 CFS
Source Name: SOUTH CROW CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: SOUTH CROW FEEDER CANAL

87		NWNE	28	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 220.00 CFS
Source Name: MOLLMAN CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

88		SWSE	28	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 220.00 CFS
Source Name: MARSH CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

89		NENE	31	20N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MARSH CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: MARSH CREEK CANAL

90		NWSE	31	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 250.00 CFS
Source Name: MARSH CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: KICKING HORSE FEEDER CANAL

91		SESE	33	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 220.00 CFS
Source Name: EAGLE PASS CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

92		NWSE	2	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: SPRING CREEK
Diversion Means: PUMP
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
93		SENW	5	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

94	1		5	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

95		NESE	6	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

96		SENW	10	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

97		SWSW	10	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

98		NWNE	11	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: SPRING CREEK
Diversion Means: PUMP
Diversion Type: PRIMARY

99		SWSW	13	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: CROW CREEK
Diversion Means: PUMP
Diversion Type: PRIMARY

100		SWNE	14	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

101		SESW	14	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: CROW CREEK
Diversion Means: PUMP
Diversion Type: PRIMARY

102		NESE	16	20N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 22.00 CFS
Source Name: CROW CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: CROW PUMP CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
103		NESW	31	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

104		NWNW	34	20N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY
Ditch Name: POST C CANAL

105			36	20N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY
Ditch Name: NINEPIPE FEEDER CANAL

106		NWNE	9	20N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

107			11	20N	21W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: CROW CREEK
Diversion Means: DAM
Diversion Type: PRIMARY

108		NENW	14	20N	21W	LAKE

Period of Diversion: APRIL 15 TO OCTOBER 15 **Flow Rate:** 150.00 CFS
Source Name: CROW CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: MOIESE A CANAL

109		NWNW	16	20N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

110		SWNW	36	20N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

111		SENW	5	21N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 24.00 CFS
Source Name: MUD CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: RONAN B CANAL

112		NESE	20	21N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 470.00 CFS
Source Name: ROCK CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
113		NWNW	28	21N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 470.00 CFS
Source Name: NORTH CROW CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

114	1		31	21N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: SPRING CREEK
Diversion Means: PUMP
Diversion Type: PRIMARY

115	6		31	21N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: SPRING CREEK
Diversion Means: PUMP
Diversion Type: PRIMARY

116		NENW	33	21N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 270.00 CFS
Source Name: MIDDLE CROW CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

117		SESE	17	21N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

118		SWSE	20	21N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

119		NENE	28	21N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

120		NENW	29	21N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

121		SESE	31	21N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

122		NENE	34	21N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MUD CREEK
Diversion Means: PUMP
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
123		SWSE	34	21N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MUD CREEK
Diversion Means: PUMP
Diversion Type: PRIMARY

124		SWSE	34	21N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name: MUD CREEK
Diversion Means: PUMP
Diversion Type: PRIMARY

125		NWSW	35	21N	20W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: OTHER
Diversion Type: SECONDARY

126		SENW	25	21N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

127		NWSE	25	21N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

128		NESE	26	21N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

129		SWNE	34	21N	21W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY
Ditch Name: PABLO 71A

130		NWNE	36	21N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

131		SESE	36	21N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

132	4		4	22N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 15.00 CFS
Source Name: HELLROARING CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: TWIN FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
133		NWNW	9	22N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 15.00 CFS

Source Name: CENTIPEDE CREEK

Diversion Means: DITCH

Diversion Type: PRIMARY

Ditch Name: TWIN FEEDER CANAL

134		NENW	16	22N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 8.00 CFS

Source Name: BISSON CREEK

Diversion Means: DIVERSION DAM

Diversion Type: PRIMARY

Ditch Name: LOWER TWIN FEEDER CANAL

135			18	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 15.00 CFS

Source Name:

Diversion Means: DAM

Diversion Type: SECONDARY

Ditch Name: POLSON D CANAL

136		SENW	28	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 400.00 CFS

Source Name: POIRIER CREEK

Diversion Means: DITCH

Diversion Type: PRIMARY

Ditch Name: PABLO FEEDER CANAL

137		NWSW	28	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 400.00 CFS

Source Name: ASHLEY CREEK

Diversion Means: DITCH

Diversion Type: PRIMARY

Ditch Name: PABLO FEEDER CANAL

138		SENE	32	22N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15

Source Name: MUD CREEK

Diversion Means: HEADGATE

Diversion Type: PRIMARY

Ditch Name: RONAN B1

139		SESE	32	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 470.00 CFS

Source Name: COURVILLE CREEK

Diversion Means: DITCH

Diversion Type: PRIMARY

Ditch Name: PABLO FEEDER CANAL

140		NWNW	33	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 400.00 CFS

Source Name: MUD CREEK

Diversion Means: OTHER

Diversion Type: PRIMARY

Ditch Name: PABLO FEEDER CANAL

141	3		17	22N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 210.00 CFS

Source Name: FLATHEAD RIVER

Diversion Means: OTHER

Diversion Type: PRIMARY

Ditch Name: FLATHEAD PUMP CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
142		SWNE	27	22N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 340.00 CFS
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY
Ditch Name: PABLO A CANAL

143			12	22N	21W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER (IMPOUNDMENTS BEHIND KERR DAM)
Diversion Means: DAM
Diversion Type: PRIMARY

144		NWNE	34	22N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

145		NESE	34	22N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

146		NWNE	35	22N	21W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15
Source Name:
Diversion Means: PUMP
Diversion Type: SECONDARY

WATER DIVERTED AT #1 (N FORK PLACID) IS CONVEYED THROUGH PLACID CANAL TO JOCKO RIVER, MIDDLE FORK WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #3 (UPPER JOCKO RESERVOIR) AND #4 (LOWER JOCKO RESERVOIR). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSIONS #3 (UPPER JOCKO RESERVOIR) AND #4 (LOWER JOCKO RESERVOIR) USES JOCKO RIVER, MIDDLE FORK AS A NATURAL CARRIER TO DIVERSION #2 (TABOR FEEDER). WATER DIVERTED AT #2 (MIDDLE FORK JOCKO), #9 (N FORK JOCKO), #6 (FALLS CR), #7 (S-14 CR) AND #8 (GRIZZLY CR) IS CONVEYED THROUGH TABOR FEEDER CANAL TO DIVERSION #5 (TABOR RESERVOIR). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #5 (TABOR RESERVOIR) USES DRY CREEK (LINING) AS A NATURAL CARRIER TO DIVERSIONS #24 (DC-2), 19 (MISSION F), AND #20 (PABLO FEEDER). WATER DIVERTED AT #23 (COLD CR) IS CONVEYED THROUGH COLD CREEK DITCH TO THE PLACE OF USE. WATER DIVERTED AT #24 (DRY CR) IS CONVEYED THROUGH DC-2 TO THE PLACE OF USE.

WATER DIVERTED AT #19 (DRY CR), #21 (THORNE CR), #22 (SABINE CR) AND #42 (MCCOLLUM CR) IS CONVEYED THROUGH MISSION F CANAL TO THE PLACE OF USE. WATER DIVERTED AT #20 (DRY CR) AND #18 (MIKES CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO THE PLACE OF USE; TO DIVERSION #16 (PABLO FEEDER AT MISSION CR); AND TO MISSION CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #17 (MISSION B), #41 (TOWN), #40 (MISSION C), #39 (MISSION 6C) AND #83 (MISSION H). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #15 (MISSION RESERVOIR) USES MISSION CREEK AS A NATURAL CARRIER TO DIVERSIONS #17 (MISSION B), #41 (TOWN), #40 (MISSION C), #39 (MISSION 6C), #16 (PABLO FEEDER) AND #83 (MISSION H). WATER DIVERTED AT #17 (MISSION B) IS CONVEYED THROUGH MISSION B CANAL TO THE PLACE OF USE; TO DIVERSION #12 (MISSION B AT N DRY CR); AND TO AN UNNAMED COULEE WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #13 (MISSION 13B-1).

WATER DIVERTED AT #12 (N DRY CR), #11 (ASHLEY CR), #50 (POISON OAK CR) AND #49 (VALENTINE CR) IS CONVEYED THROUGH MISSION B CANAL TO THE PLACE OF USE. WATER DIVERTED AT #40 (MISSION CR) IS CONVEYED THROUGH MISSION C CANAL TO THE PLACE OF USE; TO DIVERSION #56 (MISSION C AT ASHLEY CR); TO MATT CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #32 (MISSION 11C-2B) AND PUMP-BACK DIVERSIONS #36 AND #34; TO ASHLEY CREEK WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSIONS #68 AND #67; AND TO MULTIPLE UNNAMED COULEES WHICH ARE USED AS NATURAL CARRIERS TO DIVERSIONS #35 (MISSION 11CX), #38 (MISSION 13C), #37 (MISSION 17C), #30 (MISSION 17C-1), #26 (MISSION 21C), #28 (MISSION 21C-3-1), #27 (MISSION 21C-3-2), #25 (MISSION 21C-3-3), #29 (MISSION 21C-3-5), #75 (MISSION 21C-3-11) AND #45 (MISSION 29C) AND PUMP-BACK DIVERSIONS #31, #74, #33, #71, #72 AND 7#3.

WATER DIVERTED AT #56 (ASHLEY CR) IS CONVEYED THROUGH MISSION C CANAL TO THE PLACE OF USE; TO DIVERSION #51 (MISSION C AT POISON OAK CR); AND TO MULTIPLE UNNAMED COULEES WHICH ARE USED AS NATURAL CARRIER TO DIVERSIONS #54 (MISSION 44C-2), #55 (MISSION 44C-26) AND #53 (MISSION 44C-3). WATER DIVERTED AT #51 (POISON OAK CR) IS CONVEYED THROUGH MISSION C CANAL TO THE PLACE OF USE AND DIVERSION #46 (POST F). WATER DIVERTED AT #16 (MISSION CR), #14 (N DRY CR), #10 (ASHLEY CR), #52 (POISON OAK CR) AND #48 (VALENTINE CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO THE PLACE OF USE; TO DIVERSION #43 (PABLO FEEDER AT POST CR); AND TO POST CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #44 (KICKING HORSE FEEDER), #46 (POST F) AND #83 (MISSION H). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #47 (MCDONALD RESERVOIR) USES POST CREEK AS A NATURAL CARRIER TO DIVERSIONS #44 (KICKING HORSE FEEDER), #46 (POST F), 83 (MISSION H) AND #43 (PABLO FEEDER).

WATER DIVERTED AT #44 (POST CR) IS CONVEYED THROUGH KICKING HORSE FEEDER CANAL TO THE PLACE OF USE AND DIVERSION #90 (KICKING HORSE FEEDER AT MARSH CR). WATER DIVERTED AT #46 (POST CR) IS CONVEYED THROUGH POST F CANAL TO THE PLACE OF USE; TO DIVERSION #79 (HILLSIDE RESERVOIR); AND TO MULTIPLE UNNAMED COULEES WHICH ARE USED AS NATURAL CARRIER TO DIVERSIONS #66 (POST 21F), #62 (POST 22F), #63 (POST 24F), #69 (POST 33F), #70 (POST 40F), 80 (POST 45F-1-B) AND #81 (POST 45F) AND PUMP-BACK DIVERSIONS #65, #64 AND #82. WATER DIVERTED AT #43 (POST CR) AND #91 (EAGLE PASS CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO DIVERSION #88 (PABLO FEEDER AT MARSH CR) AND MARSH CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #90 (KICKING HORSE FEEDER) AND #89 (MARSH CR CANAL). WATER DIVERTED AT #90 (MARSH CR) IS CONVEYED THROUGH KICKING HORSE FEEDER CANAL TO DIVERSION #105 (KICKING HORSE RESERVOIR).

WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #105 (KICKING HORSE RESERVOIR) IS CONVEYED THROUGH NINEPIPE FEEDER CANAL TO DIVERSION #104 (NINEPIPE RESERVOIR) AND THROUGH POST A CANAL AND POST G CANAL TO THE PLACE OF USE AND AN UNNAMED COULEE WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSION #58. WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #104 (NINEPIPE RESERVOIR) IS CONVEYED THROUGH POST C CANAL AND POST D CANAL TO THE PLACE OF USE; TO DUBLIN GULCH WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #61 (DUBLIN DITCH); TO COLEMAN COULEE WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #79 (HILLSIDE RESERVOIR) AND PUMP-BACK DIVERSIONS #110 AND #76; AND TO MULTIPLE UNNAMED COULEES WHICH ARE USED AS NATURAL CARRIER TO PUMP-BACK DIVERSIONS #57, #103, #77, #78, #59, #60.

WATER DIVERTED AT #61 (DUBLIN GULCH) IS CONVEYED THROUGH DUBLIN DITCH AND POST F CANAL TO THE PLACE OF USE; TO DIVERSION #79 (HILLSIDE RESERVOIR); AND TO MULTIPLE UNNAMED COULEES WHICH ARE USED AS NATURAL CARRIERS TO DIVERSIONS #70 (POST 40F), #80 (POST 45F-1-B) AND #81 (POST 45F) AND PUMP-BACK DIVERSION #82. WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #79 (HILLSIDE RESERVOIR) IS CONVEYED THROUGH HILLSIDE DITCH AND MOIESE A CANAL TO THE PLACE OF USE. WATER DIVERTED AT #89 (MARSH CR) IS CONVEYED THROUGH MARSH CREEK CANAL TO THE PLACE OF USE. WATER DIVERTED AT #88 (MARSH CR) AND #87 (MOLLMAN CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO THE PLACE OF USE; TO DIVERSION #85 (PABLO FEEDER AT S CROW CR) AND SOUTH CROW CREEK (CROW CREEK) WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #86 (S CROW FEEDER), #102 (CROW PUMP) AND #107 (LOWER CROW RESERVOIR) AND PUMP-BACK DIVERSIONS #99 AND #101.

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

WATER DIVERTED AT #86 (S CROW CR) IS CONVEYED THROUGH SOUTH CROW FEEDER CANAL TO DIVERSION #105 (KICKING HORSE RESERVOIR). WATER DIVERTED AT #102 (CROW CR) IS CONVEYED THROUGH CROW PUMP CANAL AND POST A CANAL TO THE PLACE OF USE AND DIVERSION #104 (NINEPIPE RESERVOIR). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #107 (LOWER CROW RESERVOIR) USES CROW CREEK AS A NATURAL CARRIER TO DIVERSION #108 (MOIESE A). WATER DIVERTED AT #108 IS CONVEYED THROUGH MOIESE A CANAL TO THE PLACE OF USE. WATER DIVERTED AT #85 (S CROW CR), #84 (LOST CR), #116 (MIDDLE CROW), #113 (N CROW CR), AND #112 (ROCK CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO THE PLACE OF USE; TO DIVERSION #139 (PABLO FEEDER AT COURVILLE CR); AND THROUGH RONAN A CANAL TO THE PLACE OF USE, TO RONAN SPRING CREEK WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSIONS #114, #115, #92 AND #98 AND TO AN UNNAMED COULEE WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSION #100.

WATER DIVERTED AT #139 (COURVILLE CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO DIVERSION #140 (PABLO FEEDER AT MUD CR) AND MUD CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #138 (RONAN B1) AND #111 (RONAN B) AND PUMP-BACK DIVERSIONS #122, #123 AND #124. WATER DIVERTED AT #138 (MUD CR) IS CONVEYED THROUGH RONAN B1 TO THE PLACE OF USE. WATER DIVERTED AT #111 (MUD CR) IS CONVEYED THROUGH RONAN B CANAL TO THE PLACE OF USE AND MULTIPLE UNNAMED COULEES WHICH ARE USED AS NATURAL CARRIERS TO PUMP-BACK DIVERSIONS #125, #96 AND #97. WATER DIVERTED AT #140 (MUD CR), #137 (N ASHLEY CR), AND #136 (POIRIER CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO THE PLACE OF USE; THROUGH FLATHEAD PUMP CANAL TO DIVERSION #142 (PABLO RESERVOIR); AND THROUGH POLSON Z CANAL AND POLSON C CANAL TO THE PLACE OF USE.

WATER IN FLATHEAD RIVER OR IMPOUNDED AT DIVERSION #143 (KERR DAM) IS DIVERTED AT #141 (FLATHEAD PUMP) AND CONVEYED THROUGH FLATHEAD PUMP CANAL AND POLSON C CANAL TO THE PLACE OF USE; THROUGH PABLO FEEDER CANAL TO THE PLACE OF USE AND DIVERSION #142 (PABLO RESERVOIR). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #142 (PABLO RESERVOIR) IS CONVEYED THROUGH PABLO A CANAL TO THE PLACE OF USE; TO HOPKINS DRAW WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #129 (HORTE RESERVOIR); TO WEST MILLER COULEE WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSIONS #117, #119, #94, #93 AND #95; TO WALCHUCK COULEE WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSIONS #127, #130 AND #131; AND TO MULTIPLE UNNAMED COULEES WHICH ARE USED AS NATURAL CARRIERS TO PUMP-BACK DIVERSIONS #118, #120, #121, #128, #126, #146, #145 AND #144.

WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #129 (HORTE RESERVOIR) USES HOPKINS DRAW AS A NATURAL CARRIER TO PUMP-BACK DIVERSION #106 AND IS CONVEYED THROUGH PABLO 71A TO THE PLACE OF USE AND AN UNNAMED COULEE WHICH IS USED AS A NATURAL CARRIER TO PUMP-BACK DIVERSION #109. WATER DIVERTED AT #134 (BISSON CR) IS CONVEYED THROUGH LOWER TWIN FEEDER CANAL TO DIVERSION #135 (TURTLE RESERVOIR). WATER DIVERTED AT #132 (HELLROARING CR) AND #133 (CENTIPEDE CR) IS CONVEYED TO THE PLACE OF USE AND DIVERSION #135 (TURTLE RESERVOIR). WATER PASSED-THROUGH OR IMPOUNDED AT DIVERSION #135 (TURTLE RESERVOIR) IS CONVEYED THROUGH POLSON D CANAL AND POLSON B CANAL TO THE PLACE OF USE.

THE MEANS OF DIVERSION FOR #20, #16, #85, #140, AND #111 IS HEADWORKS.

THE MEANS OF DIVERSION FOR #102 IS DIVERSION DAM WITH PUMPING PLANT.

THE MEANS OF DIVERSION FOR #125 IS PUMP AND PIT.

THE MEANS OF DIVERSION FOR #141 IS PUMPING PLANT AND PENSTOCK.

SECONDARY POINT OF DIVERSION WATER SOURCES ARE A MIX OF RELEASES FROM THE PRIMARY POINTS OF DIVERSION.

UPPER JOCKO RESERVOIR IS ALSO SUPPLIED BY DIVERSION #1 (N FK PLACID CR).

LOWER JOCKO RESERVOIR IS ALSO SUPPLIED BY DIVERSION #1 (N FK PLACID CR).

TABOR RESERVOIR IS ALSO SUPPLIED BY DIVERSION #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #9 (TABOR FEEDER AT N FK JOCKO R), #6 (TABOR FEEDER AT FALLS CR), #7 (TABOR FEEDER AT S-14 CR), AND #8 (TABOR FEEDER AT GRIZZLY CR).

ID **Govt Lot** **Qtr Sec** **Sec** **Twp** **Rge** **County**

HILLSIDE RESERVOIR IS ALSO SUPPLIED BY DIVERSION #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #9 (TABOR FEEDER AT N FK JOCKO R), #6 (TABOR FEEDER AT FALLS CR), #7 (TABOR FEEDER AT S-14 CR), #8 (TABOR FEEDER AT GRIZZLY CR), #20 (PABLO FEEDER AT DRY CR), #18 (PABLO FEEDER AT MIKES CR), #16 (PABLO FEEDER AT MISSION CR), #14 (PABLO FEEDER AT N DRY CR), #10 (PABLO FEEDER AT ASHLEY CR), #52 (PABLO FEEDER AT POISON OAK CR), AND #48 (PABLO FEEDER AT VALENTINE CR).

WATER IN HILLSIDE RESERVOIR IS IMPOUNDED AT DIVERSION #79.

KICKING HORSE RESERVOIR IS ALSO SUPPLIED BY DIVERSION #1 (N FK PLACID CR), 2 (TABOR FEEDER AT MDL FK JOCKO R), 9 (TABOR FEEDER AT N FK JOCKO R), 6 (TABOR FEEDER AT FALLS CR), 7 (TABOR FEEDER AT S-14 CR), 8 (TABOR FEEDER AT GRIZZLY CR), 20 (PABLO FEEDER AT DRY CR), 18 (PABLO FEEDER AT MIKES CR), 16 (PABLO FEEDER AT MISSION CR), 14 (PABLO FEEDER AT N DRY CR), 10 (PABLO FEEDER AT ASHLEY CR), 52 (PABLO FEEDER AT POISON OAK CR), 48 (PABLO FEEDER AT VALENTINE CR), 44 (KICKING HORSE FEEDER AT POST CR), 91 (PABLO FEEDER AT EAGLE PASS CR), AND 90 (KICKING HORSE FEEDER AT MARSH CR).

WATER IN KICKING HORSE RESERVOIR IS IMPOUNDED AT DIVERSION #105.

NINEPIPE RESERVOIR IS ALSO SUPPLIED BY DIVERSION #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #9 (TABOR FEEDER AT N FK JOCKO R), #6 (TABOR FEEDER AT FALLS CR), #7 (TABOR FEEDER AT S-14 CR), #8 (TABOR FEEDER AT GRIZZLY CR), #20 (PABLO FEEDER AT DRY CR), #18 (PABLO FEEDER AT MIKES CR), #16 (PABLO FEEDER AT MISSION CR), #14 (PABLO FEEDER AT N DRY CR), #10 (PABLO FEEDER AT ASHLEY CR), #52 (PABLO FEEDER AT POISON OAK CR), #48 (PABLO FEEDER AT VALENTINE CR), #44 (KICKING HORSE FEEDER AT POST CR), #91 (PABLO FEEDER AT EAGLE PASS CR), #90 (KICKING HORSE FEEDER AT MARSH CR), AND #86 (S CROW FEEDER CANAL AT S CROW CR).

WATER IN NINEPIPE RESERVOIR IS IMPOUNDED AT DIVERSION #104.

LOWER CROW RESERVOIR IS ALSO SUPPLIED BY DIVERSION #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #9 (TABOR FEEDER AT N FK JOCKO R), #6 (TABOR FEEDER AT FALLS CR), #7 (TABOR FEEDER AT S-14 CR), #8 (TABOR FEEDER AT GRIZZLY CR), #20 (PABLO FEEDER AT DRY CR), #18 (PABLO FEEDER AT MIKES CR), #16 (PABLO FEEDER AT MISSION CR), #14 (PABLO FEEDER AT N DRY CR), #10 (PABLO FEEDER AT ASHLEY CR), #52 (PABLO FEEDER AT POISON OAK CR), #48 (PABLO FEEDER AT VALENTINE CR), #43 (PABLO FEEDER AT POST CR), #91 (PABLO FEEDER AT EAGLE PASS CR), #88 (PABLO FEEDER AT MARSH CR), AND #87 (PABLO FEEDER AT MOLLMAN CR).

PABLO RESERVOIR IS ALSO SUPPLIED BY DIVERSION #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #9 (TABOR FEEDER AT N FK JOCKO R), #6 (TABOR FEEDER AT FALLS CR), #7 (TABOR FEEDER AT S-14 CR), #8 (TABOR FEEDER AT GRIZZLY CR), #20 (PABLO FEEDER AT DRY CR), #18 (PABLO FEEDER AT MIKES CR), #16 (PABLO FEEDER AT MISSION CR), #14 (PABLO FEEDER AT N DRY CR), #10 (PABLO FEEDER AT ASHLEY CR), #52 (PABLO FEEDER AT POISON OAK CR), #48 (PABLO FEEDER AT VALENTINE CR), #43 (PABLO FEEDER AT POST CR), #91 (PABLO FEEDER AT EAGLE PASS CR), #88 (PABLO FEEDER AT MARSH CR), #87 (PABLO FEEDER AT MOLLMAN CR), #85 (PABLO FEEDER AT S CROW CR), #84 (PABLO FEEDER AT LOST CR), #116 (PABLO FEEDER AT MDL CROW CR), #113 (PABLO FEEDER AT N CROW CR), #112 (PABLO FEEDER AT ROCK CR), #139 (PABLO FEEDER AT COURVILLE CR) , #140 (PABLO FEEDER AT MUD CR), #137 (PABLO FEEDER AT N ASHLEY CR), #136 (PABLO FEEDER AT POIRIER CR) AND #143 (KERR DAM).

WATER IN PABLO RESERVOIR IS IMPOUNDED AT DIVERSION #142.

HORTE RESERVOIR IS ALSO SUPPLIED BY DIVERSION #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #9 (TABOR FEEDER AT N FK JOCKO R), #6 (TABOR FEEDER AT FALLS CR), #7 (TABOR FEEDER AT S-14 CR), #8 (TABOR FEEDER AT GRIZZLY CR), #20 (PABLO FEEDER AT DRY CR), #18 (PABLO FEEDER AT MIKES CR), #16 (PABLO FEEDER AT MISSION CR), #14 (PABLO FEEDER AT N DRY CR), #10 (PABLO FEEDER AT ASHLEY CR), #52 (PABLO FEEDER AT POISON OAK CR), #48 (PABLO FEEDER AT VALENTINE CR), #43 (PABLO FEEDER AT POST CR), #91 (PABLO FEEDER AT EAGLE PASS CR), #88 (PABLO FEEDER AT MARSH CR), #87 (PABLO FEEDER AT MOLLMAN CR), #85 (PABLO FEEDER AT S CROW CR), #84 (PABLO FEEDER AT LOST CR), #116 (PABLO FEEDER AT MDL CROW CR), #113 (PABLO FEEDER AT N CROW CR), #112 (PABLO FEEDER AT ROCK CR), #139 (PABLO FEEDER AT COURVILLE CR) , #140 (PABLO FEEDER AT MUD CR), #137 (PABLO FEEDER AT N ASHLEY CR), #141 (FLATHEAD PMP AT FLATHEAD R), AND #143 (KERR DAM).

WATER IN HORTE RESERVOIR IS IMPOUNDED AT DIVERSION #129.

TURTLE RESERVOIR IS ALSO SUPPLIED BY DIVERSION #132 (TWIN FDR AT HELLROARING CR) AND #134 (LWR TWIN FDR AT BISSON CR).

ID	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**

WATER IN TURTLE RESERVOIR IS IMPOUNDED AT DIVERSION #135.

Reservoir: ON STREAM **Reservoir Name** UPPER JOCKO RESERVOIR

Govt Lot	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
	SENW	26	17N	17W	MISSOULA

Diversion to Reservoir: DIVERSION # 3

Dam Height: 75.00 FEET
Surface Area: 165.00 ACRES

Current Capacity: 5,200.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** LOWER JOCKO RESERVOIR

Govt Lot	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
	SENE	28	17N	17W	MISSOULA

Diversion to Reservoir: DIVERSION # 4

Dam Height: 20.00 FEET
Surface Area: 130.00 ACRES

Current Capacity: 6,497.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** TABOR (ST. MARY'S) RESERVOIR

Govt Lot	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
2		6	17N	18W	LAKE

Diversion to Reservoir: DIVERSION # 5

Dam Height: 53.00 FEET
Surface Area: 285.00 ACRES

Current Capacity: 23,200.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** MISSION RESERVOIR

Govt Lot	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
4		16	18N	19W	LAKE

Diversion to Reservoir: DIVERSION # 15

Dam Height: 83.00 FEET
Surface Area: 290.00 ACRES

Current Capacity: 7,250.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** HILLSIDE RESERVOIR

Govt Lot	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
	SWSW	7	19N	19W	LAKE

Diversion to Reservoir: DIVERSION # 46

Dam Height: 30.00 FEET
Surface Area: 11.00 ACRES

Current Capacity: 95.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** MCDONALD RESERVOIR

Govt Lot	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
1		10	19N	19W	LAKE

Diversion to Reservoir: DIVERSION # 47

Dam Height: 48.00 FEET
Surface Area: 200.00 ACRES

Current Capacity: 8,200.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** KICKING HORSE RESERVOIR

Govt Lot	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
	NENE	19	20N	19W	LAKE

Diversion to Reservoir: DIVERSION # 86

Dam Height: 29.00 FEET
Surface Area: 800.00 ACRES

Current Capacity: 8,400.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** NINEPIPE RESERVOIR

Govt Lot	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
	NESE	16	20N	20W	LAKE

Diversion to Reservoir: DIVERSION # 102

Dam Height: 38.00 FEET
Surface Area: 1,550.00 ACRES

Current Capacity: 15,000.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** LOWER CROW RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
		11	20N	21W	LAKE

Diversion to Reservoir: DIVERSION # 107

Dam Height: 99.00 FEET
Surface Area: 345.00 ACRES

Current Capacity: 10,350.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** TURTLE (TWIN) RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NWNW	9	22N	19W	LAKE

Diversion to Reservoir: DIVERSION # 133

Dam Height: 20.00 FEET
Surface Area: 65.00 ACRES

Current Capacity: 1,900.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** HORTE RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SENW	28	22N	19W	LAKE

Diversion to Reservoir: DIVERSION # 136

Dam Height: 16.00 FEET
Surface Area: 173.00 ACRES

Current Capacity: 260.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** PABLO RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3		17	22N	20W	LAKE

Diversion to Reservoir: DIVERSION # 141

Dam Height: 43.00 FEET
Surface Area: 205.00 ACRES

Current Capacity: 27,100.00 ACRE-FEET
SEE THE ATTACHED RESERVOIR DIAGRAMS.

Period of Use: APRIL 15 to OCTOBER 15

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	18N	19W	LAKE
2				4	18N	19W	LAKE
3				5	18N	19W	LAKE
4				6	18N	19W	LAKE
5				7	18N	19W	LAKE
6				8	18N	19W	LAKE
7				9	18N	19W	LAKE
8				10	18N	19W	LAKE
9				16	18N	19W	LAKE
10				17	18N	19W	LAKE
11				18	18N	19W	LAKE
12				19	18N	19W	LAKE
13				20	18N	19W	LAKE
14				21	18N	19W	LAKE
15				28	18N	19W	LAKE
16				29	18N	19W	LAKE
17				30	18N	19W	LAKE
18				31	18N	19W	LAKE
19				32	18N	19W	LAKE
20				33	18N	19W	LAKE
21				34	18N	19W	LAKE
22				1	18N	20W	LAKE
23				2	18N	20W	LAKE
24				3	18N	20W	LAKE
25				4	18N	20W	LAKE
26				10	18N	20W	LAKE
27				11	18N	20W	LAKE
28				12	18N	20W	LAKE
29				13	18N	20W	LAKE
30				14	18N	20W	LAKE
31				15	18N	20W	LAKE
32				22	18N	20W	LAKE
33				23	18N	20W	LAKE
34				24	18N	20W	LAKE
35				25	18N	20W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
36				26	18N	20W	LAKE
37				36	18N	20W	LAKE
38				4	18N	21W	SANDERS
39				5	18N	21W	SANDERS
40				8	18N	21W	SANDERS
41				9	18N	21W	SANDERS
42				17	18N	21W	SANDERS
43				4	19N	19W	LAKE
44				5	19N	19W	LAKE
45				6	19N	19W	LAKE
46				7	19N	19W	LAKE
47				8	19N	19W	LAKE
48				9	19N	19W	LAKE
49				16	19N	19W	LAKE
50				17	19N	19W	LAKE
51				18	19N	19W	LAKE
52				19	19N	19W	LAKE
53				20	19N	19W	LAKE
54				21	19N	19W	LAKE
55				28	19N	19W	LAKE
56				29	19N	19W	LAKE
57				30	19N	19W	LAKE
58				31	19N	19W	LAKE
59				32	19N	19W	LAKE
60				33	19N	19W	LAKE
61				1	19N	20W	LAKE
62				2	19N	20W	LAKE
63				3	19N	20W	LAKE
64				4	19N	20W	LAKE
65				5	19N	20W	LAKE
66				6	19N	20W	LAKE
67				7	19N	20W	LAKE
68				8	19N	20W	LAKE
69				9	19N	20W	LAKE
70				10	19N	20W	LAKE
71				11	19N	20W	LAKE
72				12	19N	20W	LAKE
73				13	19N	20W	LAKE
74				14	19N	20W	LAKE
75				15	19N	20W	LAKE
76				16	19N	20W	LAKE
77				17	19N	20W	LAKE
78				18	19N	20W	LAKE
79				19	19N	20W	LAKE
80				20	19N	20W	LAKE
81				21	19N	20W	LAKE
82				22	19N	20W	LAKE
83				23	19N	20W	LAKE
84				24	19N	20W	LAKE
85				25	19N	20W	LAKE
86				26	19N	20W	LAKE
87				27	19N	20W	LAKE
88				28	19N	20W	LAKE
89				29	19N	20W	LAKE
90				30	19N	20W	LAKE
91				32	19N	20W	LAKE
92				33	19N	20W	LAKE
93				34	19N	20W	LAKE
94				35	19N	20W	LAKE
95				36	19N	20W	LAKE
96				1	19N	21W	LAKE
97				2	19N	21W	LAKE
98				3	19N	21W	LAKE
99				4	19N	21W	LAKE
100				5	19N	21W	LAKE
101				6	19N	21W	LAKE
102				7	19N	21W	LAKE
103				8	19N	21W	LAKE
104				9	19N	21W	LAKE
105				10	19N	21W	LAKE
106				11	19N	21W	LAKE
107				12	19N	21W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
108				13	19N	21W	LAKE
109				14	19N	21W	LAKE
110				15	19N	21W	LAKE
111				16	19N	21W	LAKE
112				17	19N	21W	LAKE
113				18	19N	21W	LAKE
114				19	19N	21W	LAKE
115				20	19N	21W	LAKE
116				21	19N	21W	LAKE
117				22	19N	21W	LAKE
118				23	19N	21W	LAKE
119				24	19N	21W	LAKE
120				25	19N	21W	LAKE
121				26	19N	21W	LAKE
122				27	19N	21W	LAKE
123				28	19N	21W	LAKE
124				29	19N	21W	LAKE
125				30	19N	21W	LAKE
126				32	19N	21W	LAKE
127				33	19N	21W	LAKE
128				34	19N	21W	LAKE
129				35	19N	21W	LAKE
130				1	19N	22W	LAKE
131				12	19N	22W	LAKE
132				13	19N	22W	LAKE
133				23	19N	22W	LAKE
134				24	19N	22W	LAKE
135				25	19N	22W	LAKE
136				4	20N	19W	LAKE
137				5	20N	19W	LAKE
138				6	20N	19W	LAKE
139				7	20N	19W	LAKE
140				8	20N	19W	LAKE
141				9	20N	19W	LAKE
142				16	20N	19W	LAKE
143				17	20N	19W	LAKE
144				18	20N	19W	LAKE
145				19	20N	19W	LAKE
146				20	20N	19W	LAKE
147				21	20N	19W	LAKE
148				28	20N	19W	LAKE
149				29	20N	19W	LAKE
150				30	20N	19W	LAKE
151				31	20N	19W	LAKE
152				32	20N	19W	LAKE
153				33	20N	19W	LAKE
154				1	20N	20W	LAKE
155				2	20N	20W	LAKE
156				3	20N	20W	LAKE
157				4	20N	20W	LAKE
158				5	20N	20W	LAKE
159				6	20N	20W	LAKE
160				7	20N	20W	LAKE
161				8	20N	20W	LAKE
162				9	20N	20W	LAKE
163				10	20N	20W	LAKE
164				11	20N	20W	LAKE
165				12	20N	20W	LAKE
166				13	20N	20W	LAKE
167				14	20N	20W	LAKE
168				15	20N	20W	LAKE
169				16	20N	20W	LAKE
170				17	20N	20W	LAKE
171				18	20N	20W	LAKE
172				19	20N	20W	LAKE
173				20	20N	20W	LAKE
174				21	20N	20W	LAKE
175				22	20N	20W	LAKE
176				23	20N	20W	LAKE
177				24	20N	20W	LAKE
178				25	20N	20W	LAKE
179				26	20N	20W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
180				27	20N	20W	LAKE
181				28	20N	20W	LAKE
182				29	20N	20W	LAKE
183				30	20N	20W	LAKE
184				31	20N	20W	LAKE
185				32	20N	20W	LAKE
186				33	20N	20W	LAKE
187				34	20N	20W	LAKE
188				35	20N	20W	LAKE
189				36	20N	20W	LAKE
190				1	20N	21W	LAKE
191				2	20N	21W	LAKE
192				3	20N	21W	LAKE
193				4	20N	21W	LAKE
194				5	20N	21W	LAKE
195				6	20N	21W	LAKE
196				7	20N	21W	LAKE
197				8	20N	21W	LAKE
198				9	20N	21W	LAKE
199				10	20N	21W	LAKE
200				11	20N	21W	LAKE
201				12	20N	21W	LAKE
202				13	20N	21W	LAKE
203				14	20N	21W	LAKE
204				15	20N	21W	LAKE
205				16	20N	21W	LAKE
206				17	20N	21W	LAKE
207				18	20N	21W	LAKE
208				20	20N	21W	LAKE
209				21	20N	21W	LAKE
210				22	20N	21W	LAKE
211				23	20N	21W	LAKE
212				24	20N	21W	LAKE
213				25	20N	21W	LAKE
214				26	20N	21W	LAKE
215				27	20N	21W	LAKE
216				28	20N	21W	LAKE
217				29	20N	21W	LAKE
218				31	20N	21W	LAKE
219				32	20N	21W	LAKE
220				33	20N	21W	LAKE
221				34	20N	21W	LAKE
222				35	20N	21W	LAKE
223				36	20N	21W	LAKE
224				1	20N	22W	LAKE
225				2	20N	22W	LAKE
226				11	20N	22W	LAKE
227				12	20N	22W	LAKE
228				13	20N	22W	LAKE
229				14	20N	22W	LAKE
230				5	21N	19W	LAKE
231				6	21N	19W	LAKE
232				7	21N	19W	LAKE
233				8	21N	19W	LAKE
234				16	21N	19W	LAKE
235				17	21N	19W	LAKE
236				18	21N	19W	LAKE
237				19	21N	19W	LAKE
238				20	21N	19W	LAKE
239				28	21N	19W	LAKE
240				29	21N	19W	LAKE
241				30	21N	19W	LAKE
242				31	21N	19W	LAKE
243				32	21N	19W	LAKE
244				33	21N	19W	LAKE
245				1	21N	20W	LAKE
246				2	21N	20W	LAKE
247				3	21N	20W	LAKE
248				4	21N	20W	LAKE
249				5	21N	20W	LAKE
250				6	21N	20W	LAKE
251				7	21N	20W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
252				8	21N	20W	LAKE
253				9	21N	20W	LAKE
254				10	21N	20W	LAKE
255				11	21N	20W	LAKE
256				12	21N	20W	LAKE
257				13	21N	20W	LAKE
258				14	21N	20W	LAKE
259				15	21N	20W	LAKE
260				16	21N	20W	LAKE
261				17	21N	20W	LAKE
262				18	21N	20W	LAKE
263				19	21N	20W	LAKE
264				20	21N	20W	LAKE
265				21	21N	20W	LAKE
266				22	21N	20W	LAKE
267				23	21N	20W	LAKE
268				24	21N	20W	LAKE
269				25	21N	20W	LAKE
270				26	21N	20W	LAKE
271				27	21N	20W	LAKE
272				28	21N	20W	LAKE
273				29	21N	20W	LAKE
274				30	21N	20W	LAKE
275				31	21N	20W	LAKE
276				32	21N	20W	LAKE
277				33	21N	20W	LAKE
278				34	21N	20W	LAKE
279				35	21N	20W	LAKE
280				36	21N	20W	LAKE
281				1	21N	21W	LAKE
282				2	21N	21W	LAKE
283				3	21N	21W	LAKE
284				4	21N	21W	LAKE
285				5	21N	21W	LAKE
286				6	21N	21W	LAKE
287				8	21N	21W	LAKE
288				9	21N	21W	LAKE
289				10	21N	21W	LAKE
290				11	21N	21W	LAKE
291				12	21N	21W	LAKE
292				13	21N	21W	LAKE
293				14	21N	21W	LAKE
294				15	21N	21W	LAKE
295				16	21N	21W	LAKE
296				20	21N	21W	LAKE
297				21	21N	21W	LAKE
298				22	21N	21W	LAKE
299				23	21N	21W	LAKE
300				24	21N	21W	LAKE
301				25	21N	21W	LAKE
302				26	21N	21W	LAKE
303				27	21N	21W	LAKE
304				28	21N	21W	LAKE
305				29	21N	21W	LAKE
306				30	21N	21W	LAKE
307				31	21N	21W	LAKE
308				32	21N	21W	LAKE
309				33	21N	21W	LAKE
310				34	21N	21W	LAKE
311				35	21N	21W	LAKE
312				36	21N	21W	LAKE
313				4	22N	19W	LAKE
314				5	22N	19W	LAKE
315				6	22N	19W	LAKE
316				7	22N	19W	LAKE
317				8	22N	19W	LAKE
318				9	22N	19W	LAKE
319				16	22N	19W	LAKE
320				17	22N	19W	LAKE
321				18	22N	19W	LAKE
322				19	22N	19W	LAKE
323				20	22N	19W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
324				21	22N	19W	LAKE
325				28	22N	19W	LAKE
326				29	22N	19W	LAKE
327				30	22N	19W	LAKE
328				31	22N	19W	LAKE
329				32	22N	19W	LAKE
330				33	22N	19W	LAKE
331				1	22N	20W	LAKE
332				2	22N	20W	LAKE
333				3	22N	20W	LAKE
334				8	22N	20W	LAKE
335				9	22N	20W	LAKE
336				10	22N	20W	LAKE
337				11	22N	20W	LAKE
338				12	22N	20W	LAKE
339				13	22N	20W	LAKE
340				14	22N	20W	LAKE
341				15	22N	20W	LAKE
342				16	22N	20W	LAKE
343				17	22N	20W	LAKE
344				18	22N	20W	LAKE
345				19	22N	20W	LAKE
346				20	22N	20W	LAKE
347				21	22N	20W	LAKE
348				22	22N	20W	LAKE
349				23	22N	20W	LAKE
350				24	22N	20W	LAKE
351				25	22N	20W	LAKE
352				26	22N	20W	LAKE
353				27	22N	20W	LAKE
354				28	22N	20W	LAKE
355				29	22N	20W	LAKE
356				30	22N	20W	LAKE
357				31	22N	20W	LAKE
358				32	22N	20W	LAKE
359				33	22N	20W	LAKE
360				34	22N	20W	LAKE
361				35	22N	20W	LAKE
362				36	22N	20W	LAKE
363				13	22N	21W	LAKE
364				14	22N	21W	LAKE
365				15	22N	21W	LAKE
366				19	22N	21W	LAKE
367				20	22N	21W	LAKE
368				21	22N	21W	LAKE
369				22	22N	21W	LAKE
370				23	22N	21W	LAKE
371				24	22N	21W	LAKE
372				25	22N	21W	LAKE
373				26	22N	21W	LAKE
374				27	22N	21W	LAKE
375				28	22N	21W	LAKE
376				29	22N	21W	LAKE
377				30	22N	21W	LAKE
378				31	22N	21W	LAKE
379				32	22N	21W	LAKE
380				33	22N	21W	LAKE
381				34	22N	21W	LAKE
382				35	22N	21W	LAKE
383				36	22N	21W	LAKE

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION.

30052929   30052931   30052932

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

30052931 30052932

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

30052929 30052932

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

NO MORE THAN 135,000 ACRES MAY BE IRRIGATED DURING ANY GIVEN IRRIGATION SEASON WITHIN THE PLACE OF USE DESCRIBED BY WATER RIGHTS 76L 30052930, 76L 30052931, AND 76L 30052932.

SEE 30052932 MAP EXHIBIT(S) 1 THROUGH 37.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE FOLLOWING ADMINISTRATIVE AREAS , AS DEFINED IN APPENDIX 3.2 TO THE COMPACT, ARE PERTINENT TO THIS WATER RIGHT: PLACID CANAL DIVERSION, TABOR FEEDER CANAL, PABLO FEEDER CANAL, UPPER MISSION CREEK, LOWER MISSION CREEK, UPPER CROW CREEK, LOWER CROW CREEK, HELLROARING / CENTIPEDE / BISSON CREEKS, FLATHEAD RIVER PUMPING PLANT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

app#5
Map
99 pages
FIIP 76L

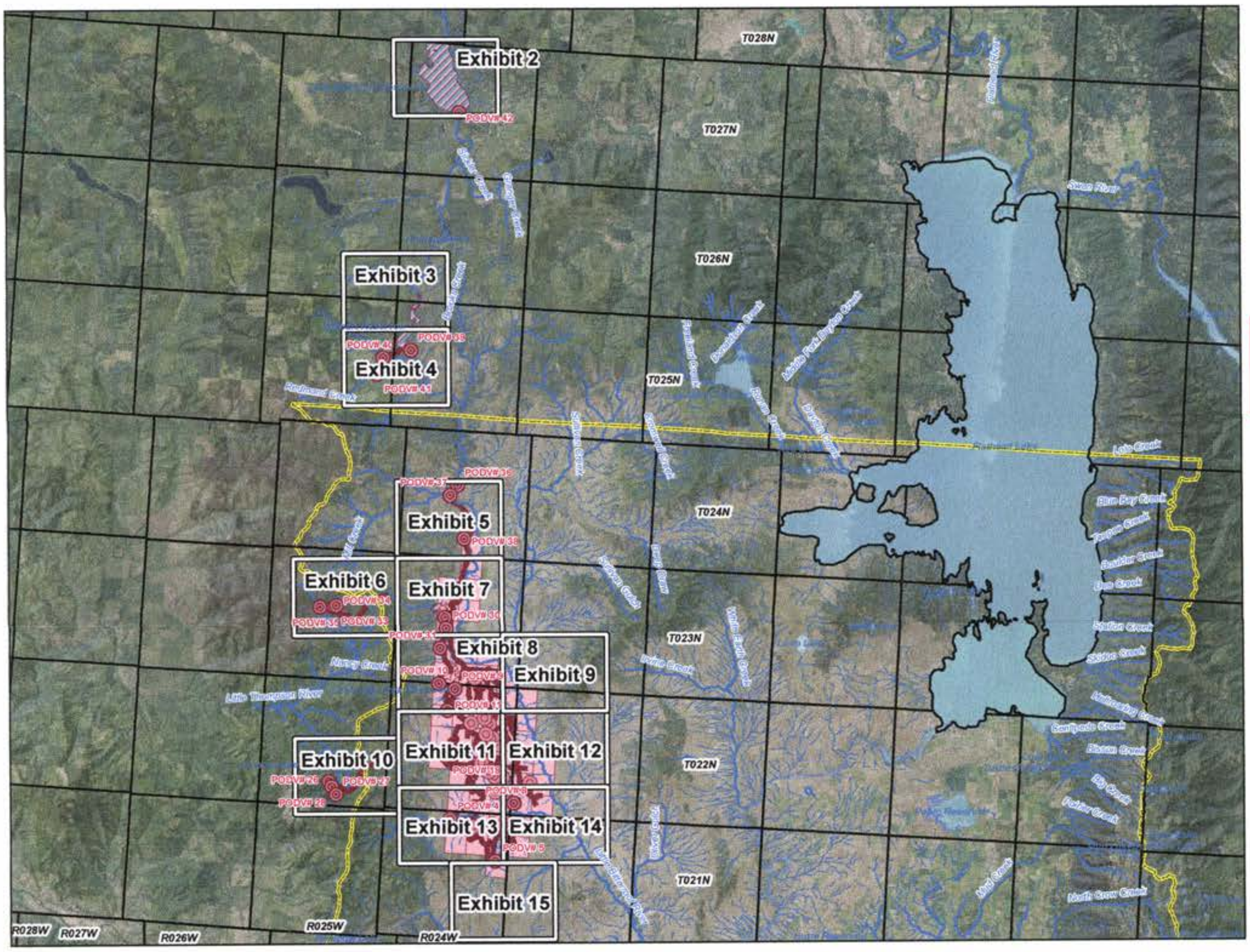
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8
Exhibit 9
Exhibit 10
Exhibit 11
Exhibit 12
Exhibit 13
Exhibit 14
Exhibit 15
PODV# 42
PODV# 40
PODV# 39
PODV# 41
PODV# 37
PODV# 36
PODV# 38
PODV# 34
PODV# 32
PODV# 33
PODV# 30
PODV# 31
PODV# 10
PODV# 9
PODV# 11
PODV# 26
PODV# 27
PODV# 28
PODV# 13
PODV# 8
PODV# 4
PODV# 5
T028N
T027N
T026N
T025N
T024N
T023N
T022N
T021N
R028W
R027W
R026W
R025W
R024W
Swan River
Flathead Lake
Little Thompson River
Blue Bay Creek
Station Creek
North Crow Creek
Mud Creek
Legend
Place of Use
Primary Point(s) of Diversion
Secondary Point(s) of Diversion
Ditch or Pipeline
Reservoir
0
2.75
5.5
Miles

Place of Use and Point of Diversion
FIIP
Water Use
76L
30052930
Exhibit 1

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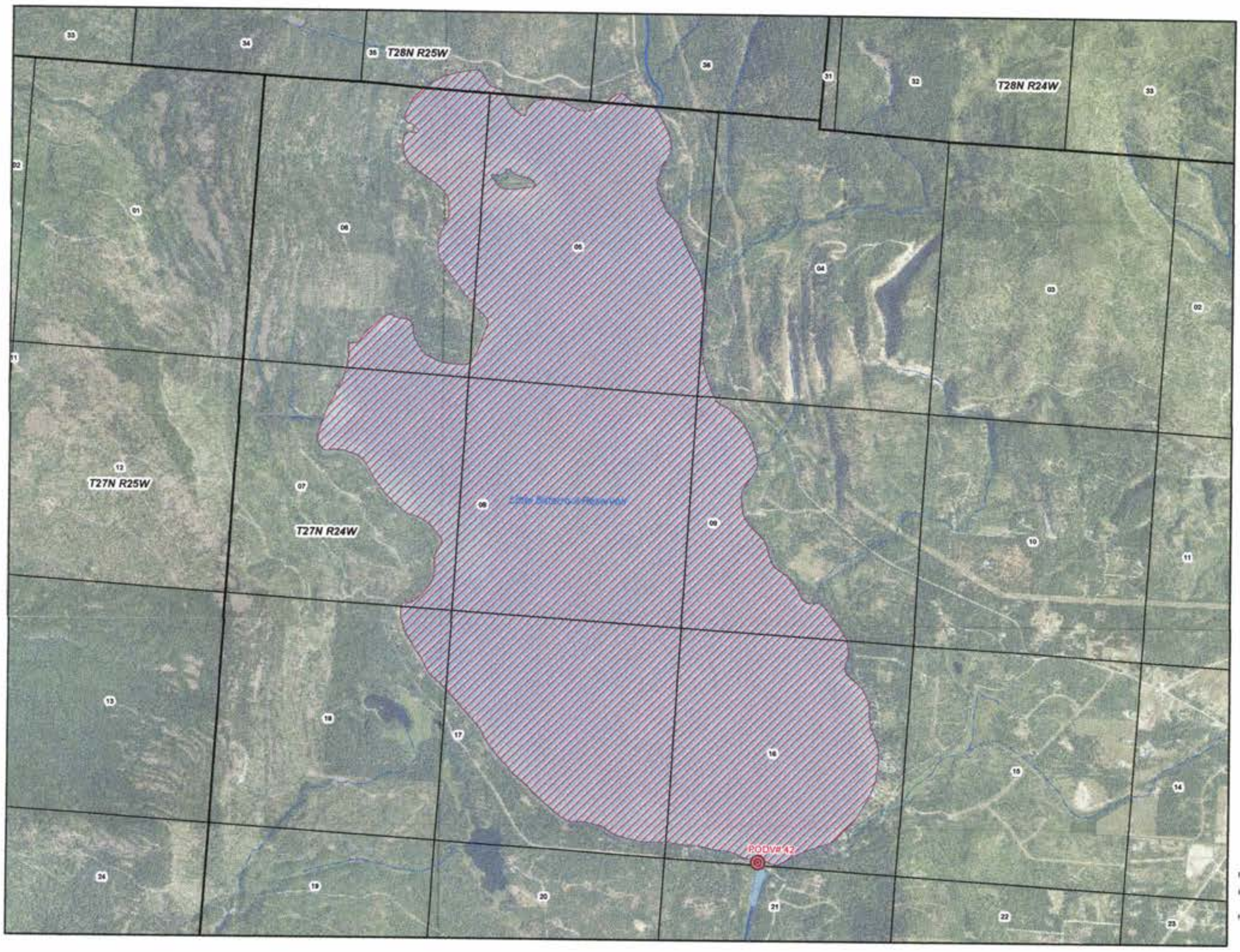
15
Area of Interest
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T28N R25W
T28N R24W
T27N R25W
T27N R24W
33
34
35
36
31
32
33
02
01
06
05
04
03
02
12
07
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09
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11
13
18
17
16
15
14
24
19
20
21
22
23
POD# 42

Place of Use and Point of Diversion

FIIP Water Use

76L 30052930

Exhibit 2

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15
Polson
Pablo
St Ignatius
Arlee
Area of Interest

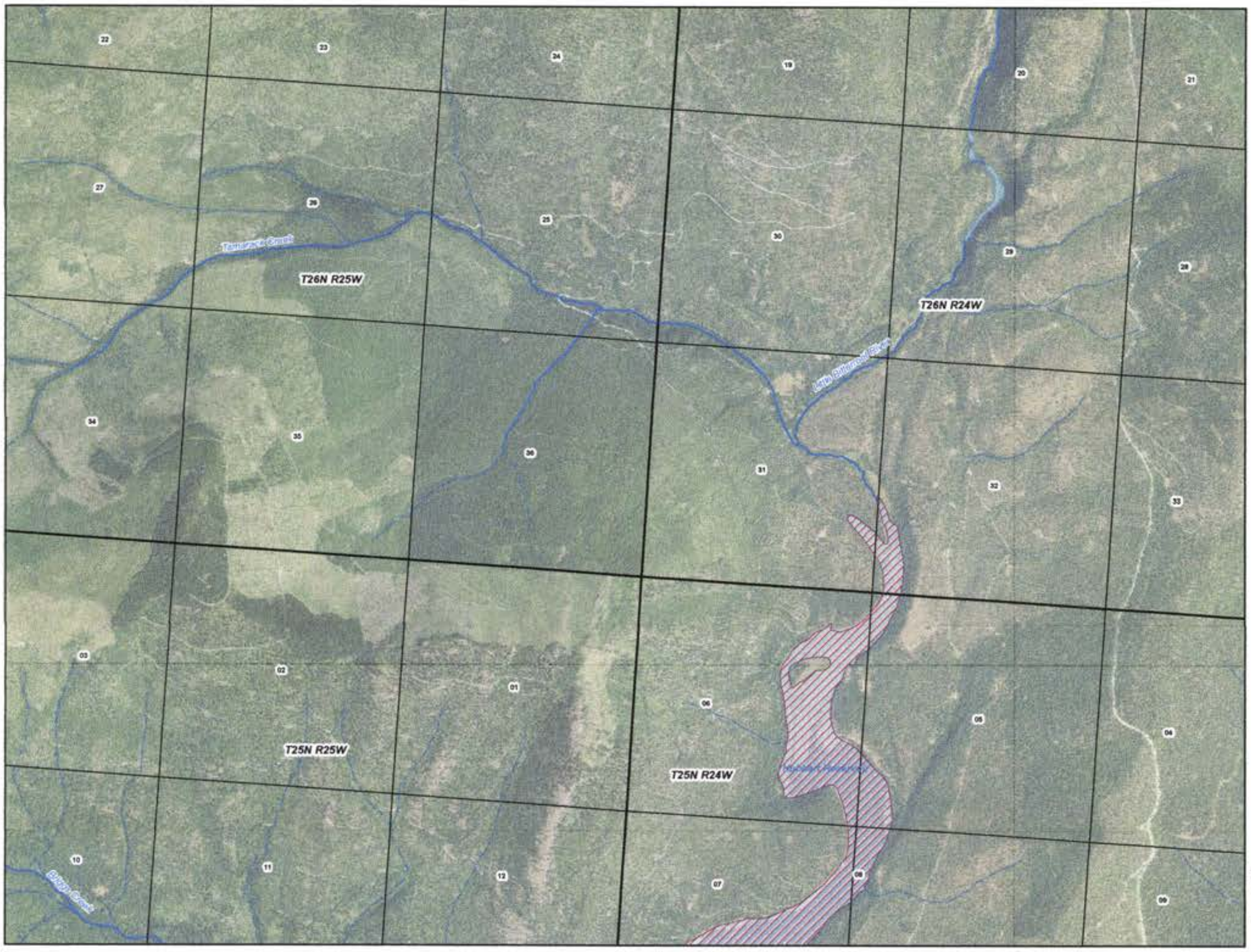
Flathead Indian Reservation

Legend

🟥	Place of Use
◉	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


22
23
24
19
20
21
27
26
25
30
29
28
Tamarack Creek
T26N R25W
T26N R24W
Little Bitterroot River
34
35
36
31
32
33
03
02
01
06
05
04
T25N R25W
T25N R24W
10
11
12
07
08
09

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052930

Exhibit 3

2
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5
6
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14
15
Polson
Pablo
St
Ignatius
Arlee
Area of Interest

Flathead Indian Reservation

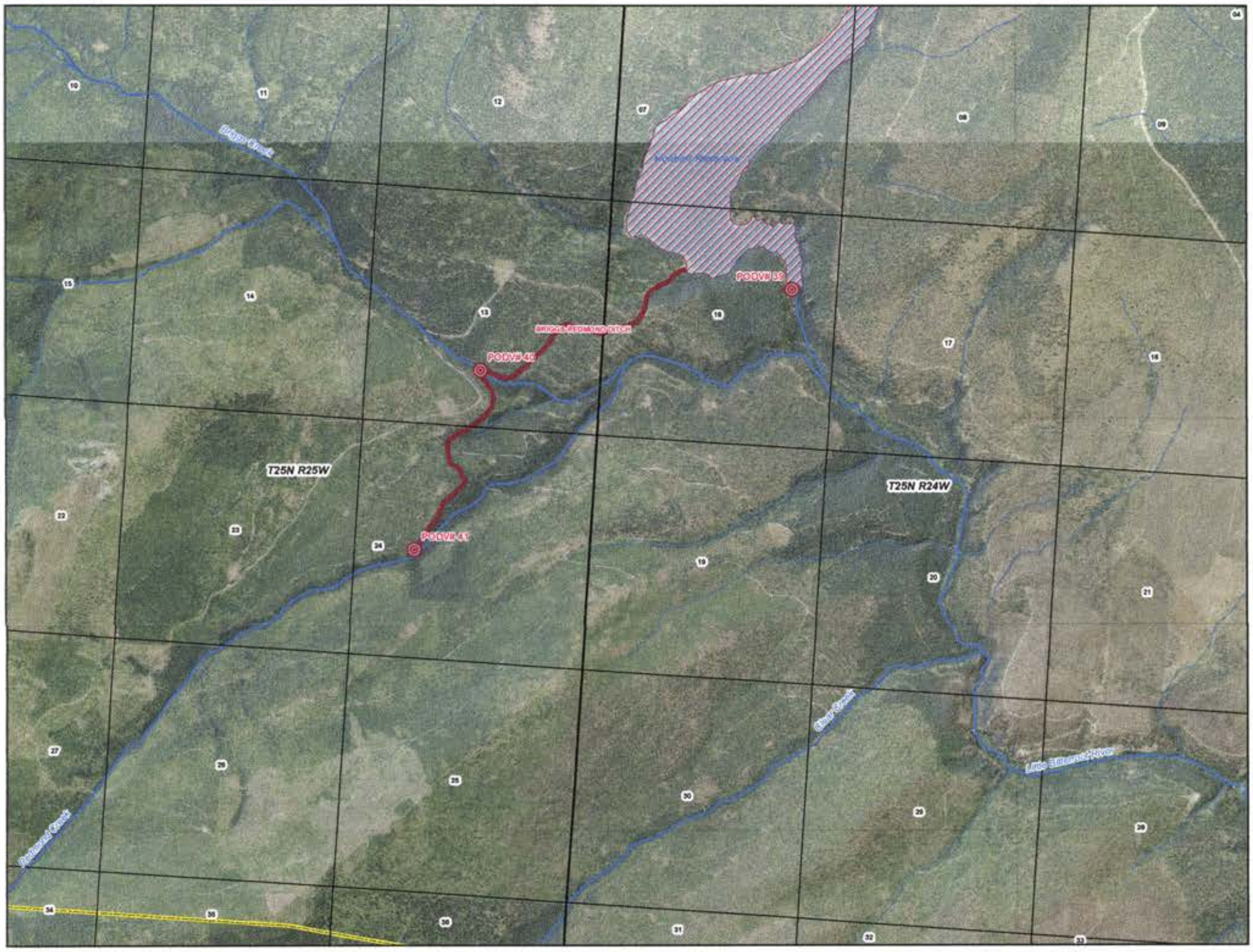
Legend

🟥	Place of Use
◉	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use and Point of Diversion
FIIP Water Use
76L
30052930
Exhibit 4


04
10
11
12
07
08
09
Briggs Creek
15
14
13
18
17
16
BRIGGS-REDMOND DITCH
PODV# 39
PODV# 40
PODV# 41
T25N R25W
T25N R24W
22
23
24
19
20
21
27
26
25
30
29
28
Clear Creek
Little Bitterroot River
34
35
36
31
32
33

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8
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12
13
14
15
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

Flathead Indian Reservation

Legend

🟥 Place of Use

◎ Primary Point(s) of Diversion

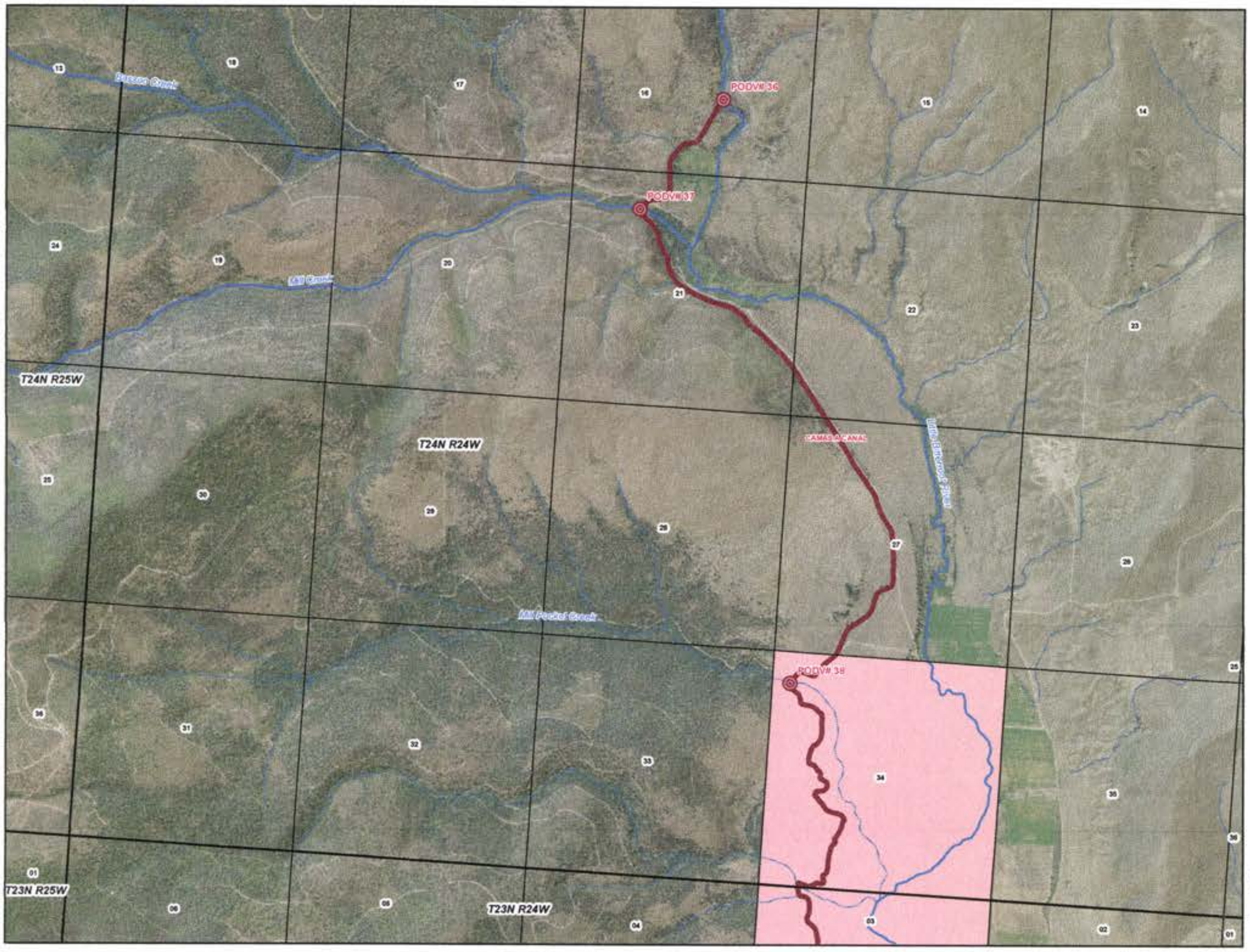
◎ Secondary Point(s) of Diversion

▬ Ditch or Pipeline

▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


PODV# 36
PODV# 37
PODV# 38
Mill Creek
Mill Pocket Creek
Little Bitterroot River
CAMAS A CANAL
T24N R25W
T24N R24W
T23N R25W
T23N R24W
13
18
17
16
15
14
24
19
20
21
22
23
25
30
29
28
27
26
36
31
32
33
34
35
01
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04
03
02

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052930

Exhibit 5

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14
15
Polson
Pablo
St Ignatius
Arlee
Area of Interest

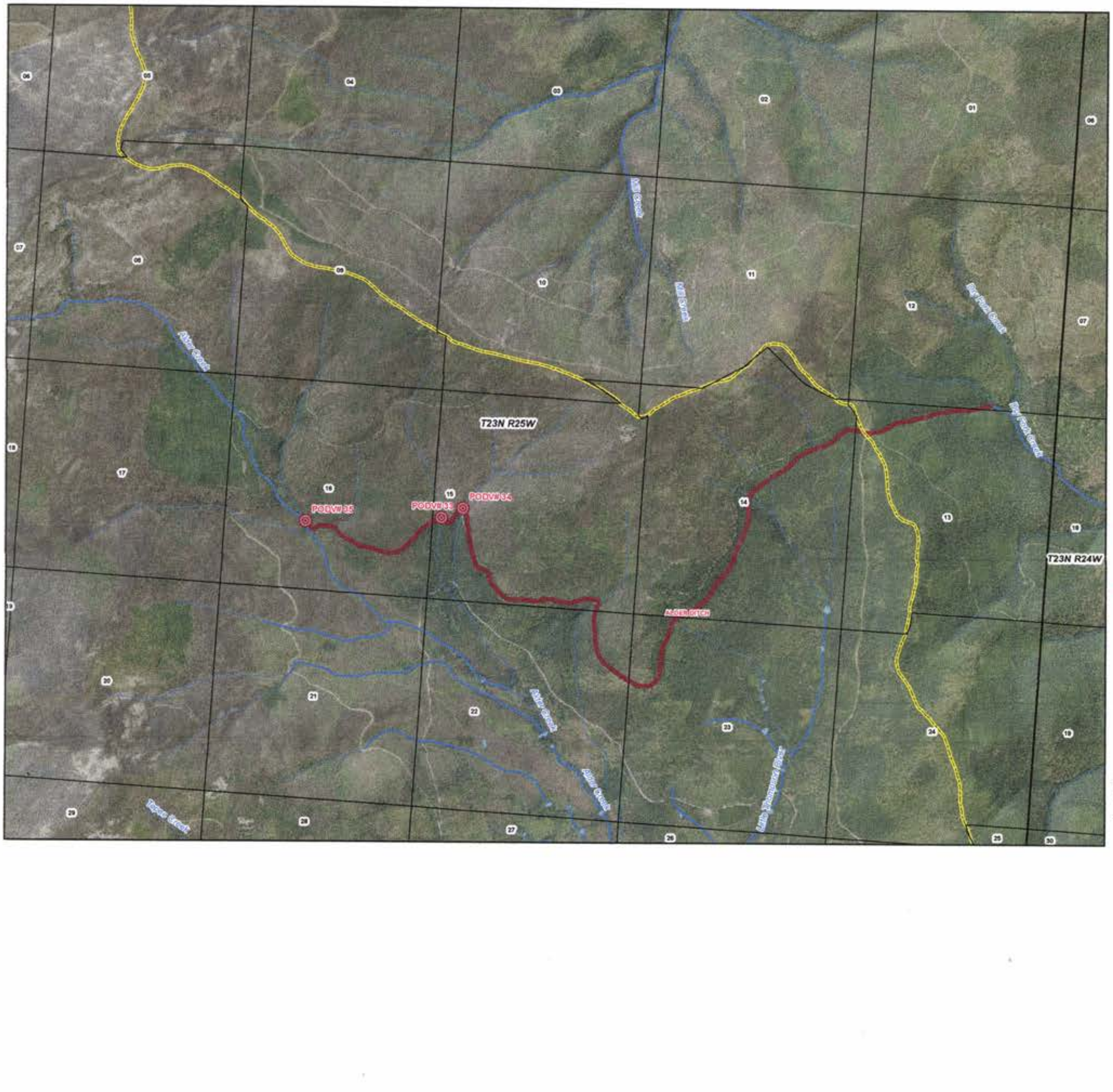
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T23N R25W
T23N R24W
PODVW 35
PODVW 33
PODVW 34
ALDER DITCH
Alder Creek
Mill Creek
Big Flat Creek
06
05
04
03
02
01
06
07
08
09
10
11
12
07
17
16
15
14
13
18
20
21
22
23
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19
29
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27
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25
30

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052930

Exhibit 6

Area of Interest
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14
15
16
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Place of Use

◎ Primary Point(s) of Diversion

◎ Secondary Point(s) of Diversion

▬ Ditch or Pipeline

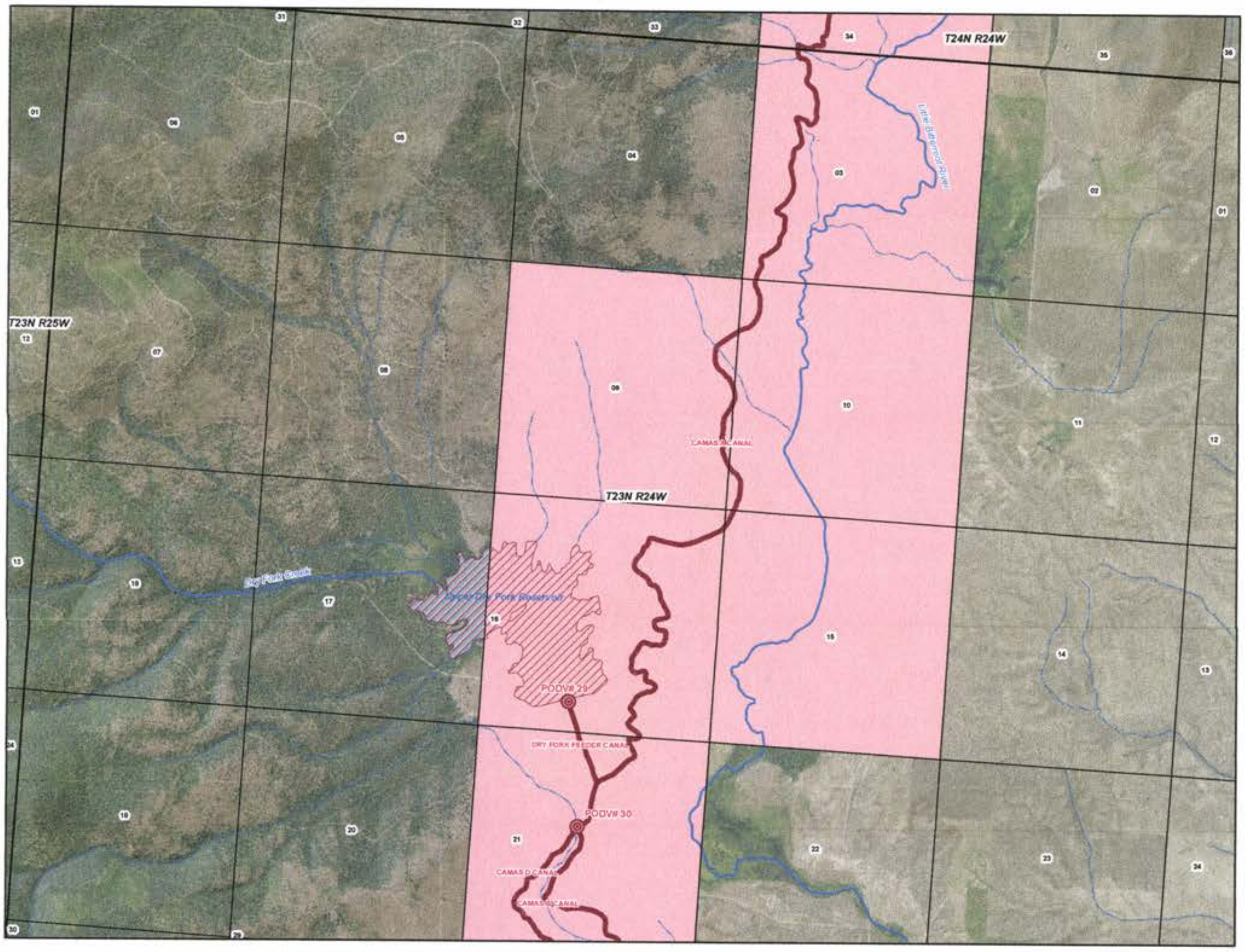
▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)

Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library

Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T24N R24W
T23N R25W
T23N R24W
Little Bitterroot River
Dry Fork Creek
Upper Dry Fork Reservoir
CAMAS A CANAL
PODV# 29
PODV# 30
DRY FORK FEEDER CANAL
CAMAS D CANAL
CAMAS D CANAL
31
32
33
34
35
36
01
06
05
04
03
02
01
12
07
08
09
10
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Place of Use and Point of Diversion
FIIP
Water Use
76L
30052930
Exhibit 7

2
3
4
Area of Interest
Polson
Pablo
St Ignatius
Arlee
9
11
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13
14
15
16

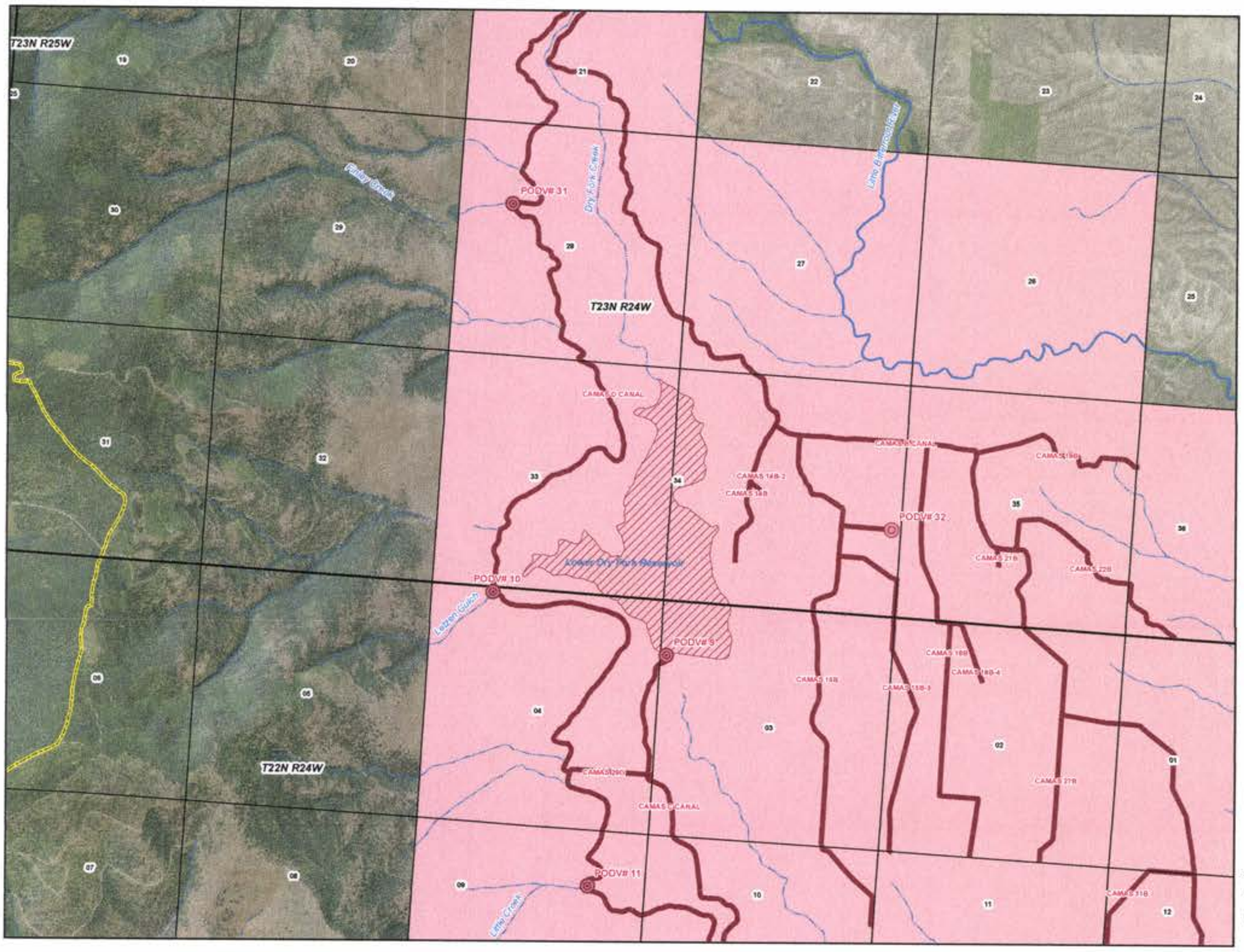
Flathead Indian Reservation

Legend

▨ Place of Use
◎ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
━ Ditch or Pipeline
▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R25W
T23N R24W
T22N R24W
19
20
21
22
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28
29
30
31
32
33
34
35
36
01
02
03
04
05
06
07
08
09
10
11
12
Finley Creek
Dry Fork Creek
Little Bitterroot River
Lower Dry Fork Reservoir
Lozeau Gulch
Little Creek
PODV# 31
PODV# 32
PODV# 10
PODV# 9
PODV# 11
CAMAS D CANAL
CAMAS B CANAL
CAMAS 14B-2
CAMAS 14B
CAMAS 19B
CAMAS 21B
CAMAS 22B
CAMAS 16B
CAMAS 18B
CAMAS 18B-4
CAMAS 15B-3
CAMAS 27B
CAMAS 11B
CAMAS C CANAL

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052930

Exhibit 8

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15
Area of Interest
Polson
Pablo
St Ignatius
Arlee

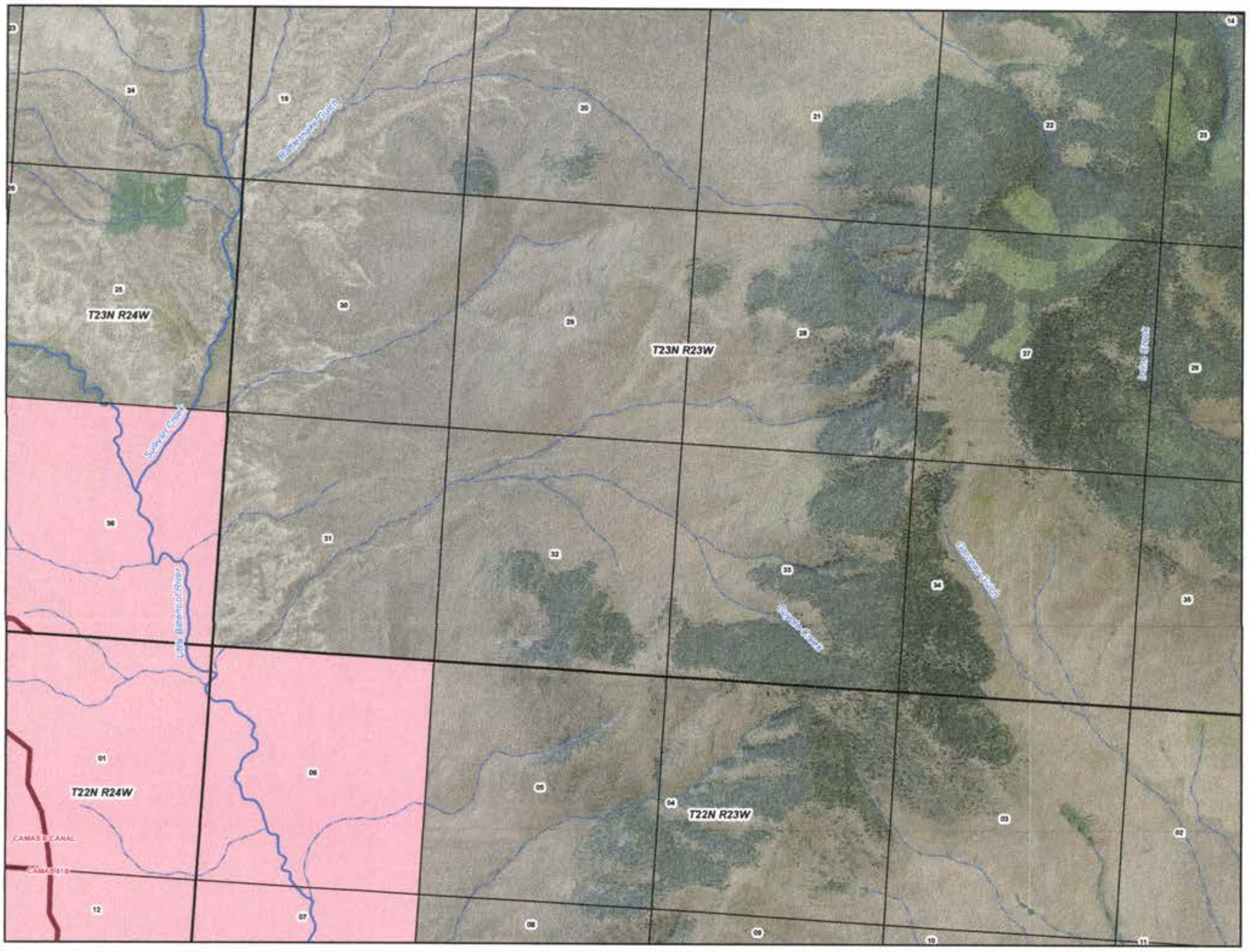
Flathead Indian Reservation

Legend

- ▭ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R24W
T23N R23W
T22N R24W
T22N R23W
Sullivan Creek
Little Bitterroot River
Coyote Creek
CAMAS B CANAL
CAMAS B1B
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
01
02
03
04
05
06
07
08
09
10
11
12

Place of Use
and Point of
Diversion
FIIP
Water Use
76L
30052930
Exhibit 9

Area
of
Interest
Polson
Pablo
St
Ignatius
Arlee
2
3
5
6
7
8
9
10
11
12
13
14
15

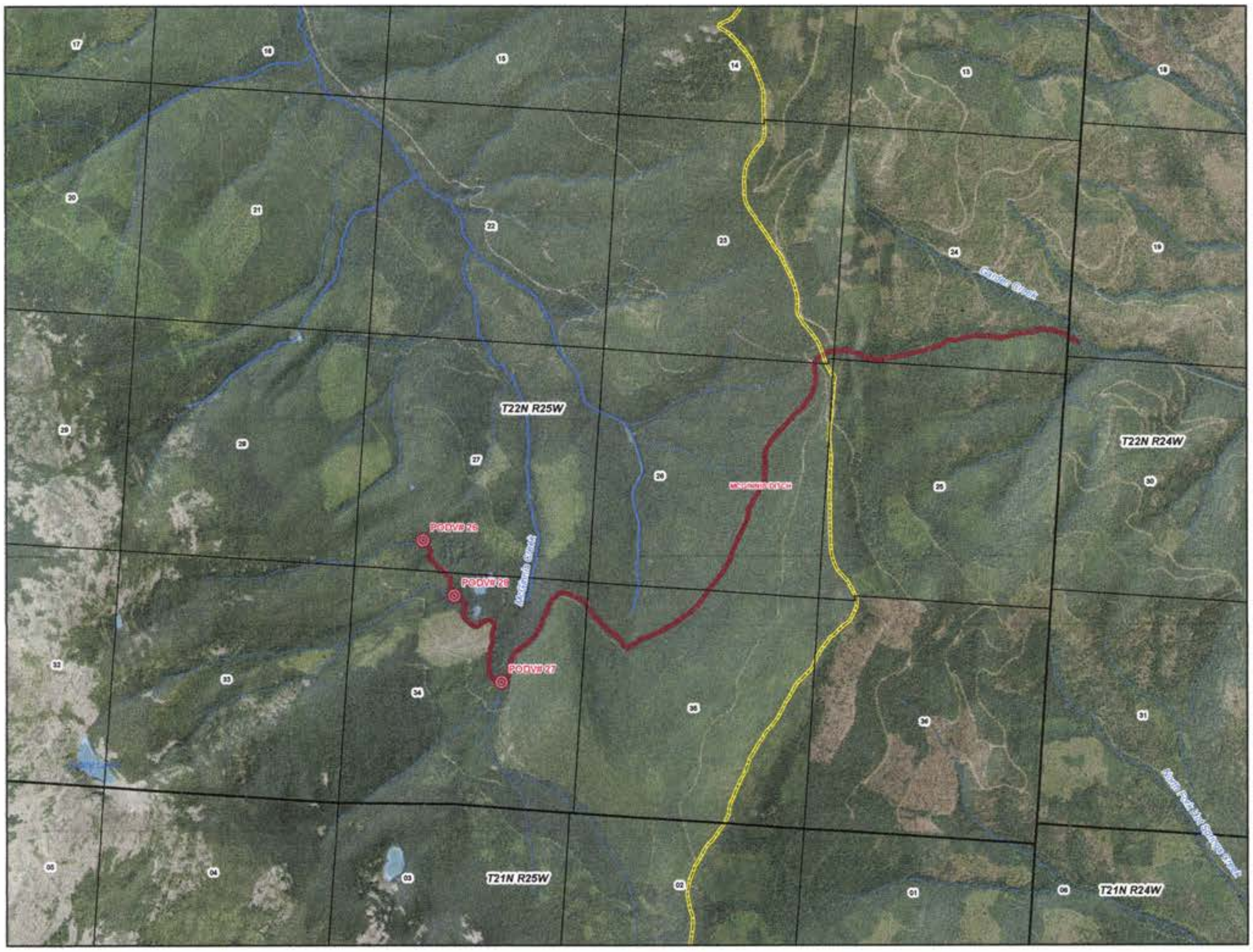
Flathead Indian Reservation

Legend

▭	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)



T22N R25W
T22N R24W
T21N R25W
T21N R24W
PODV# 26
PODV# 26
PODV# 27
17
18
15
14
13
18
20
21
22
23
24
19
29
28
27
26
25
30
32
33
34
35
36
31
05
04
03
02
01
06

Place of Use and Point of Diversion *FIIP Water Use* 76L 30052930

Exhibit 10

Area of Interest
2
3
4
5
6
7
8
9
10
11
12
13
14
15
Polson
Pablo
St. Ignatius
Arlee

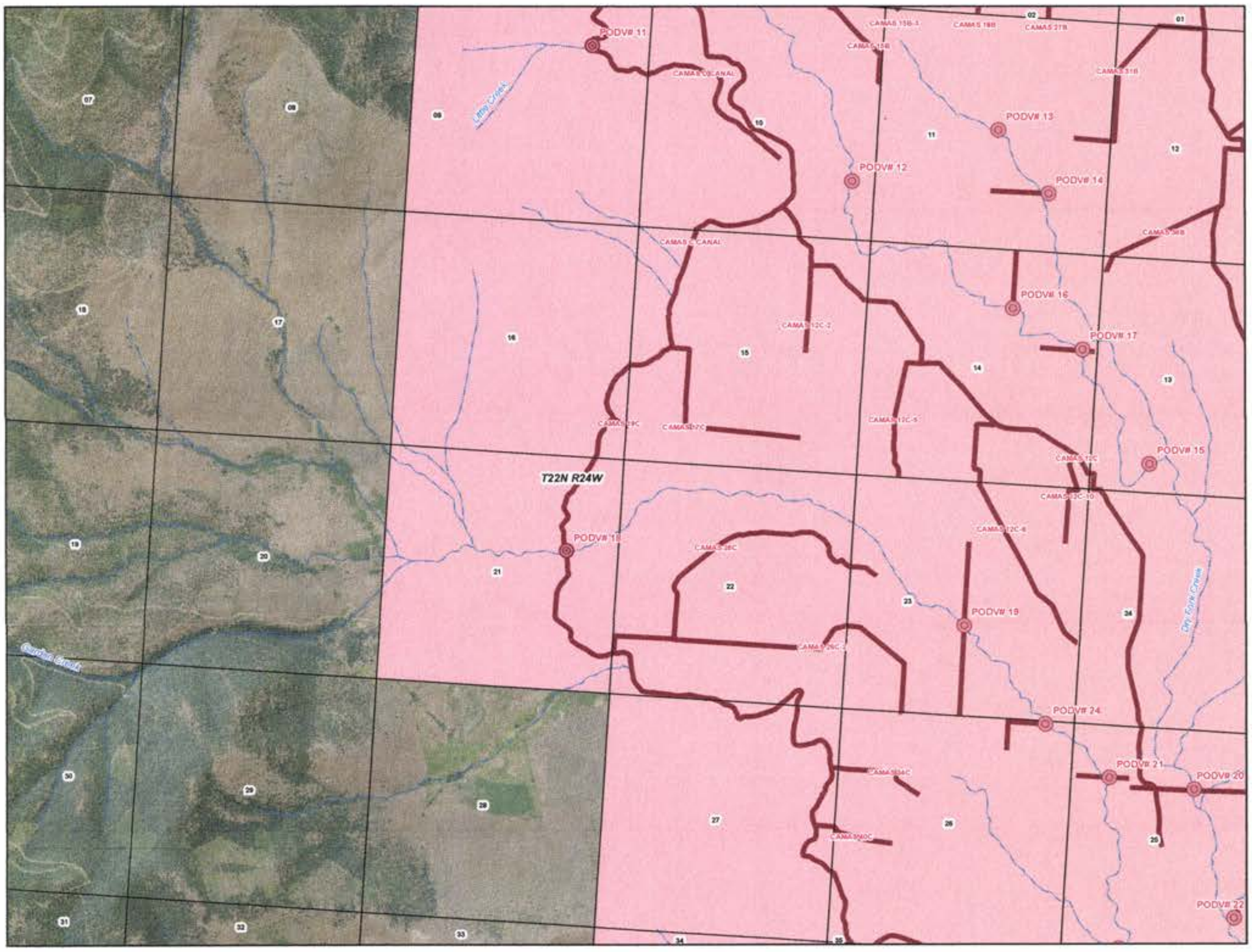
Flathead Indian Reservation

Legend

- ▭ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PODV# 11
CAMAS 15B-1
CAMAS 18B
CAMAS 27B
CAMAS 15B
CAMAS 31B
CAMAS C CANAL
Little Creek
PODV# 13
PODV# 12
PODV# 14
CAMAS 36B
CAMAS C CANAL
PODV# 16
PODV# 17
CAMAS 12C-2
CAMAS 29C
CAMAS 27C
CAMAS 12C-5
CAMAS 12C
PODV# 15
T22N R24W
CAMAS 12C-10
CAMAS 12C-6
PODV# 18
CAMAS 28C
PODV# 19
Dry Fork Creek
CAMAS 26C-1
Camas Creek
PODV# 24
PODV# 21
PODV# 20
CAMAS 34C
CAMAS 30C
PODV# 22
01
02
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052930

Exhibit 11

2
3
4
5
6
7
8
9
10
11
12
13
14
15
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

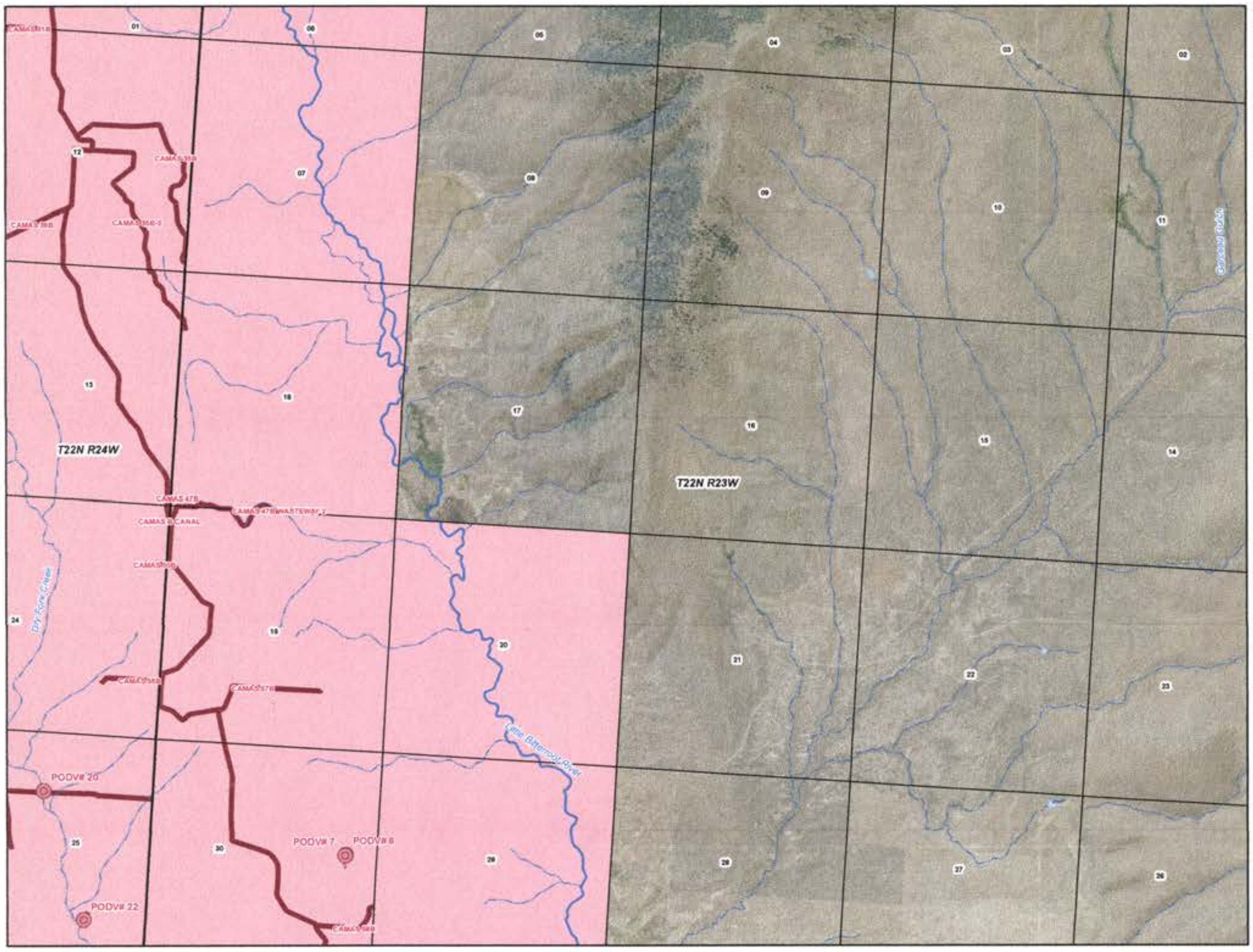
Flathead Indian Reservation

Legend

▨ Place of Use
◎ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
▬ Ditch or Pipeline
▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


01
06
05
04
03
02
12
07
08
09
10
11
CAMAS 36B
CAMAS 35B-1
13
18
17
16
15
14
Graves Gulch
T22N R24W
T22N R23W
CAMAS 47B
CAMAS 47B WASTEWAY 1
CAMAS B CANAL
24
Dry Fork Creek
19
20
21
22
23
CAMAS 57B
Little Bitterroot River
PODV# 20
25
30
PODV# 7
PODV# 8
29
28
27
26
PODV# 22

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052930

Exhibit 12

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
Area of Interest
Polson
Pablo
St. Ignatius
Arlee

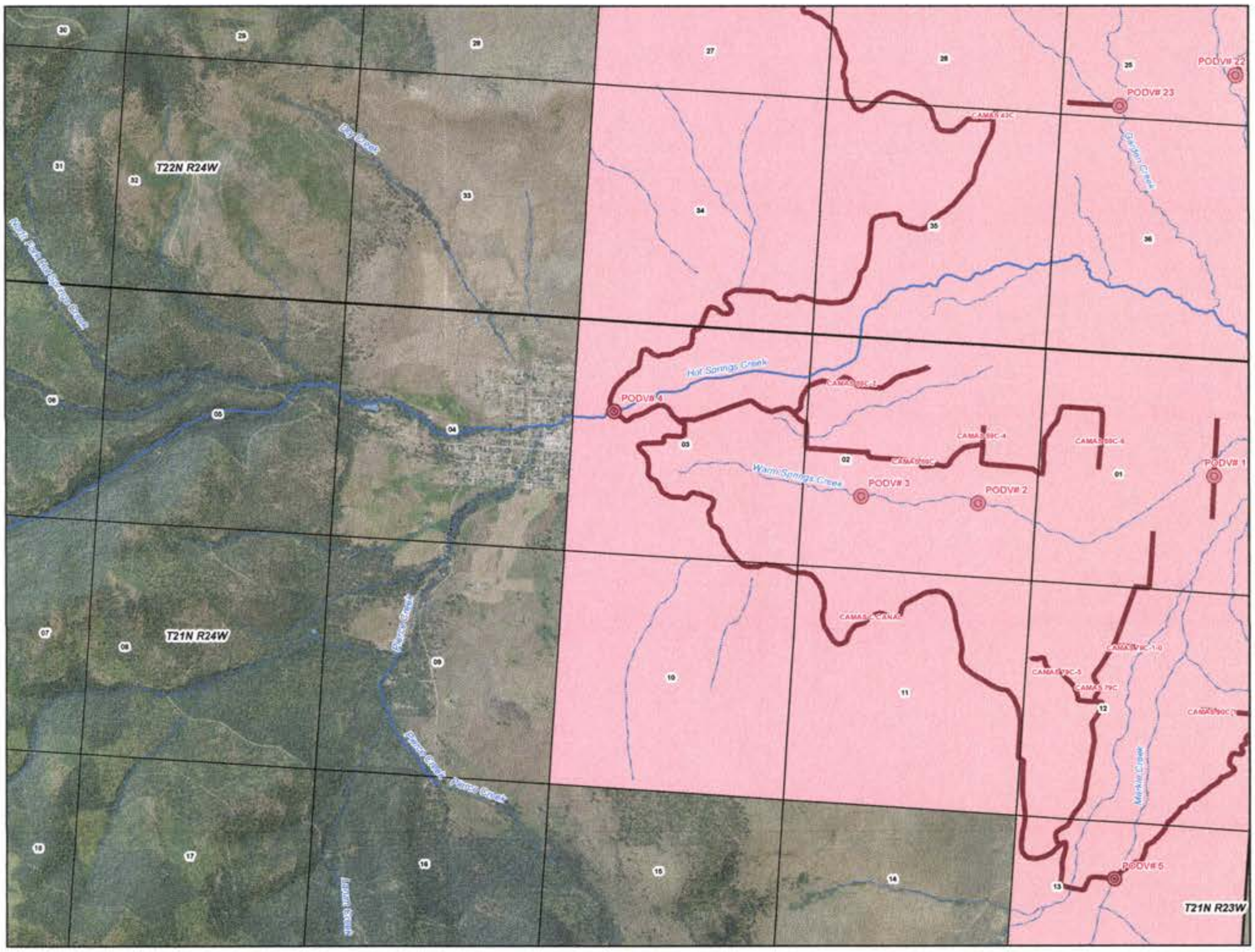
Flathead Indian Reservation

Legend

- ▭ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


30
29
28
27
26
25
PODV# 22
PODV# 23
CAMAS 43C
31
32
T22N R24W
33
34
35
36
North Fork Hot Springs Creek
Hot Springs Creek
PODV# 4
CAMAS 99C-1
06
05
04
03
02
01
CAMAS 99C-4
CAMAS 99C-6
CAMAS 99C
PODV# 1
Warm Springs Creek
PODV# 3
PODV# 2
07
08
T21N R24W
09
10
11
12
CAMAS C CANAL
CAMAS 79C-1-0
CAMAS 79C-5
CAMAS 79C
CAMAS 99C-7
Markle Creek
18
17
16
15
14
13
PODV# 5
T21N R23W

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052930

Exhibit 13

2
3
4
5
6
9
10
11
12
13
14
15
16
Polson
Pablo
St Ignatius
Arlee
Area of Interest

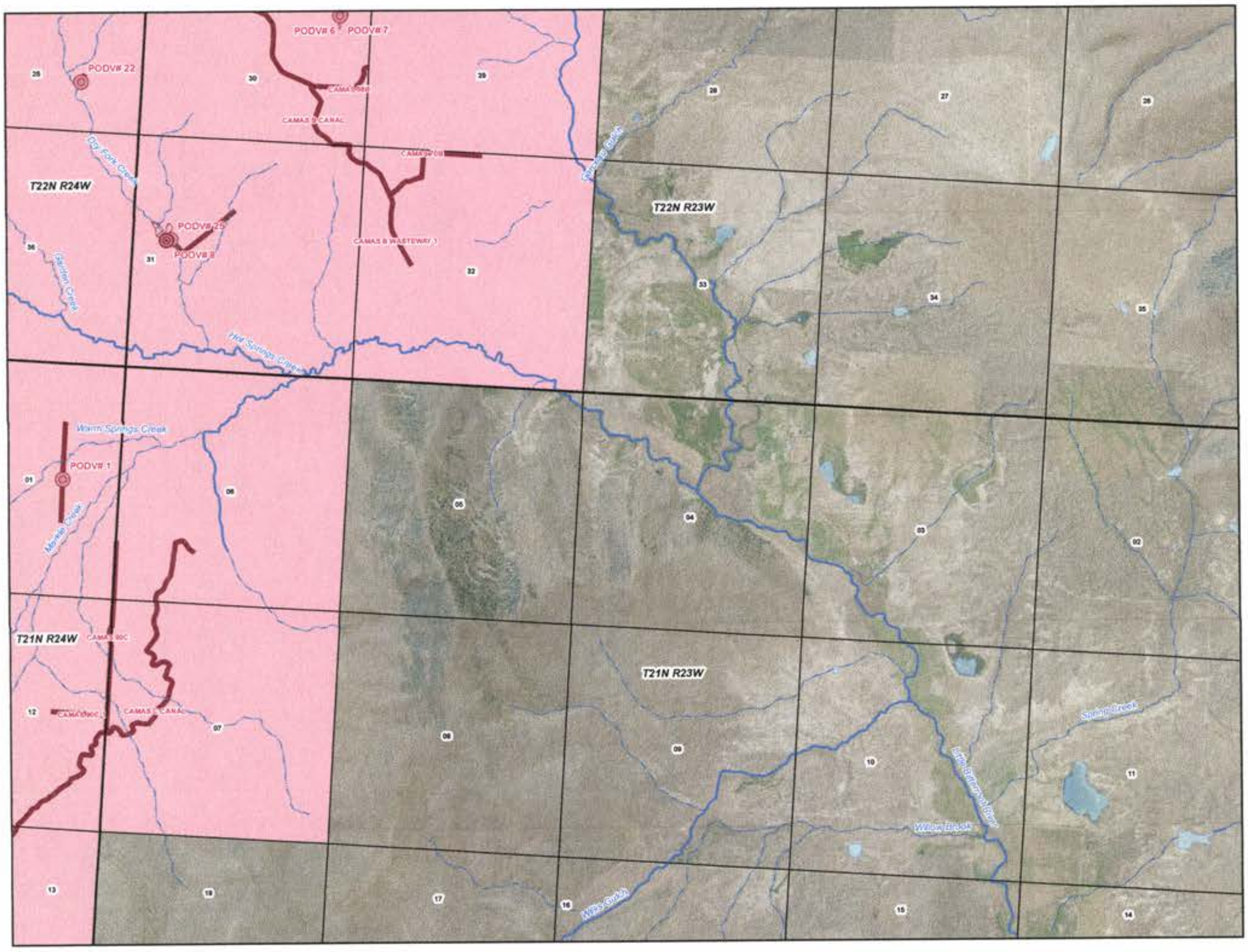
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PODV# 6
PODV# 7
PODV# 22
25
30
29
28
27
26
CAMAS 9 CANAL
CAMAS 9 DB
T22N R24W
Dry Fork Creek
PODV# 25
PODV# 8
36
31
CAMAS 9 WASTEWAY 1
32
33
34
35
T22N R23W
Hot Springs Creek
Warm Springs Creek
PODV# 1
01
06
05
04
03
02
Mosier Creek
T21N R24W
T21N R23W
12
CAMAS CANAL
07
08
09
10
11
Spring Creek
Little Bitterroot River
Willow Brook
13
18
17
16
15
14

Place of Use and Point of Diversion

FIIP Water Use

76L

30052930

Exhibit 14

2
3
5
6
7
8
9
10
11
12
13
14
15
16
Area of Interest
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Place of Use

◎ Primary Point(s) of Diversion

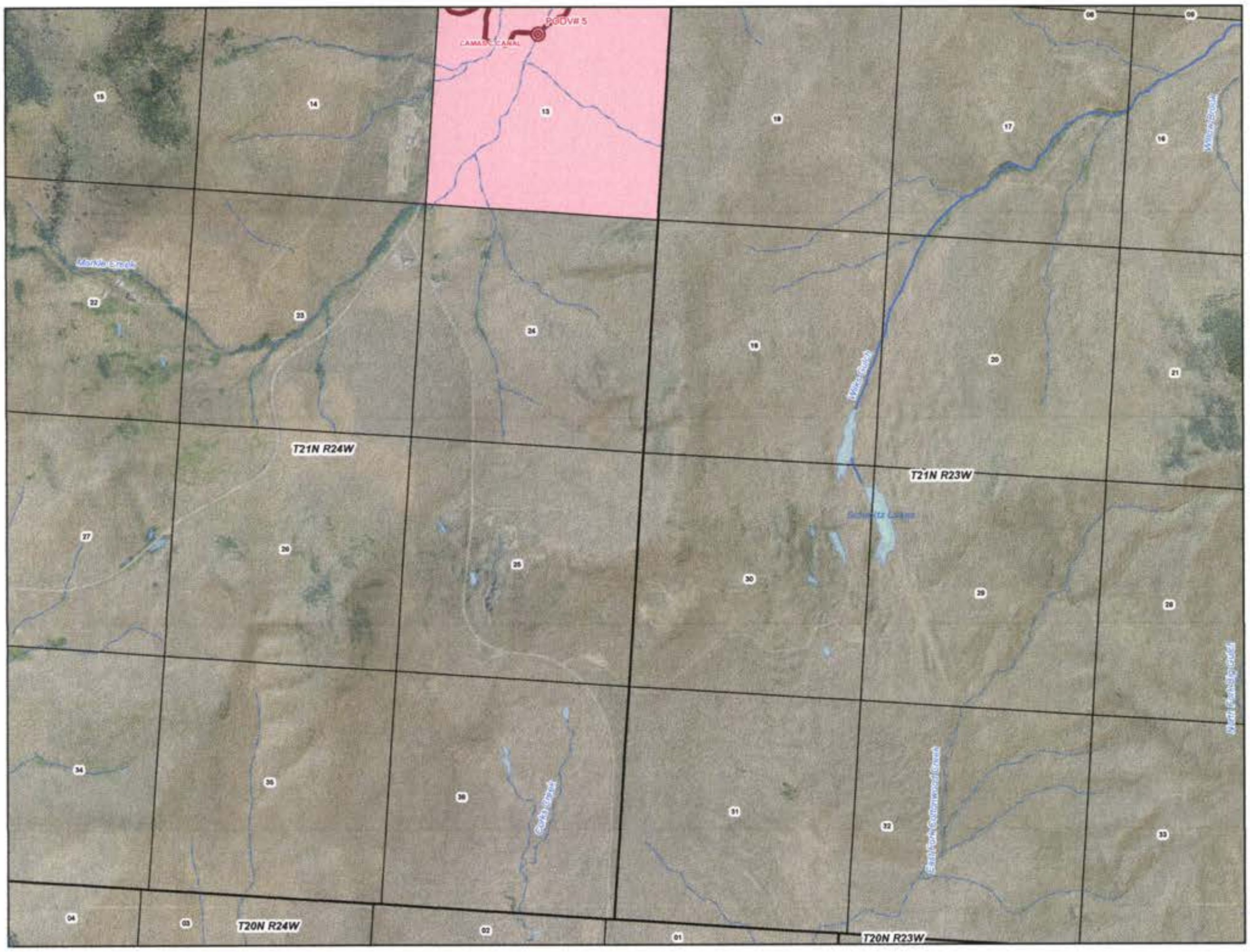
◎ Secondary Point(s) of Diversion

▬ Ditch or Pipeline

▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PODV# 5
CAMAS CANAL
15
14
13
18
17
16
Markle Creek
22
23
24
19
Wilks Gulch
20
21
T21N R24W
T21N R23W
Schmitz Lakes
27
26
25
30
29
28
34
35
36
31
32
33
East Fork Cottonwood Creek
04
03
02
01
T20N R24W
T20N R23W
06
05

Place of Use
and Point of
Diversion
FIIP
Water Use
76L
30052930
Exhibit 15

2
3
4
5
6
7
8
9
10
11
12
13
14
15
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

Flathead Indian Reservation

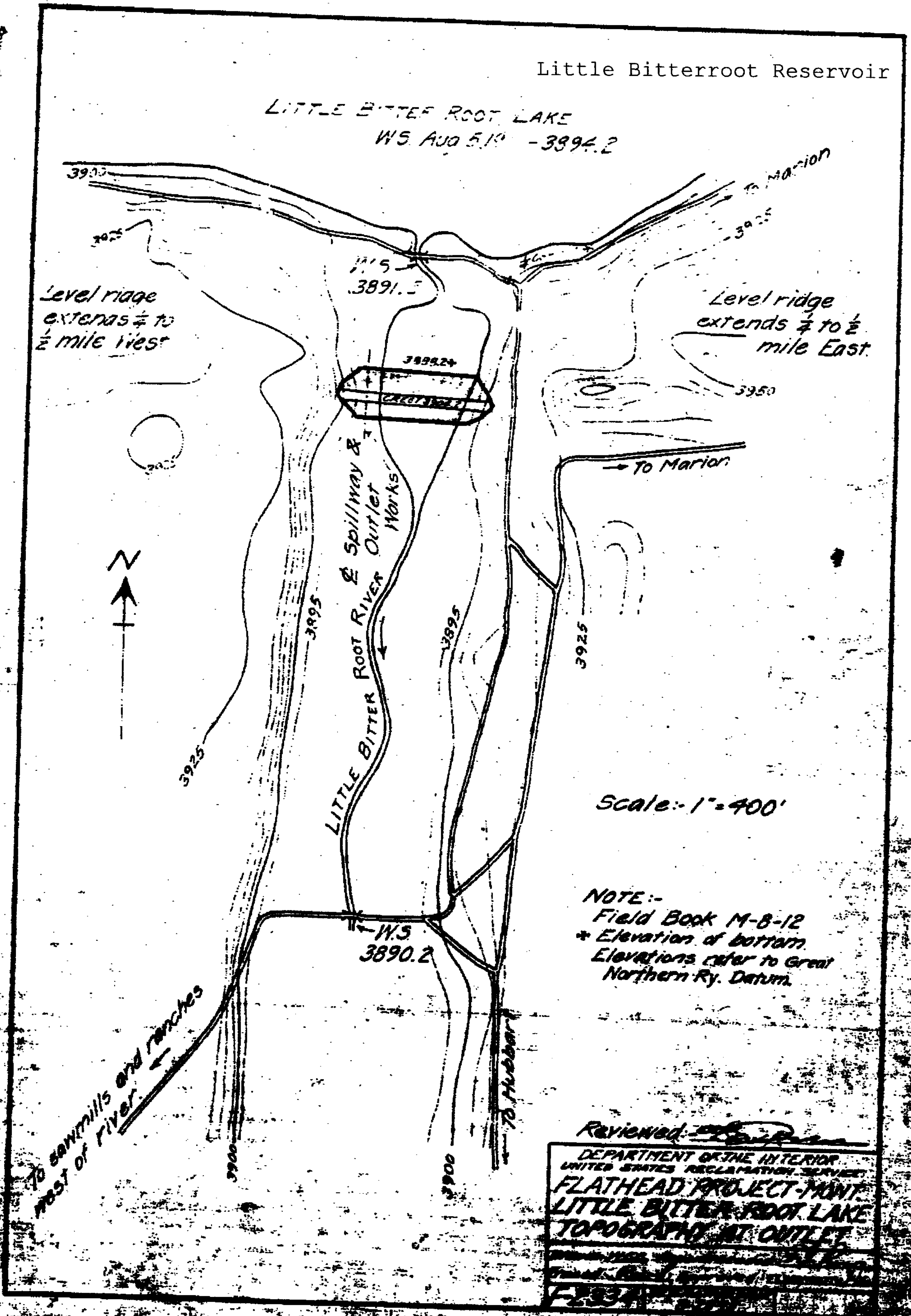
Legend

- ▭ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

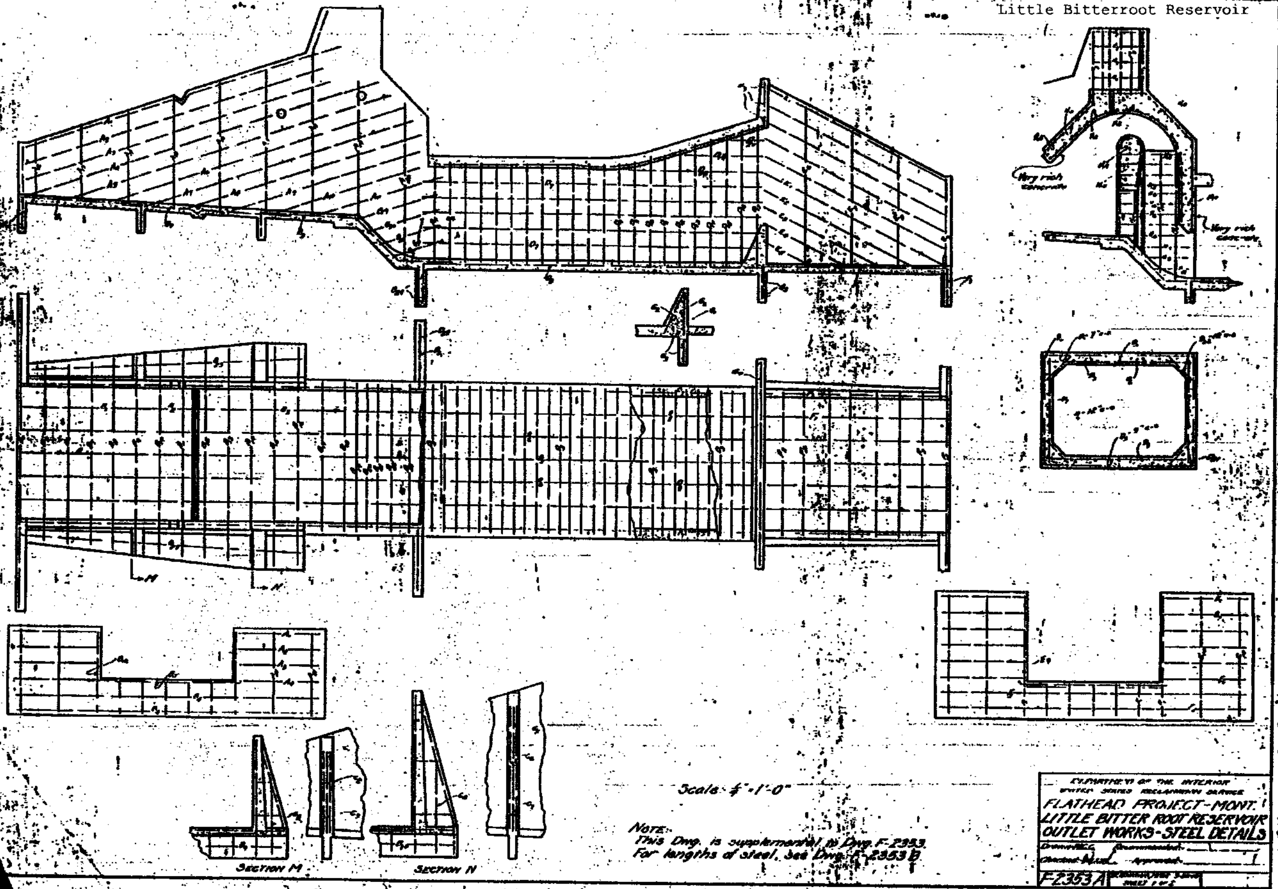
0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Little Bitterroot Reservoir


LITTLE BITTER ROOT LAKE
W.S. Aug 5 19 - 3894.2
3900
3925
To Marion
3925
W.S.
3891.3
Level ridge extends ¼ to ½ mile West
Level ridge extends ¼ to ½ mile East
3899.24
CREST
3950
3925
℄ Spillway & Outlet Works
To Marion
N
LITTLE BITTER ROOT RIVER
3895
3895
3925
3925
Scale:- 1" = 400'
NOTE:-
Field Book M-8-12
* Elevation of bottom
Elevations refer to Great Northern Ry. Datum.
W.S.
3890.2
To sawmills and ranches west of river
To Hubbart
3900
3900
Reviewed:
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT-MONT.
LITTLE BITTER ROOT LAKE
TOPOGRAPHY AT OUTLET
F-234

Little Bitterroot Reservoir


Very rich concrete
Very rich concrete
M
N
SECTION M
SECTION N

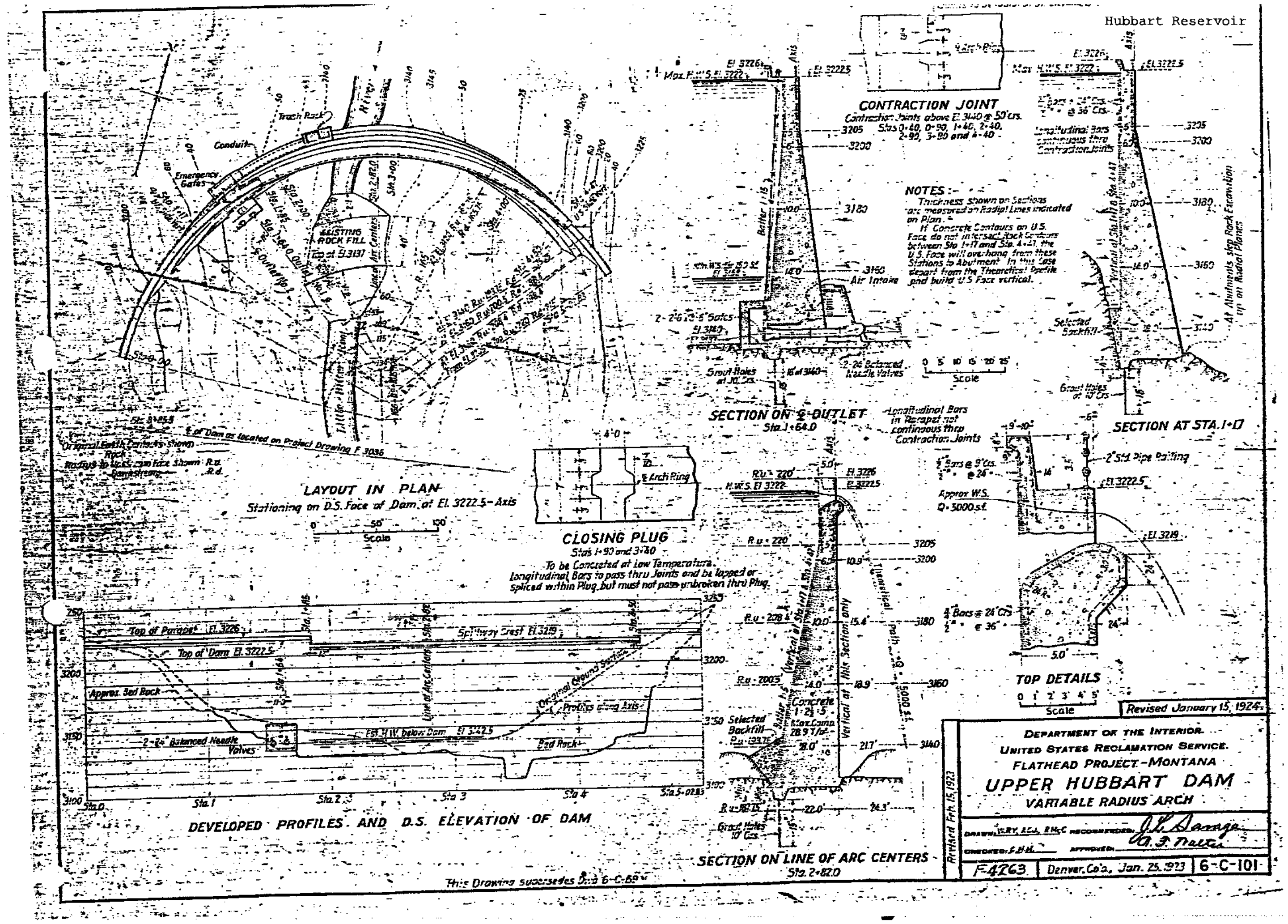
Scale: ¼" = 1'-0"

NOTE:
This Dwg. is supplemental to Dwg. F-2353.
For lengths of steel, see Dwg. F-2353 B

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT-MONT.
LITTLE BITTER ROOT RESERVOIR
OUTLET WORKS-STEEL DETAILS

F-2353A

Hubbart Reservoir


LAYOUT IN PLAN
Stationing on D.S. Face of Dam, at El. 3222.5 - Axis
Scale
EXISTING ROCK FILL
Trash Rack
Conduit
Emergency Gates
Line of Arc Centers
Original Earth Contours Shown
Rock
Radius to U.S. Face Shown R.u.
Downstream R.d.
CONTRACTION JOINT
Contraction Joints above El. 3140 @ 50' crs.
Stas 0+40, 0+90, 1+40, 2+40, 2+90, 3+90 and 4+40
CLOSING PLUG
Stas 1+90 and 3+40
SECTION ON ℄ OUTLET
Sta. 1+64.0
Air Intake
2-24" Balanced Needle Valves
Grout Holes at 10 Crs.
SECTION AT STA. 1+0
Selected Backfill
Longitudinal Bars in Parapet not continuous thru Contraction Joints
2" Std. Pipe Railing
Approx. W.S. Q = 5000 s.f.
El. 3219
TOP DETAILS
Scale
SECTION ON LINE OF ARC CENTERS
Sta. 2+82.0
Theoretical Path - Q = 5000 s.f.
Concrete 1:2½:5 Max. Comp. 28.9 T/ft²
DEVELOPED PROFILES AND D.S. ELEVATION OF DAM
Top of Parapet El. 3226
Top of Dam El. 3222.5
Spillway Crest El. 3219
Approx. Bed Rock
Original Ground Surface
Profiles along Axis
Bed Rock
2-24" Balanced Needle Valves
Sta. 0
Sta. 1
Sta. 2
Sta. 3
Sta. 4
Sta. 5+02.85

NOTES:-
Thickness shown on Sections are measured on Radial Lines indicated on Plan.
If Concrete Contours on U.S. Face do not intersect Rock Contours between Sta. 1+17 and Sta. 4+41, the U.S. Face will overhang from these Stations to Abutment. In this case depart from the Theoretical Profile and build U.S. Face vertical.

To be Concreted at Low Temperature.
Longitudinal Bars to pass thru Joints and be lapped or spliced within Plug, but must not pass unbroken thru Plug.

At Abutments step Rock Excavation on Radial Planes

This Drawing supersedes Dwg. 6-C-68

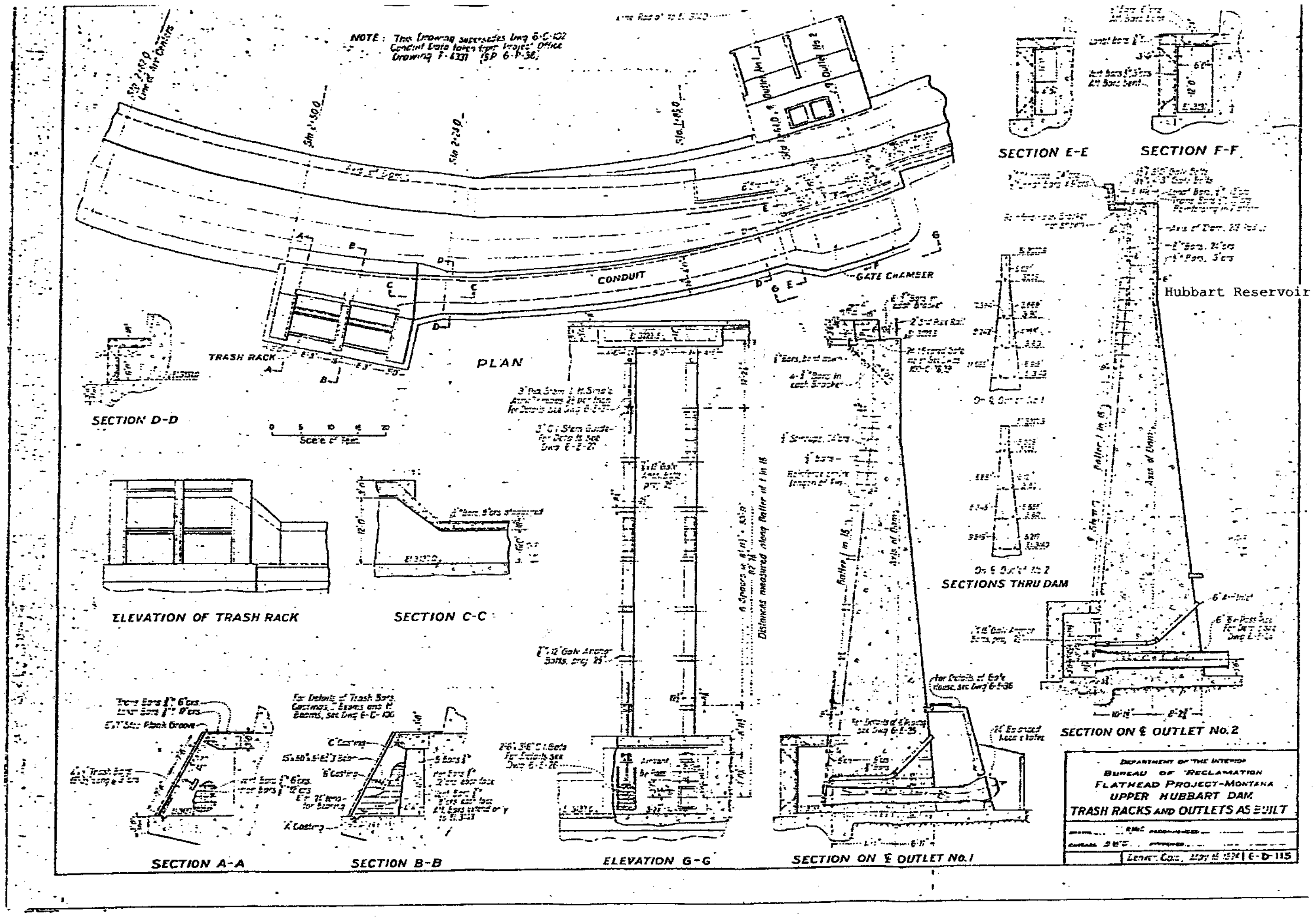
Revised January 15, 1924.

DEPARTMENT OF THE INTERIOR.
UNITED STATES RECLAMATION SERVICE.
FLATHEAD PROJECT - MONTANA
UPPER HUBBART DAM
VARIABLE RADIUS ARCH

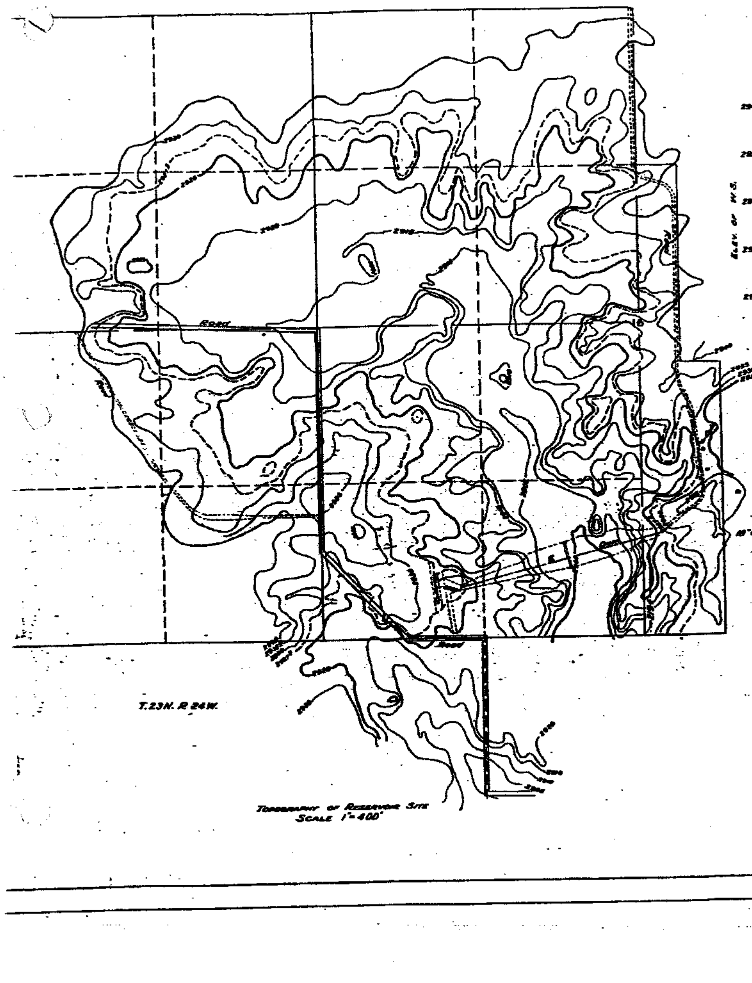
DRAWN: W.R.Y., A.C.L., R.McC. RECOMMENDED: J.L. Savage
CHECKED: F.H.H. APPROVED: A.P. Davis

Revised Feb. 15, 1923

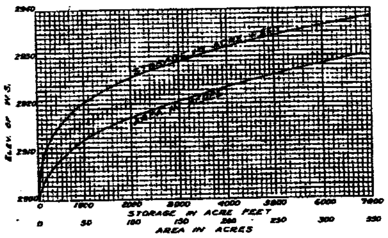
F-4263 | Denver, Colo., Jan. 25, 1923 | 6-C-101

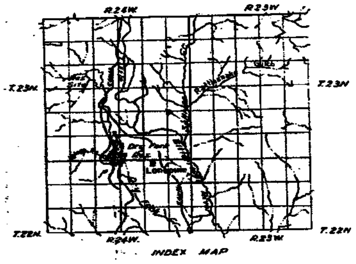

NOTE: This Drawing supersedes Dwg 6-C-132
Conduit Data taken from Project Office Drawing F-4331 (SP 6-P-38)
Outlet No 1
Outlet No 2
CONDUIT
GATE CHAMBER
TRASH RACK
PLAN
Scale of Feet
SECTION D-D
SECTION E-E
SECTION F-F
ELEVATION OF TRASH RACK
SECTION C-C
SECTIONS THRU DAM
On ℄ Outlet No 1
On ℄ Outlet No 2
SECTION A-A
SECTION B-B
ELEVATION G-G
SECTION ON ℄ OUTLET No. 1
SECTION ON ℄ OUTLET No. 2
Axis of Dam
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
FLATHEAD PROJECT-MONTANA
UPPER HUBBART DAM
TRASH RACKS AND OUTLETS AS BUILT
6-D-115

Hubbart Reservoir

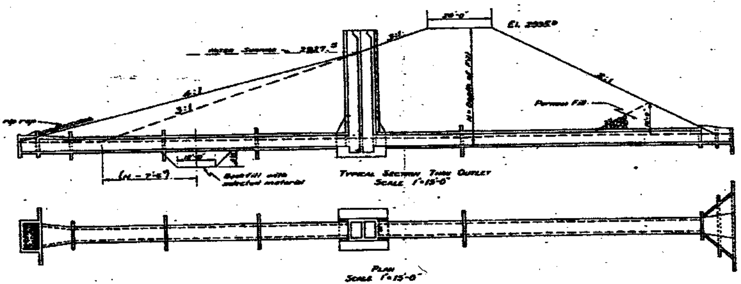

Road
Road
T.23N. R.24W.
2900
2910
2935
2930
2925

TOPOGRAPHY OF RESERVOIR SITE
SCALE 1"=400'




R.24W.
R.23W.
T.23N.
T.23N.
T.22N.
T.22N.
R.24W.
R.23W.
Dry Fork Res.
Lonepine

INDEX MAP


26'-0"
EL. 2935.0
Water Surface 2927.5
4:1
3:1
18" Gravel rip-rap
Pervious Fill
Backfill with selected material

TYPICAL SECTION THRU OUTLET
SCALE 1"=15'-0"

PLAN
SCALE 1"=15'-0"

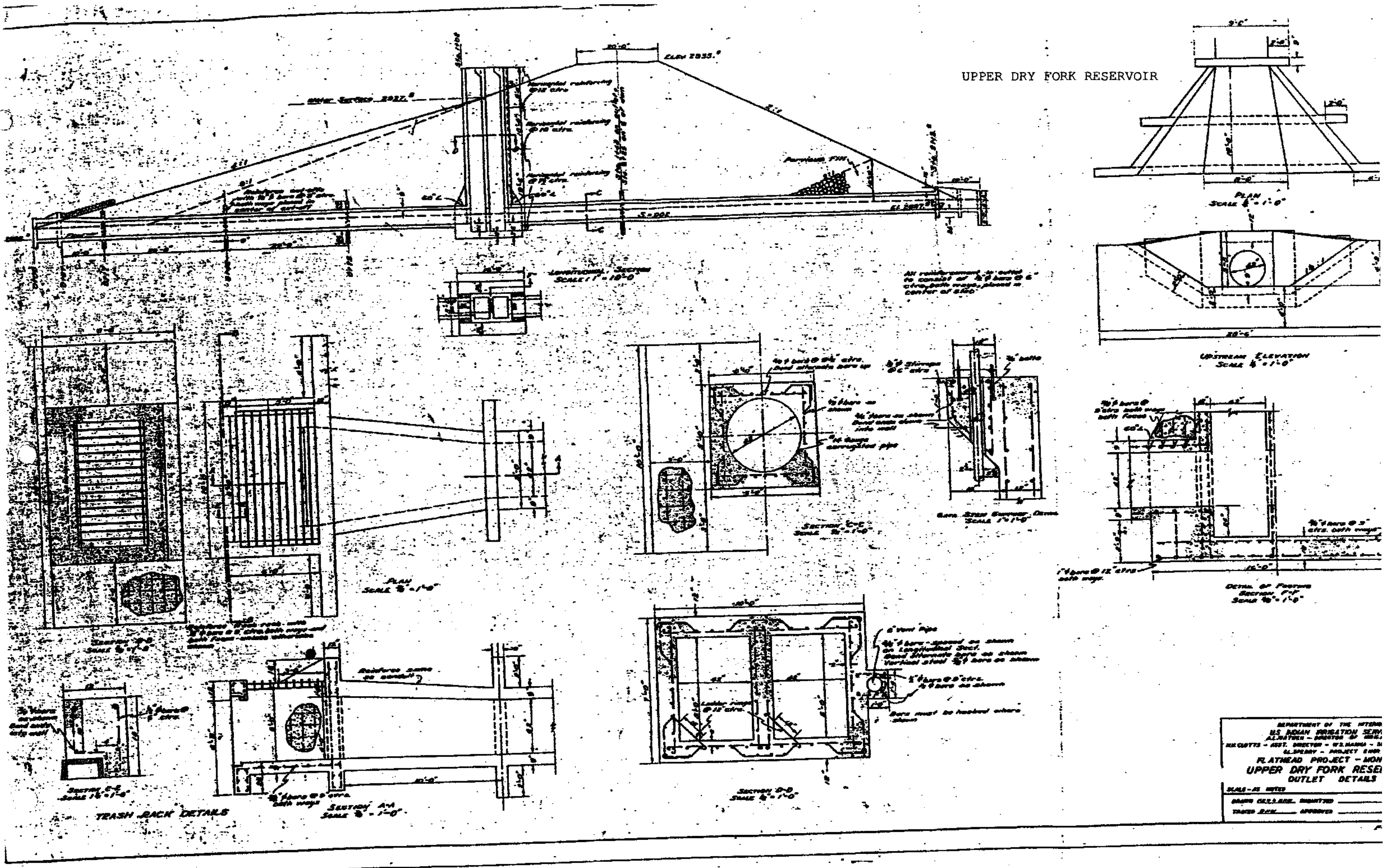
FOR DETAILS OF OUTLET
SEE F-5221

DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
A.L. WATHEN – DIRECTOR OF IRRIGATION
[illegible] – ASST DIRECTOR – [illegible] – SUPERVISING
[illegible] – PROJECT ENGR.
FLATHEAD PROJECT – MONTANA
UPPER DRY FORK RESERVOIR
GENERAL PLAN & SECTIONS
SCALE – AS NOTED

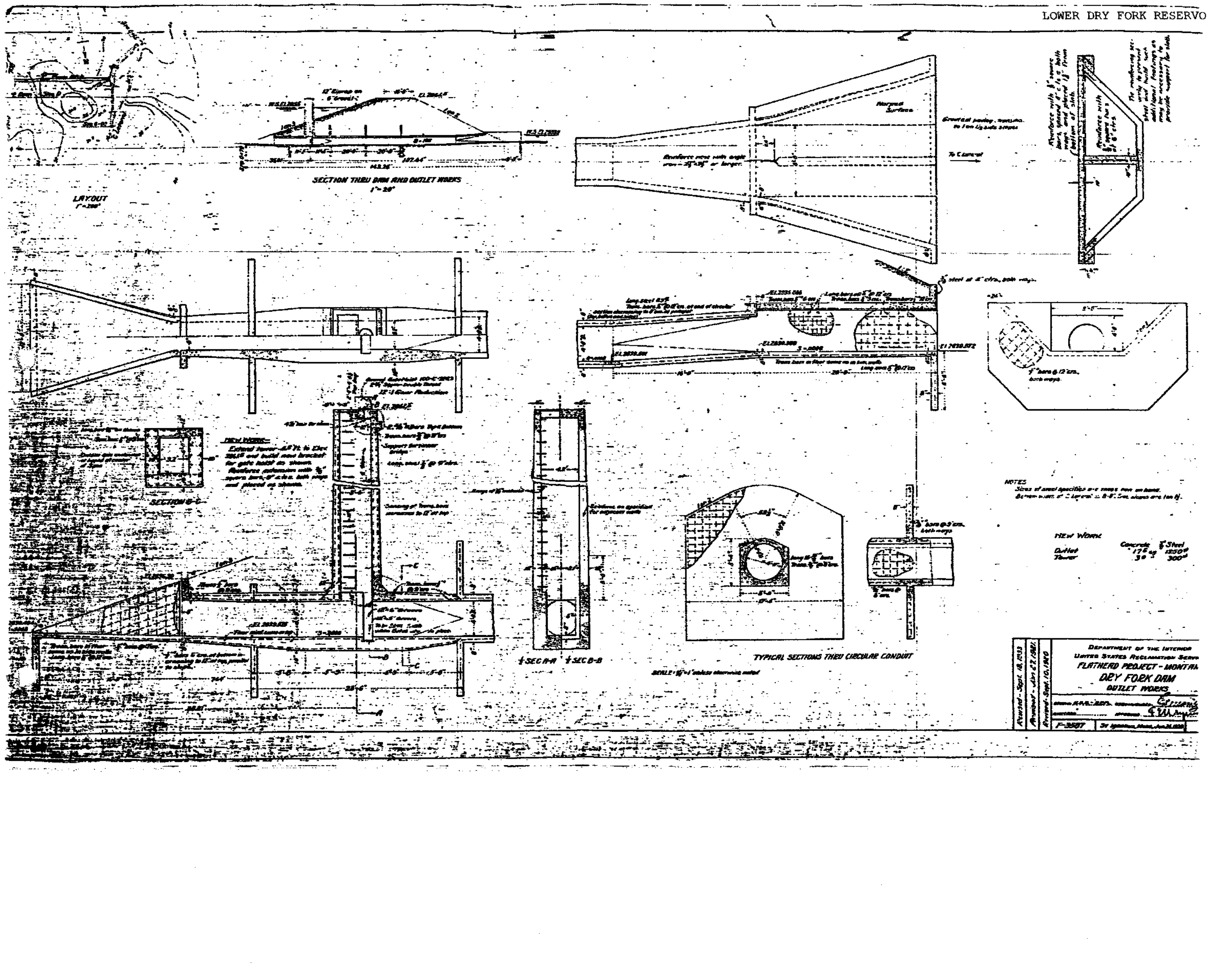
DRAWN ______ SUBMITTED ______
TRACED R.E.W. APPROVED ______

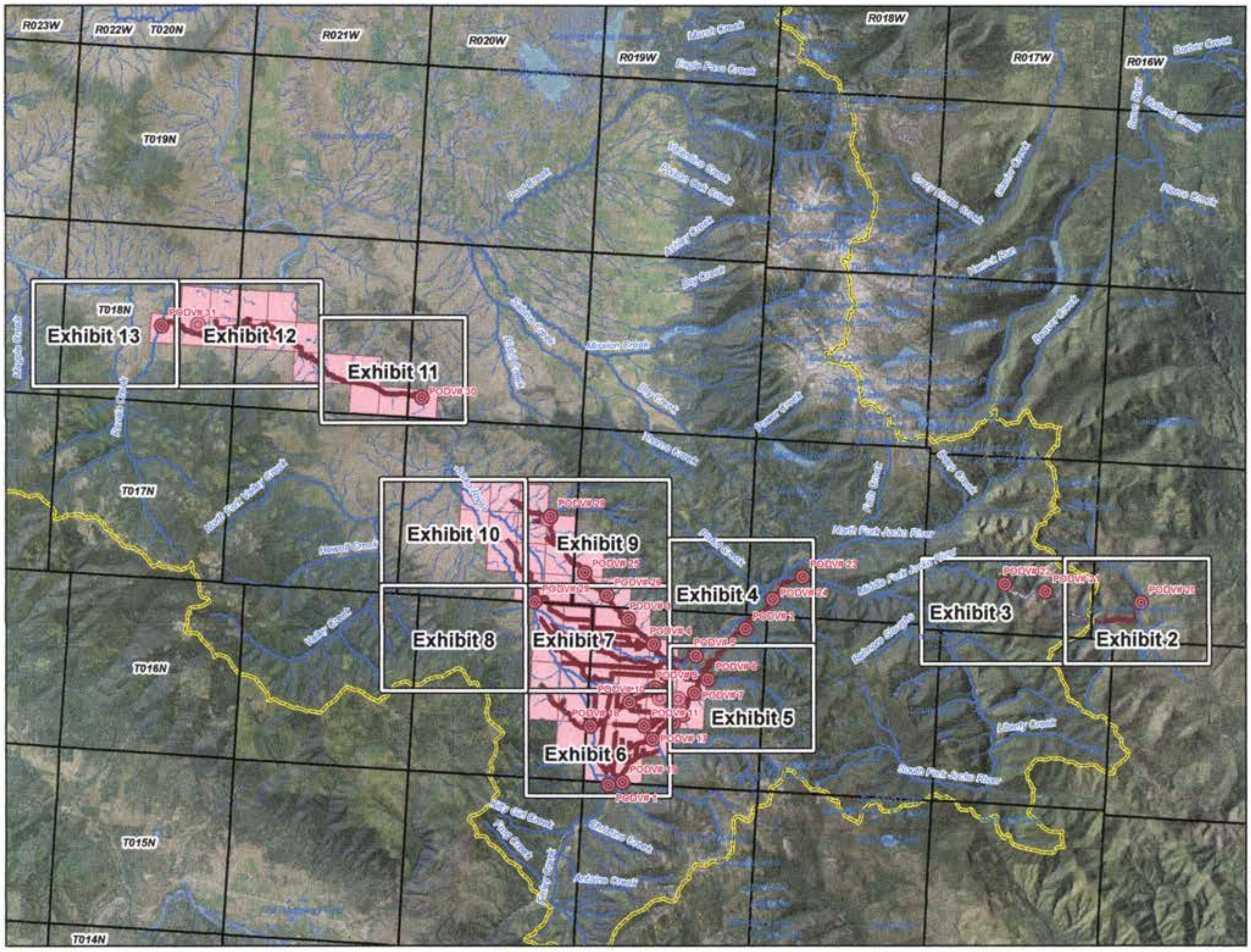
F-522

UPPER DRY FORK RESERVOIR



ELEV. 2935.
Water Surface 2927.
Pervious Fill
S=.005
Longitudinal Section
Scale 1" = 10'-0"
Plan
Scale 1/4" = 1'-0"
Upstream Elevation
Scale 1/4" = 1'-0"
Plan
Section C-C
Section B-B
Section D-D
Scale 1/2" = 1'-0"
Section A-A
Scale 1/4" = 1'-0"
Section E-E
Detail of Footing
Section F-F
6" Vent Pipe
Bars must be hooked where shown
TRASH RACK DETAILS
DEPARTMENT OF THE INTERI
U.S. INDIAN IRRIGATION SERV
FLATHEAD PROJECT - MON
UPPER DRY FORK RESE
OUTLET DETAILS
SCALE - AS NOTED
DRAWN
TRACED
CHECKED
APPROVED


LAYOUT
SECTION THRU DAM AND OUTLET WORKS
SECTION C-C
NEW WORK
Extend tower
Warped Surface
To C Lateral
TYPICAL SECTIONS THRU CIRCULAR CONDUIT
½ SEC A-A ½ SEC B-B
NOTES
NEW WORK
Concrete
Steel
Outlet
Tower
17⁵ cy
1250#
3⁰
300#
Revised - Sept. 18, 1933
Revised - Apr. 27, 1921
Revised - Sept. 10, 1920
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT - MONTANA
DRY FORK DAM
OUTLET WORKS
F-3587


R023W
R022W
T020N
R021W
R020W
R019W
R018W
R017W
R016W
T019N
T018N
T017N
T016N
T015N
T014N
Exhibit 13
Exhibit 12
Exhibit 11
Exhibit 10
Exhibit 9
Exhibit 8
Exhibit 7
Exhibit 6
Exhibit 5
Exhibit 4
Exhibit 3
Exhibit 2
PODV# 31
PODV# 30
PODV# 28
PODV# 25
PODV# 26
PODV# 27
PODV# 23
PODV# 24
PODV# 22
PODV# 21
PODV# 20
PODV# 3
PODV# 4
PODV# 5
PODV# 6
PODV# 7
PODV# 11
PODV# 17
PODV# 16
PODV# 1
Marsh Creek
Eagle Pass Creek
Post Creek
Mission Creek
Dry Creek
Finley Creek
Valley Creek
North Fork Jocko River
Middle Fork Jocko River
South Fork Jocko River
Liberty Creek
Agency Creek
Burnt Fork Creek
Falls Creek
Barber Creek
Plume Creek

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052931

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13 12 11
10 9 4
8 7 5
3 2
6

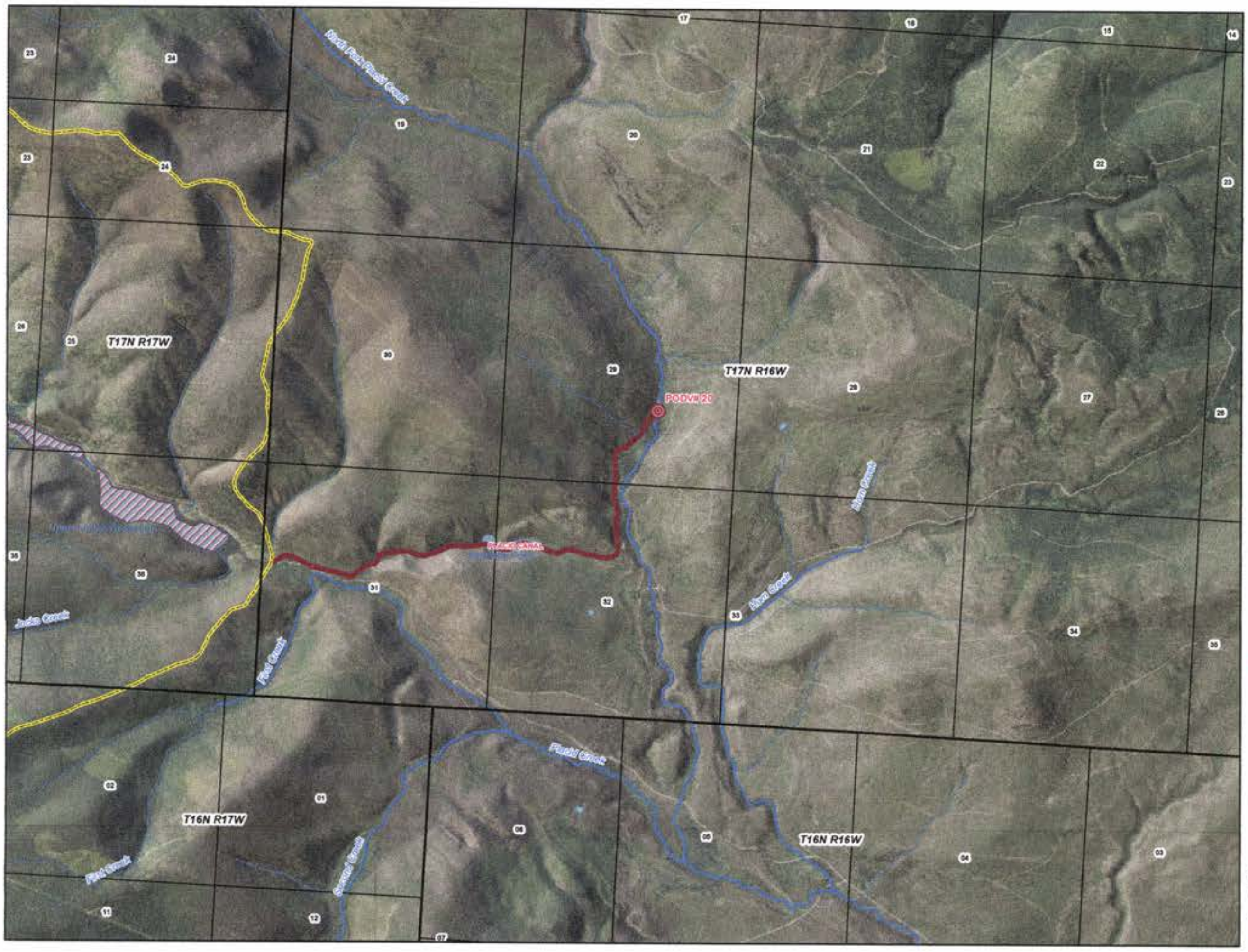
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 2 4 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


North Fork Placid Creek
T17N R17W
T17N R16W
PODV# 20
PLACID CANAL
Horn Creek
Jocko Creek
Placid Creek
T16N R17W
T16N R16W
17
16
15
14
23
24
19
20
21
22
26
25
30
29
28
27
35
36
31
32
33
34
02
01
06
05
04
03
11
12
07

Place of Use and Point of Diversion

FIIP Water Use

76L 30052931

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13
12
11
10
9
8
7
6
5
4
3
2

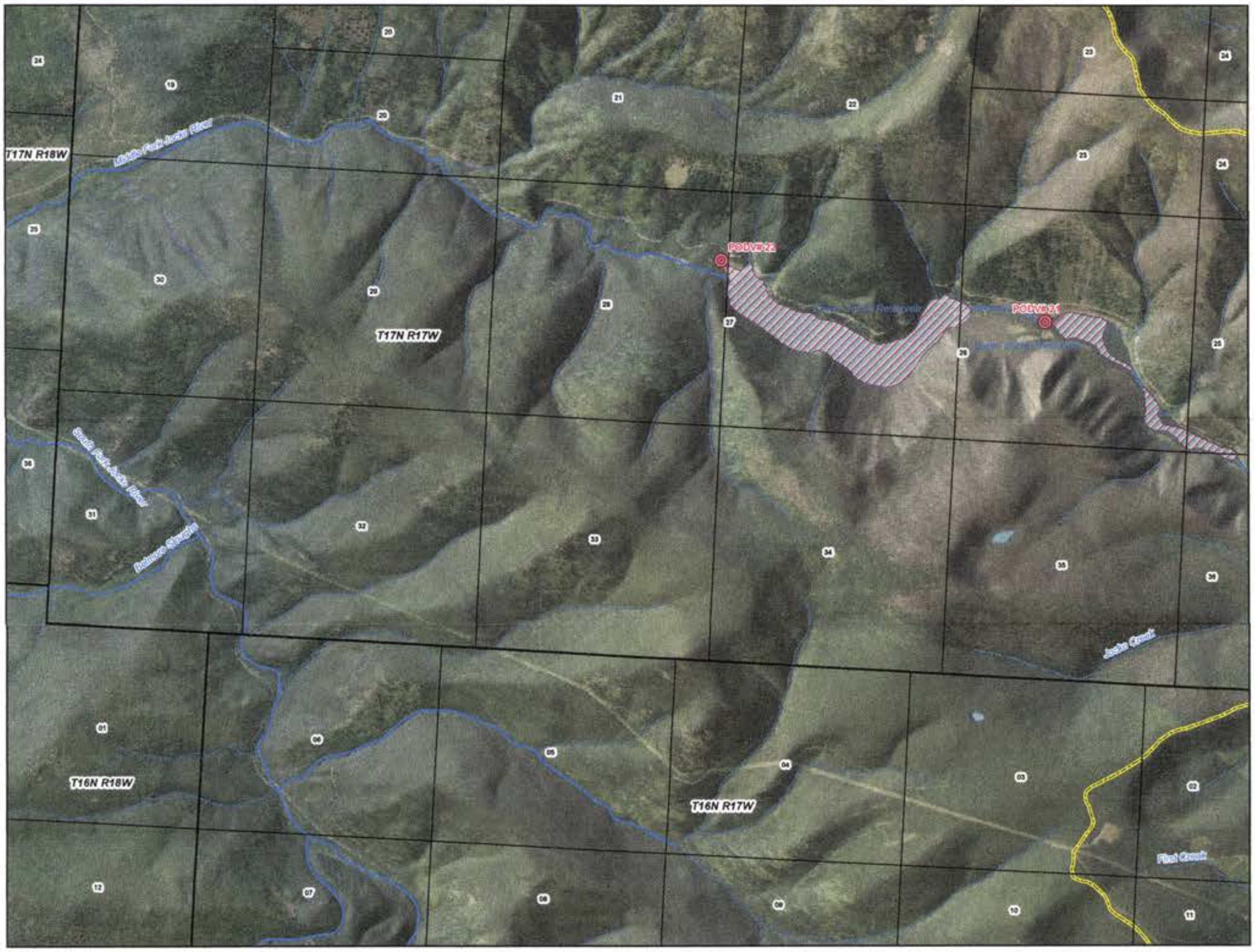
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T17N R18W
T17N R17W
T16N R18W
T16N R17W
Middle Fork Jocko River
South Fork Jocko River
Jocko Creek
PODV# 22
PODV# 21
20
19
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
01
02
03
04
05
06
07
08
09
10
11
12

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052931

Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13
12
11
10
9
8
7
6
5
4
3
2

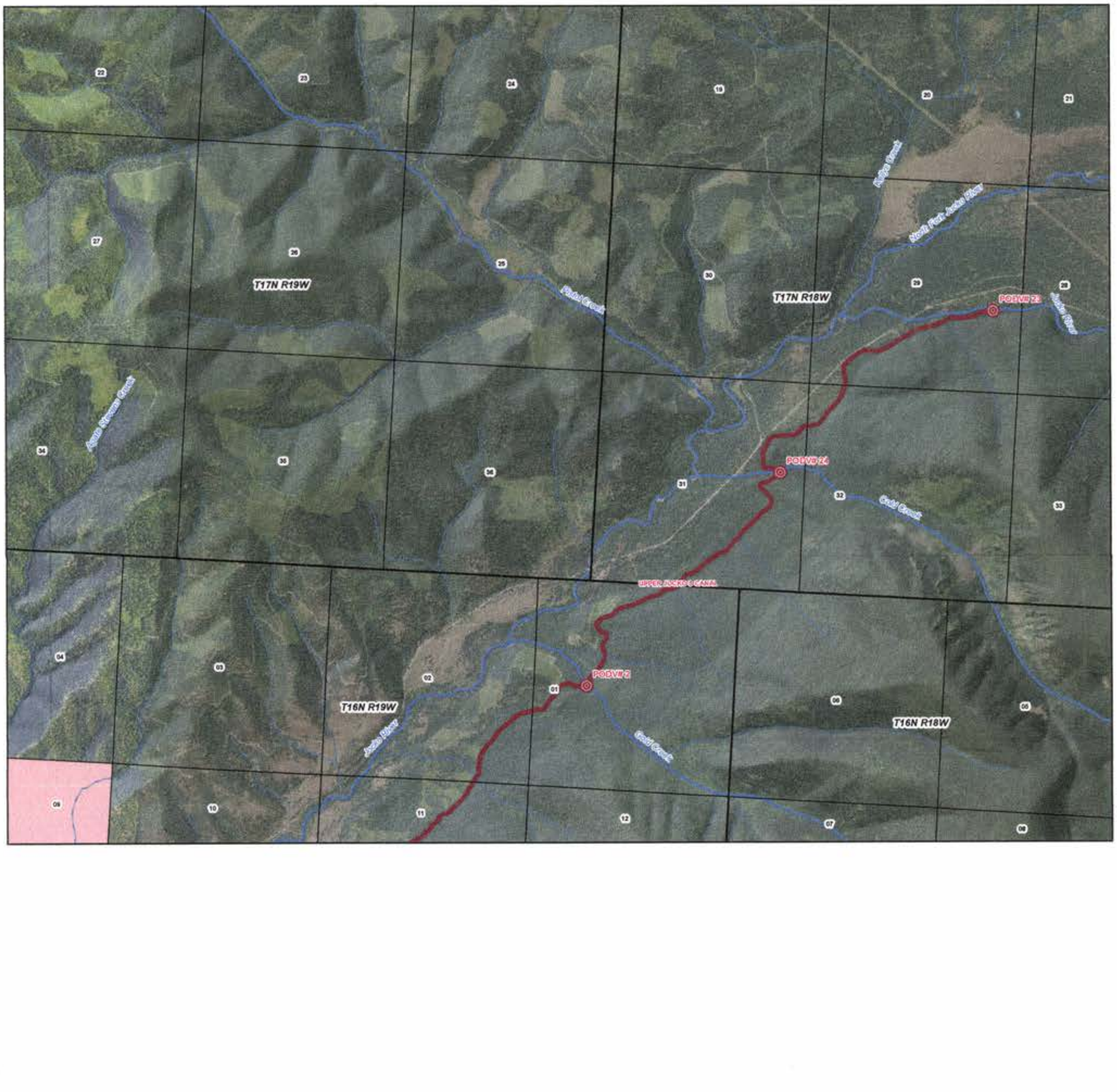
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


22
23
24
19
20
21
27
26
25
30
29
28
T17N R19W
T17N R18W
Placid Creek
North Fork Jocko River
Jocko River
PODVW 23
PODVW 24
34
35
36
31
32
33
Gold Creek
UPPER JOCKO 3 CANAL
04
03
02
01
PODVW 2
06
05
T16N R19W
T16N R18W
Jocko River
Gold Creek
09
10
11
12
07
08

Place of Use and Point of Diversion
FIIP
Water Use
76L
30052931
Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13
12
11
10
9
8
4
5
6
3
7
2

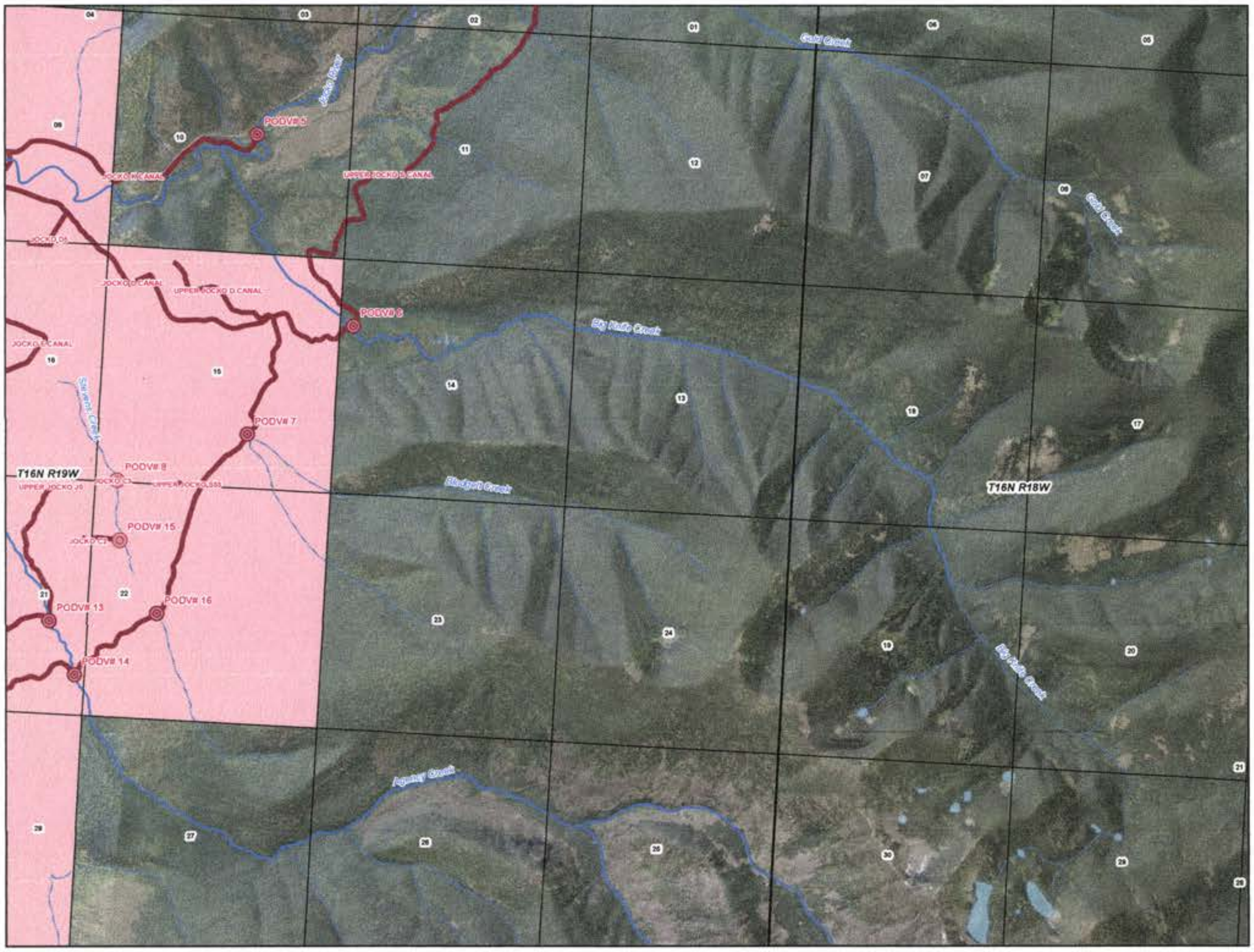
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


04
03
02
01
06
05
09
10
PODV# 5
Jocko River
11
12
07
08
Gold Creek
JOCKO K CANAL
UPPER JOCKO D CANAL
JOCKO D5
JOCKO D CANAL
UPPER JOCKO D CANAL
PODV# 6
Big Knife Creek
JOCKO E CANAL
16
15
14
13
18
17
Sellers Creek
PODV# 7
PODV# 8
T16N R19W
JOCKO C3
UPPER JOCKO J5
UPPER JOCKO LS55
Bassett Creek
T16N R18W
PODV# 15
JOCKO C2
21
22
PODV# 13
PODV# 16
23
24
19
20
Big Knife Creek
PODV# 14
Agency Creek
21
28
27
26
25
30
29
28

Place of Use and Point of Diversion

FIIP

Water Use

76L
30052931
Exhibit 5

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13 12 11
10 9 4
8 7 5 3 2
6

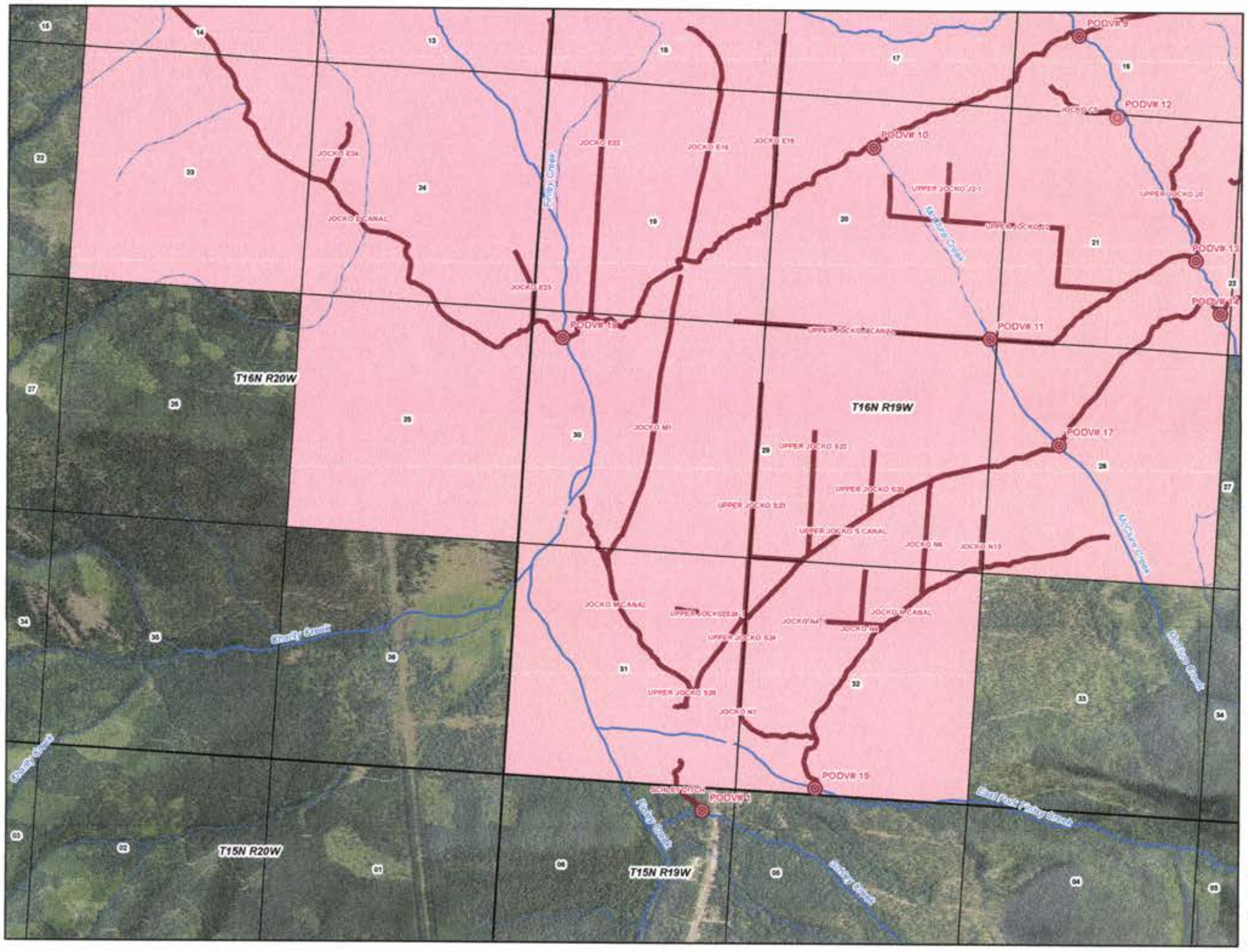
Flathead Indian Reservation

Legend

▨	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


14
13
18
17
16
15
22
23
24
19
20
21
JOCKO E24
JOCKO E CANAL
JOCKO E23
JOCKO E22
JOCKO E19
JOCKO E18
Finley Creek
PODV# 9
PODV# 10
PODV# 12
JOCKO C3
UPPER JOCKO J2-1
UPPER JOCKO J2
UPPER JOCKO J2
McClure Creek
PODV# 13
PODV# 14
PODV# 18
UPPER JOCKO S CANAL
PODV# 11
T16N R20W
27
26
25
30
JOCKO M1
T16N R19W
29
UPPER JOCKO S22
PODV# 17
28
27
UPPER JOCKO S30
UPPER JOCKO S23
UPPER JOCKO S CANAL
JOCKO N6
JOCKO N10
JOCKO M CANAL
UPPER JOCKO S28-1
UPPER JOCKO S34
JOCKO N4
JOCKO M CANAL
JOCKO N4
34
35
36
31
32
33
34
UPPER JOCKO S26
JOCKO N1
McClure Creek
Charity Creek
Charity Creek
PODV# 19
SCHLEY DITCH
PODV# 1
East Fork Finley Creek
Finley Creek
Schley Creek
03
02
01
06
05
04
03
T15N R20W
T15N R19W

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052931

Exhibit 6

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13
12
11
10
9
4
3
2
5

Flathead Indian Reservation

Legend

▨	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
━	Ditch or Pipeline
▨	Reservoir

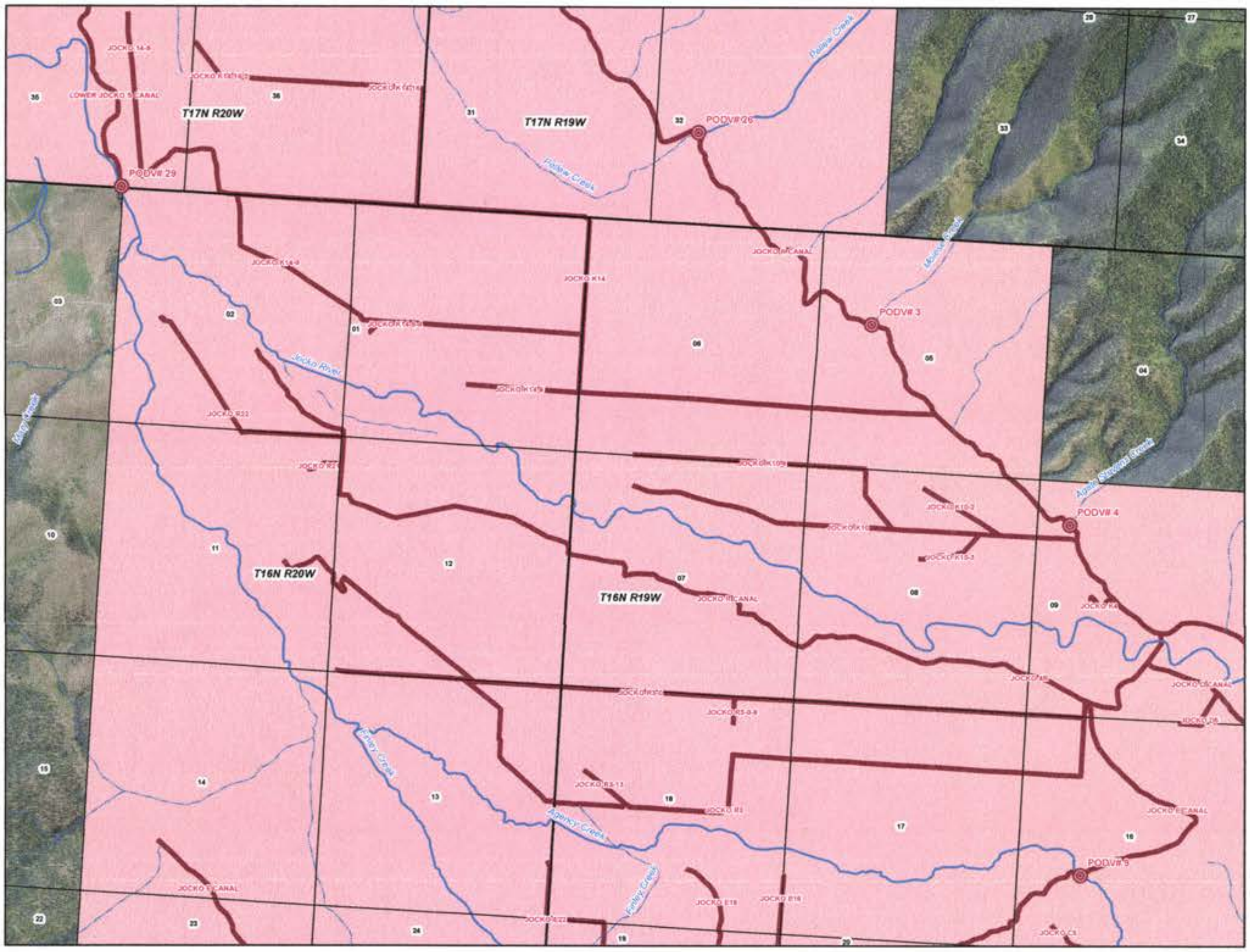
0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use and Point of Diversion *FIIP* *Water Use*

76L 30052931

Exhibit 7



T17N R20W
T17N R19W
T16N R20W
T16N R19W
PODV# 29
PODV# 26
PODV# 3
PODV# 4
PODV# 9
LOWER JOCKO S CANAL
JOCKO 14-8
JOCKO K14-9
JOCKO K14
JOCKO R CANAL
JOCKO R23
JOCKO R2
JOCKO K10-2
JOCKO K10-3
JOCKO K4
JOCKO R5-8-8
JOCKO R5-13
JOCKO R5
JOCKO R6
JOCKO S CANAL
JOCKO 26
JOCKO E CANAL
JOCKO T CANAL
JOCKO E22
JOCKO E18
JOCKO E16
JOCKO C6
Jocko River
Agency Creek
Finley Creek
Valley Creek
Mission Creek
Agnes Stevens Creek
Big Creek
35
36
31
32
33
34
03
02
01
06
05
04
10
11
12
07
08
09
15
14
13
18
17
16
22
23
24
19
20
28
27

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13
12
11
10
9
8
7
6
5
4
3
2

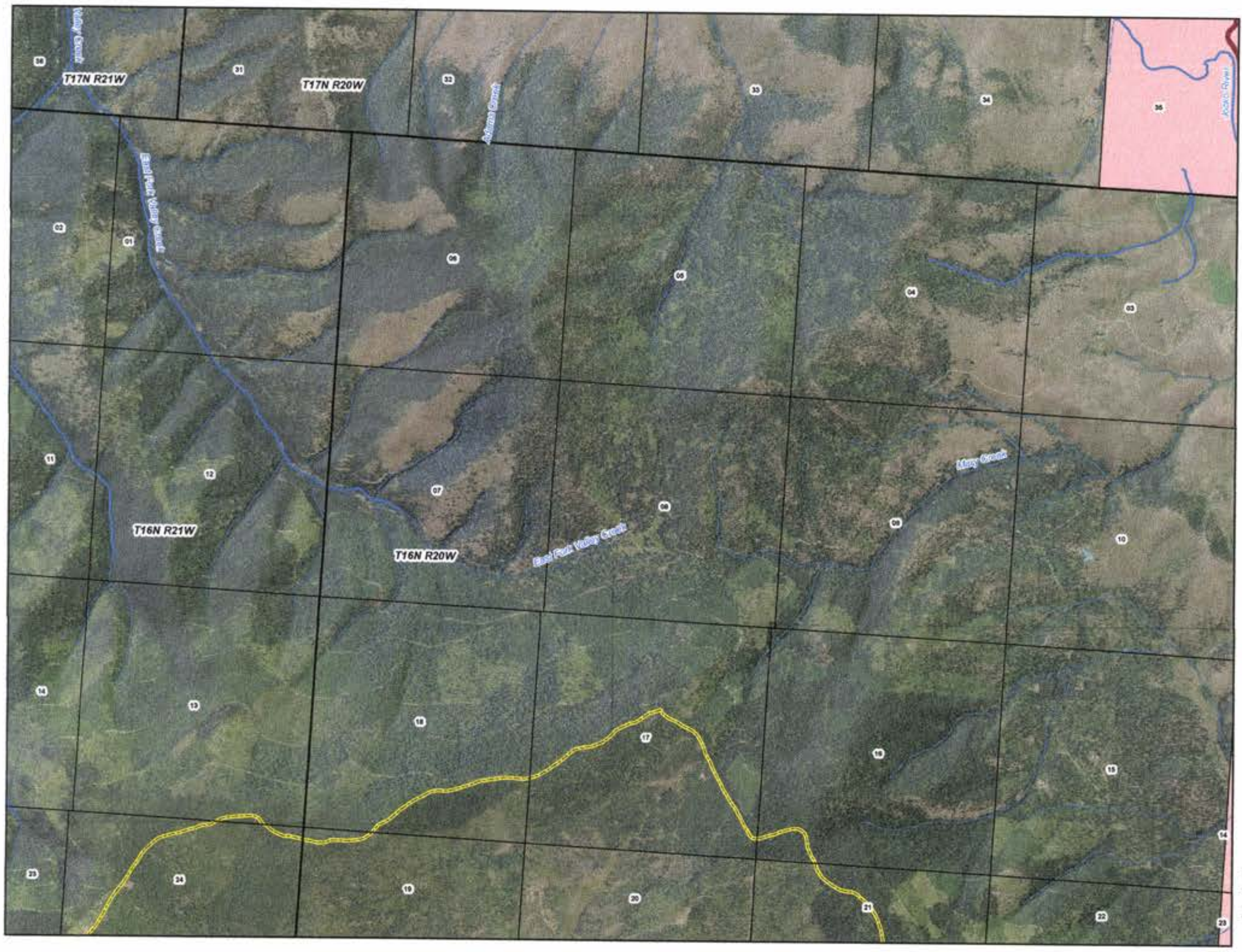
Flathead Indian Reservation

Legend

- ▭ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T17N R21W
T17N R20W
T16N R21W
T16N R20W
Valley Creek
East Fork Valley Creek
36
31
32
33
34
35
02
01
06
05
04
03
11
12
07
08
09
10
14
13
18
17
16
15
23
24
19
20
21
22
14
23

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052931

Exhibit 8

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13
12
11
10
9
8
7
4
5
6
3
2

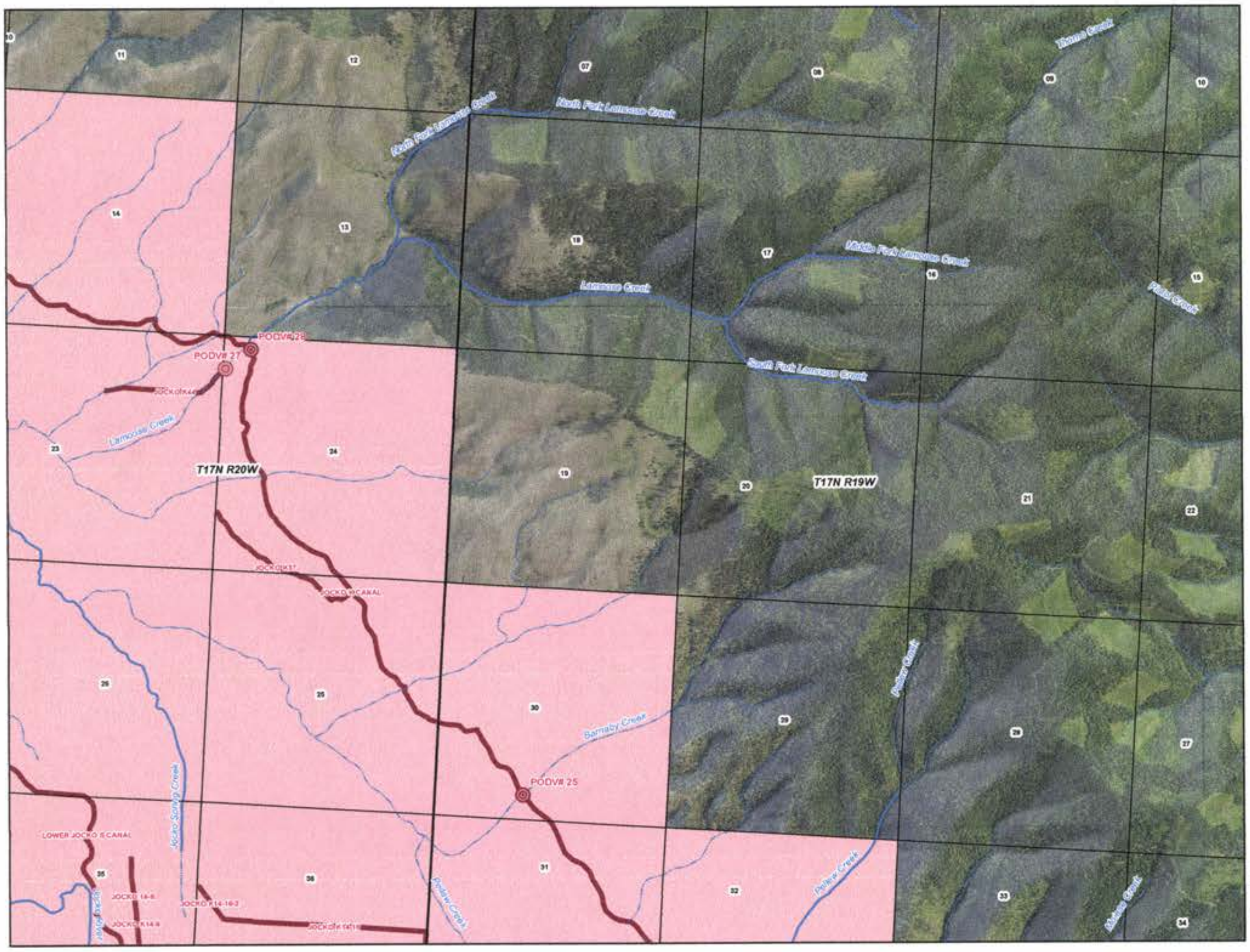
Flathead Indian Reservation

Legend

🟥 Place of Use
◎ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
▬ Ditch or Pipeline
▨ Reservoir

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


11
12
07
08
09
10
North Fork Lamoose Creek
14
13
18
17
16
15
Lamoose Creek
Middle Fork Lamoose Creek
South Fork Lamoose Creek
PODV# 28
PODV# 27
JOCKO R44
Lamoose Creek
23
24
T17N R20W
19
20
T17N R19W
21
22
JOCKO K17
JOCKO R CANAL
26
25
30
Barnaby Creek
29
28
27
PODV# 25
LOWER JOCKO S CANAL
Jocko Spring Creek
35
36
31
32
33
34
JOCKO 14-6
JOCKO K14-16-2
JOCKO K14-8
JOCKO K14-16
Pedlow Creek

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052931

Exhibit 9

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13
12
11
10
9
8
7
5
4
6
3
2

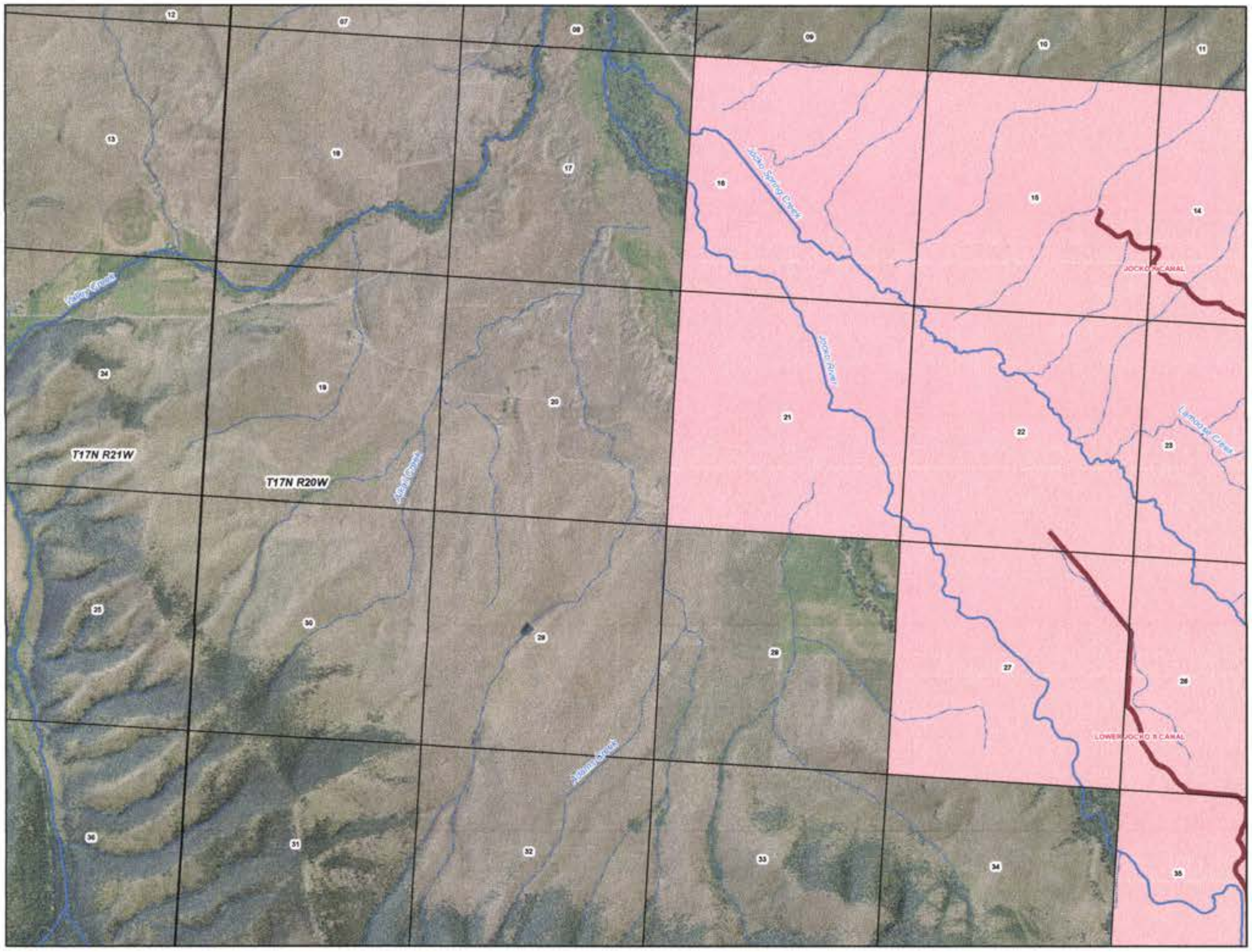
Flathead Indian Reservation

Legend

▭	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


12
07
08
09
10
11
13
18
17
16
15
14
JOCKO K CANAL
Valley Creek
Jocko Spring Creek
Jocko River
Lamoose Creek
24
19
20
21
22
23
T17N R21W
T17N R20W
25
30
29
28
27
26
LOWER JOCKO K CANAL
36
31
32
33
34
35

Place of Use and Point of Diversion

FIIP Water Use

76L 30052931

Exhibit 10

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13
12
11
10
9
4
8
7
5
3
2
6

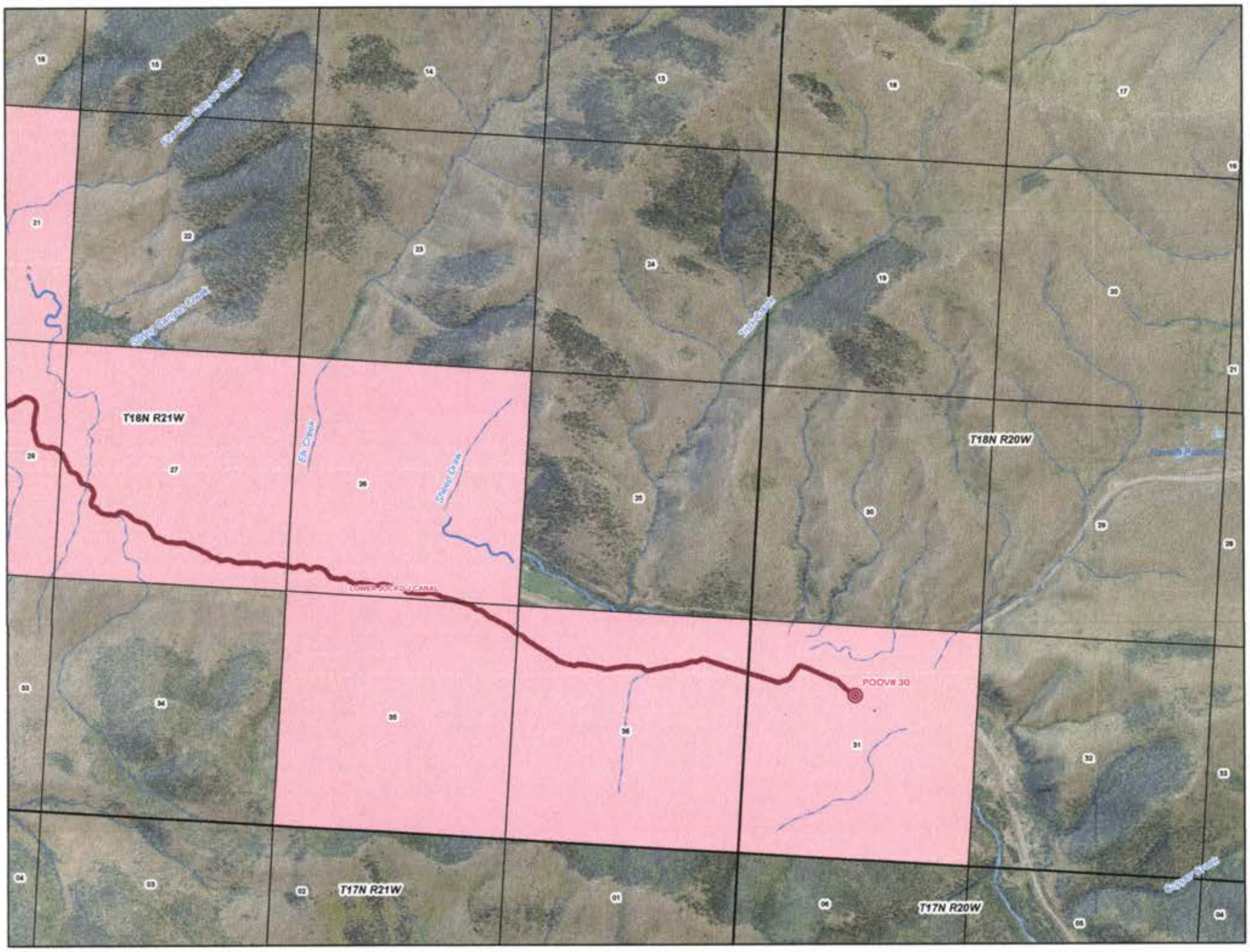
Flathead Indian Reservation

Legend

🟥	Place of Use
◉	Primary Point(s) of Diversion
◉	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R21W
Elk Creek
Sheep Draw
LOWER JOCKO J CANAL
PODV# 30
T18N R20W
T17N R21W
T17N R20W
16
15
14
13
18
17
21
22
23
24
19
20
28
27
26
25
30
29
33
34
35
36
31
32
04
03
02
01
06
05

Place of Use and Point of Diversion

FIIP

Water Use

76L 30052931

Exhibit 11

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
13
12
11
10
9
8
7
4
5
6
3
2

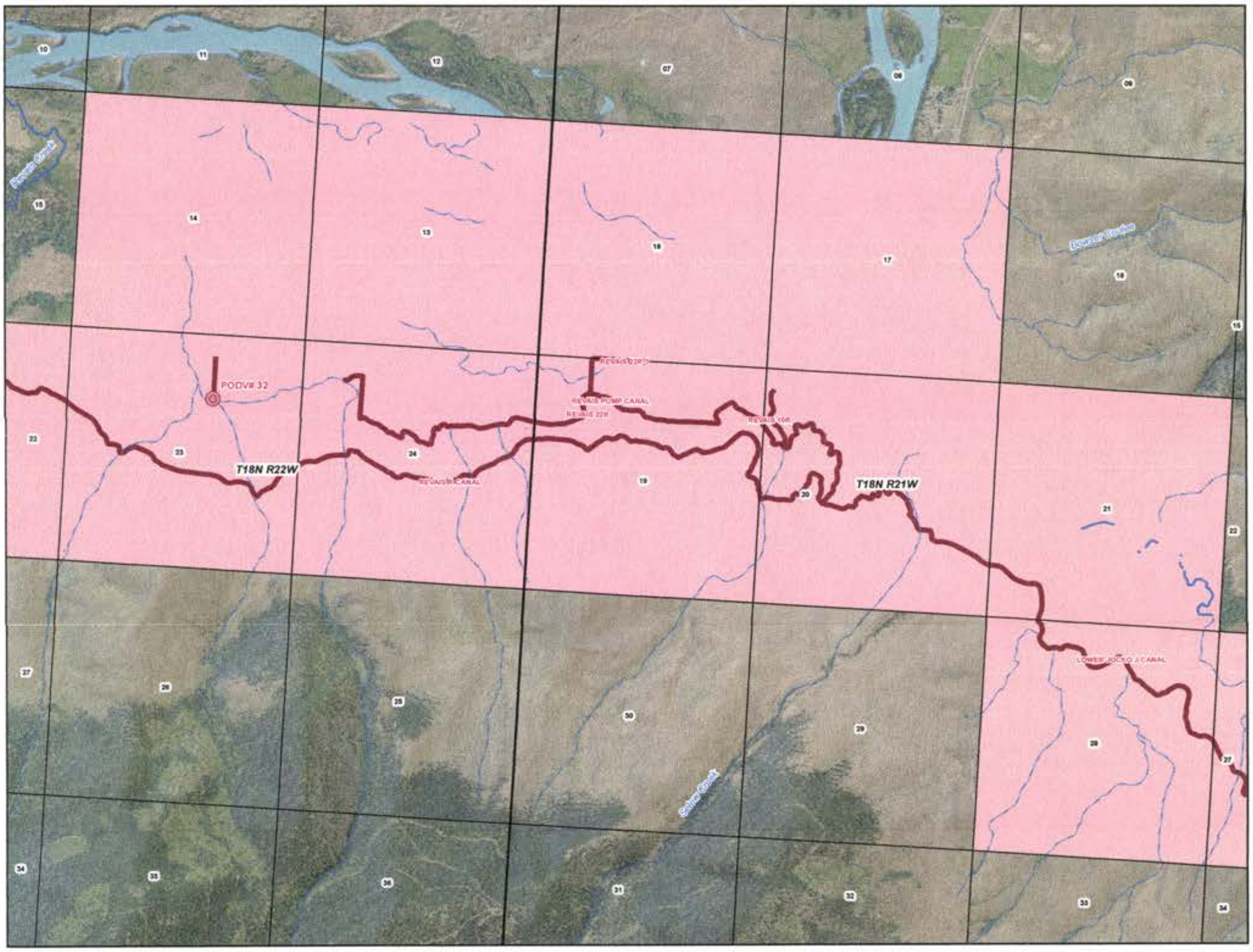
Flathead Indian Reservation

Legend

▨	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
━	Ditch or Pipeline
▨	Reservoir

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


10
11
12
07
08
09
15
14
13
18
17
16
PODV# 32
REVAIS 22PO
REVAIS PUMP CANAL
REVAIS 22R
REVAIS 10R
22
23
24
19
20
21
T18N R22W
REVAIS CANAL
T18N R21W
LOWER JOCKO J CANAL
27
26
25
30
29
28
34
35
36
31
32
33

Place of Use and Point of Diversion

FIIP Water Use

76L 30052931

Exhibit 12

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
13
12
11
10
9
4
8
7
5
3
2
6

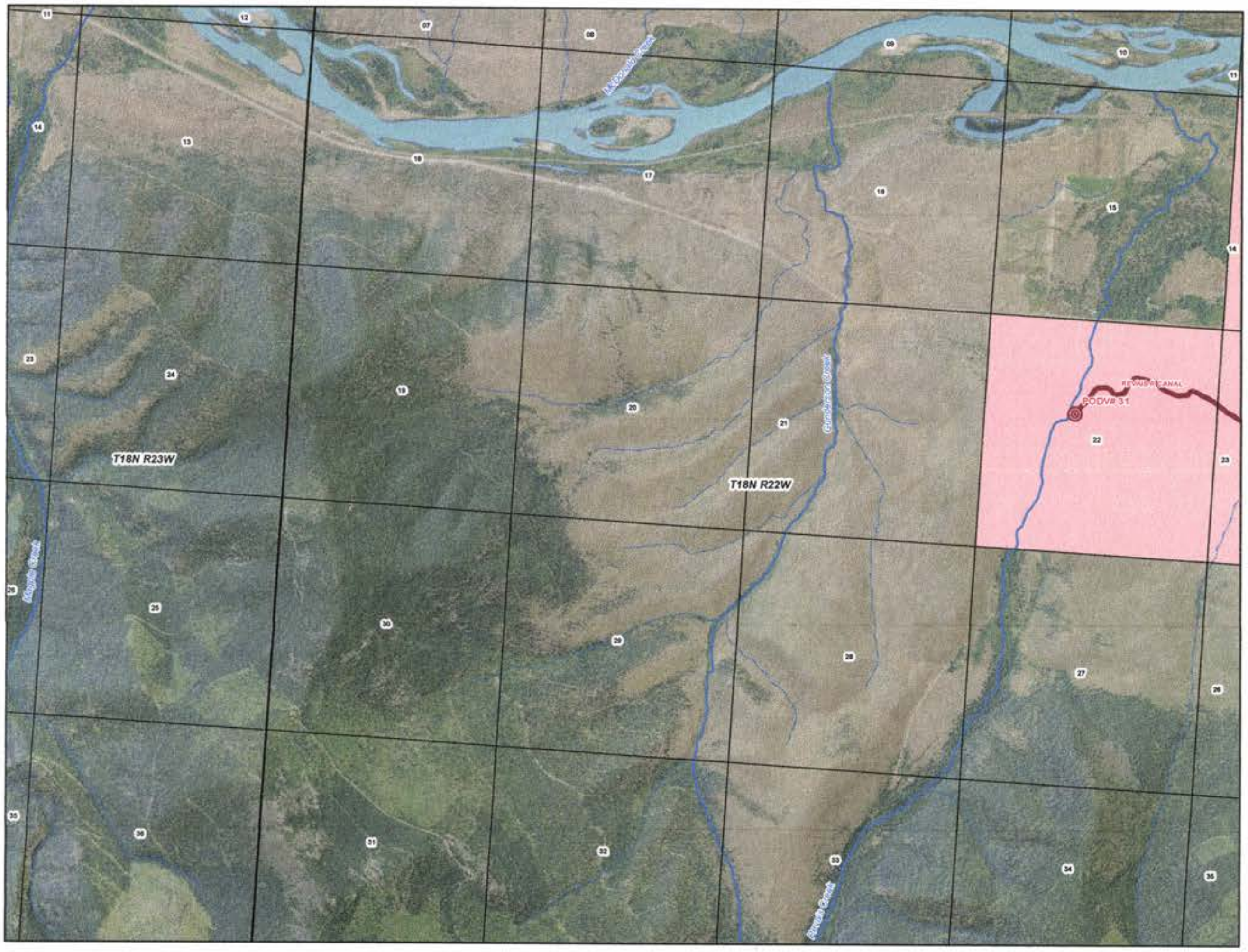
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


11
12
07
08
09
10
11
14
13
18
17
16
15
14
23
24
19
20
21
22
23
T18N R23W
T18N R22W
REVAIS CANAL
PODV# 31
26
25
30
29
28
27
26
35
36
31
32
33
34
35

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052931

Exhibit 13

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
13
12
11
10
9
4
8
7
5
6
3
2

Flathead Indian Reservation

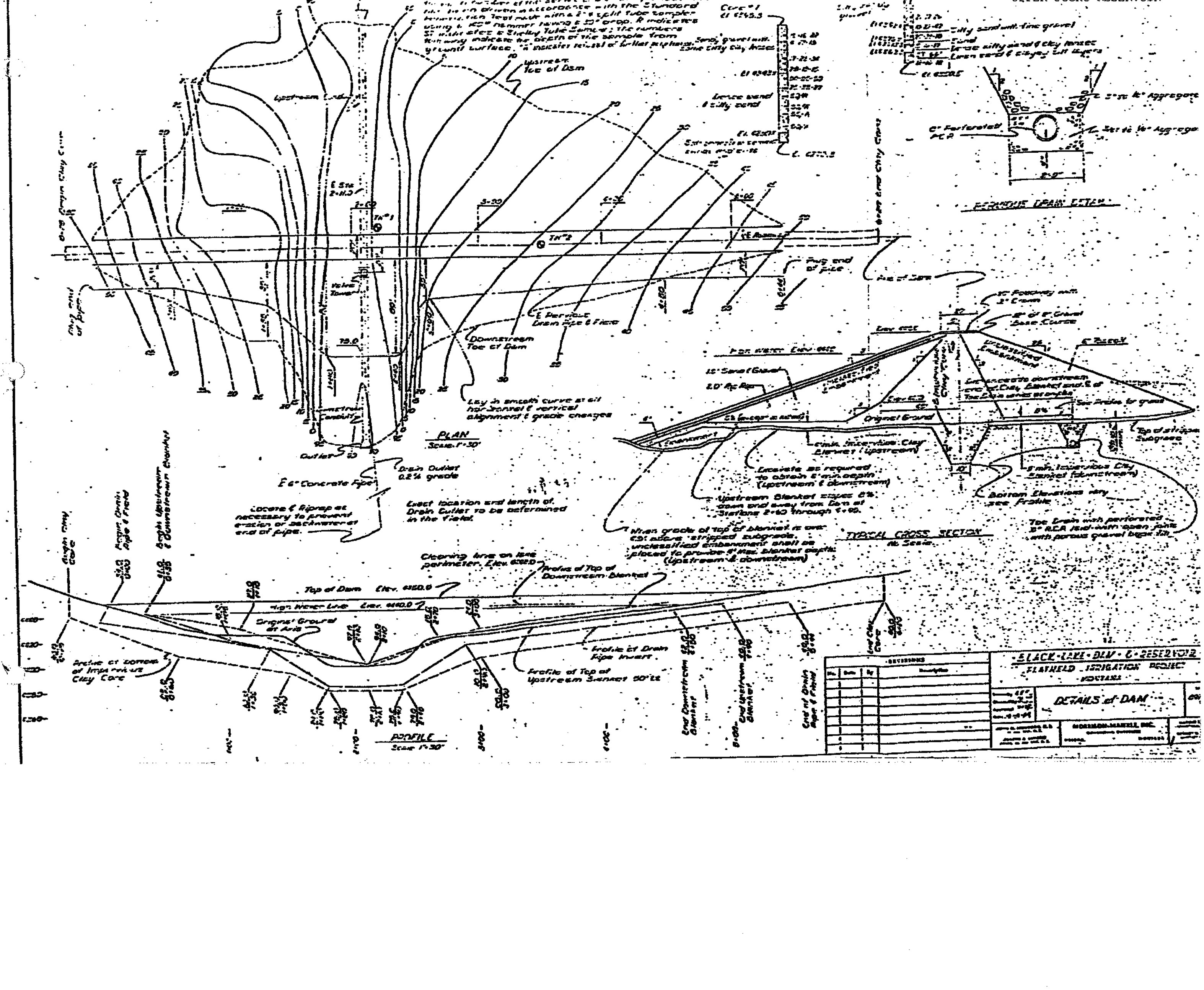
Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

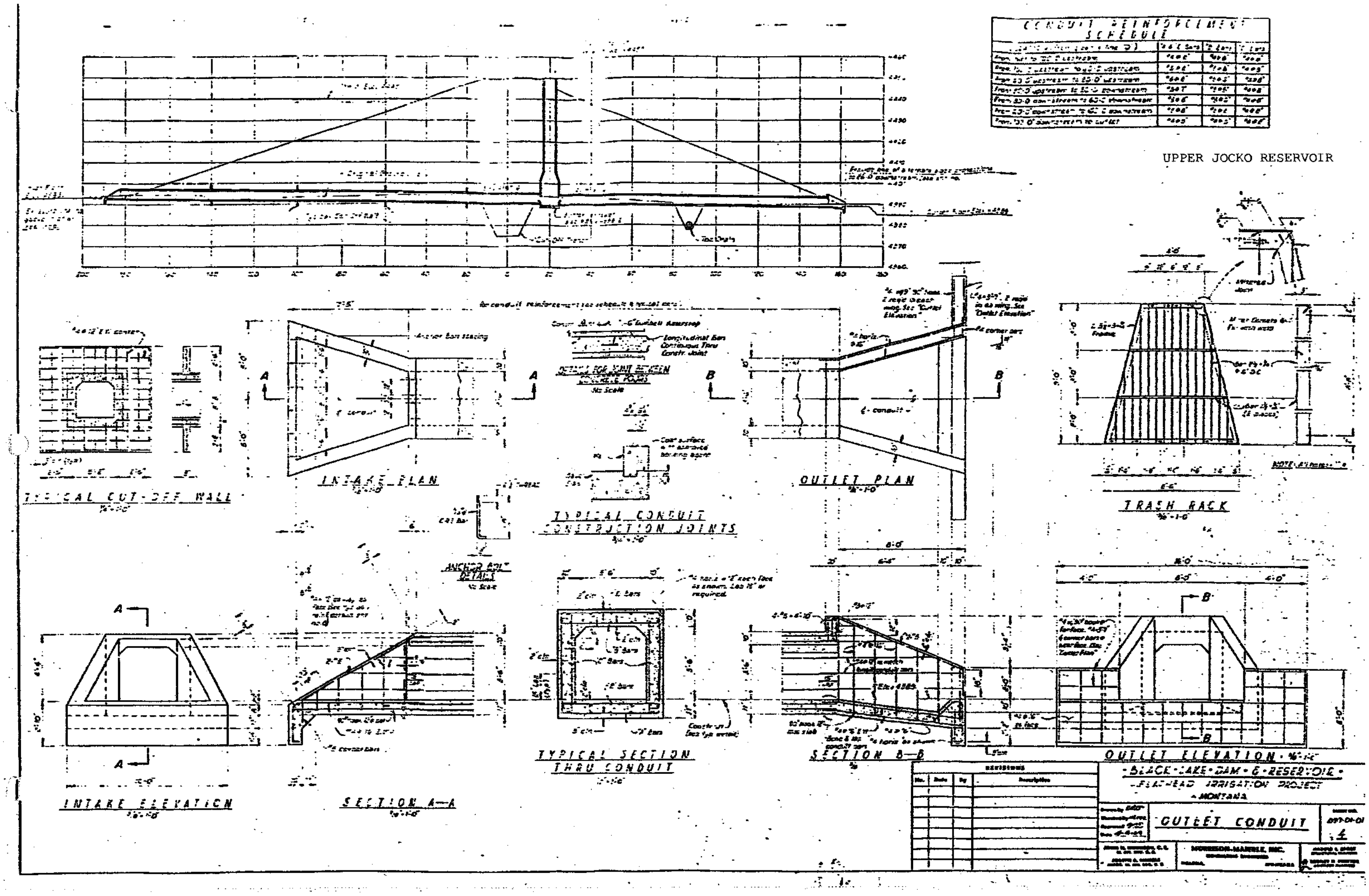
POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

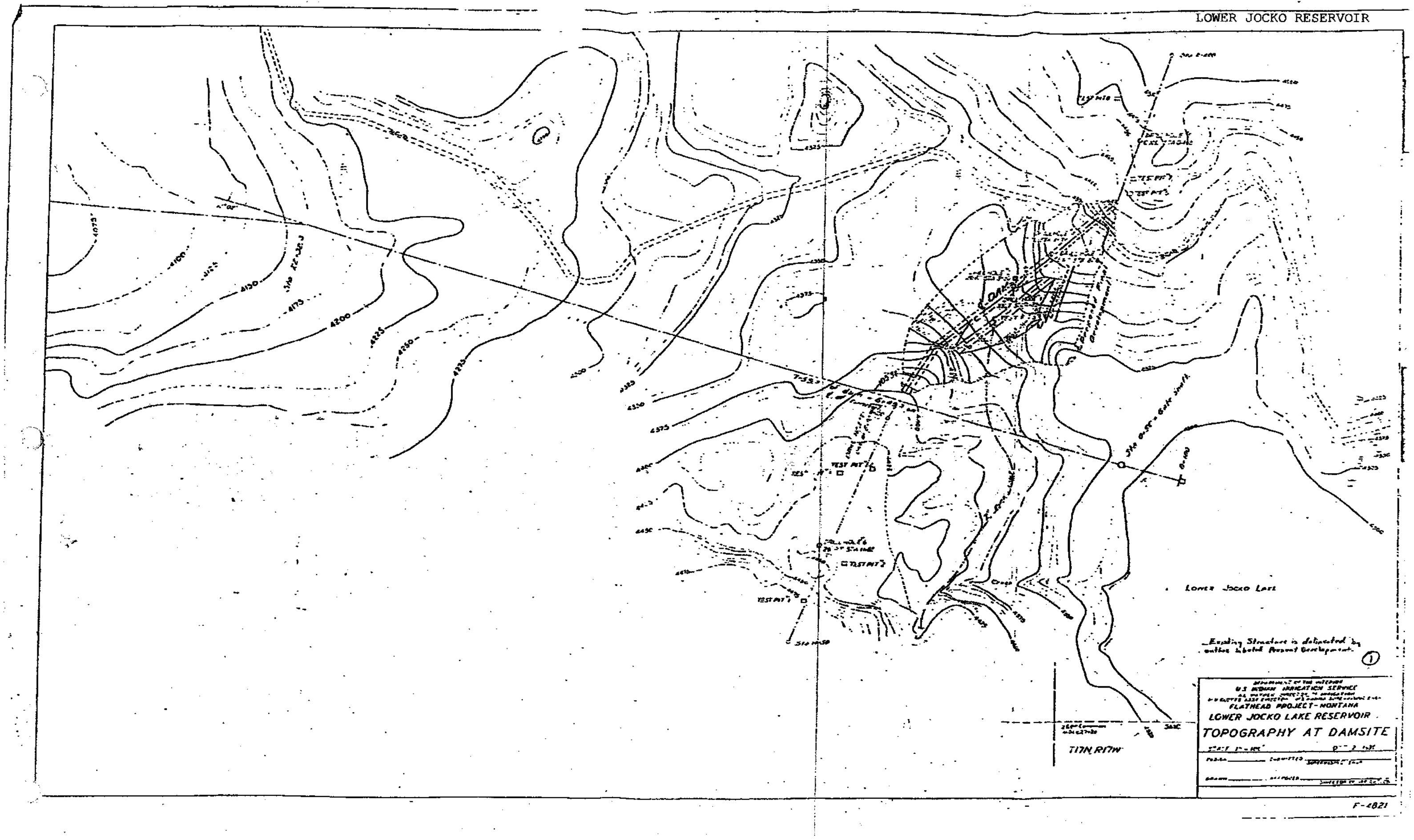
UPPER JOCKO RESERVOIR



Core #1
El. 6245.3
Sandy gravel with some silty clay lenses
Dense sand & silty sand
Silty sand with fine gravel
Upstream Toe of Dam
Upstream End
Valve Tower
TH #1
TH #2
Plug end of pipe
Downstream Toe of Dam
Lay in smooth curve at all horizontal & vertical alignment & grade changes
Outlet
Drain Outlet 0.2% grade
6" Concrete Pipe
Locate & Riprap as necessary to prevent erosion or backwater at end of pipe.
Exact location and length of Drain Outlet to be determined in the field.
PLAN
Scale 1"=30'
6" Perforated PCP
PERVIOUS DRAIN DETAIL
2'-0"
12' Roadway with 3" Crown
8" of 1" Gravel Base Course
Unclassified Embankment
1.0' Sand Gravel
2.0' Rip Rap
Original Ground
Impervious Clay Core
Excavate as required to obtain 5' min. depth (Upstream & downstream)
Upstream Blanket slopes 6% down and away from Dam at Stations 2+60 through 5+90.
5' min. Impervious Clay Blanket (Upstream)
5' min. Impervious Clay Blanket (downstream)
Bottom Elevations vary see Profile
Toe Drain with perforated 8" RCP laid with open joints with porous gravel base
Top of stripped Subgrade
TYPICAL CROSS SECTION
No Scale
Clearing line on lake perimeter, Elev. 6442.0
Profile of Top of Downstream Blanket
Top of Dam Elev. 6450.0
High Water Line Elev. 6440.0
Original Ground at Axis
Profile of Drain Pipe Invert
Profile of Top of Upstream Blanket 50' Lt.
Profile of bottom of Impervious Clay Core
PROFILE
Scale 1"=30'
End Downstream Blanket
End Upstream Blanket
End of Drain Pipe & Plug
End Clay Core
BLACK LAKE DAM & RESERVOIR
FLATHEAD IRRIGATION PROJECT
MONTANA
REVISIONS
DETAILS of DAM
MORRISON-MAIERLE, INC.

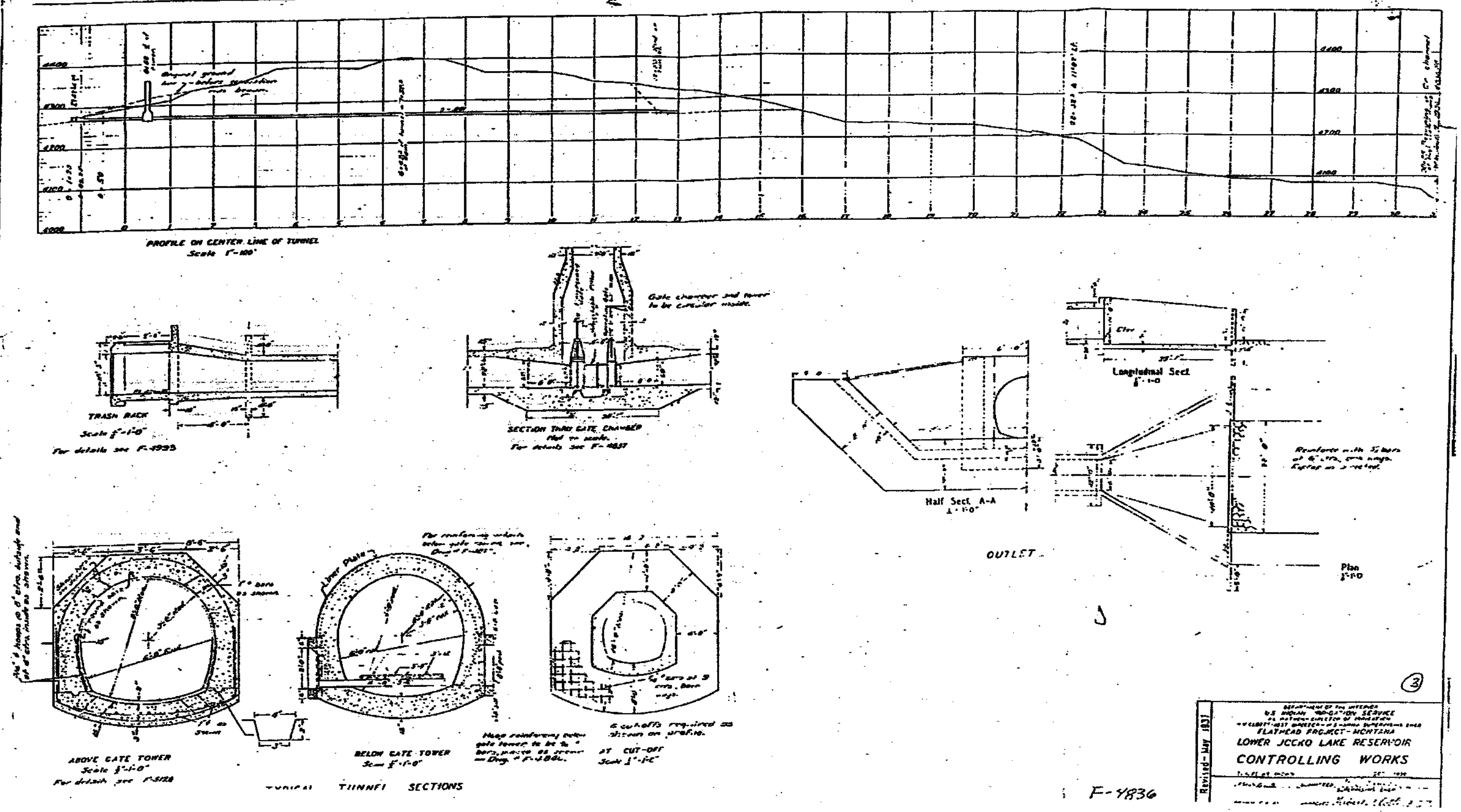
UPPER JOCKO RESERVOIR


CONDUIT REINFORCEMENT SCHEDULE
Tooth Drain
INTAKE PLAN
OUTLET PLAN
TRASH RACK
TYPICAL CUT-OFF WALL
DETAILS FOR JOINT BETWEEN
TYPICAL CONDUIT CONSTRUCTION JOINTS
ANCHOR BOLT DETAILS
INTAKE ELEVATION
SECTION A—A
TYPICAL SECTION THRU CONDUIT
SECTION B—B
OUTLET ELEVATION
REVISIONS
No.
Date
By
Description
BLACK LAKE DAM & RESERVOIR
FLATHEAD IRRIGATION PROJECT
MONTANA
OUTLET CONDUIT
4
MORRISON-MAIERLE, INC.


Lower Jocko Lake
Existing Structure is delineated by outline labeled Present Development.
①
T17N, R17W
Test Pit
4200
4225
4250
4275
4300
4325
4350
4375

DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER JOCKO LAKE RESERVOIR
TOPOGRAPHY AT DAMSITE

F-4821

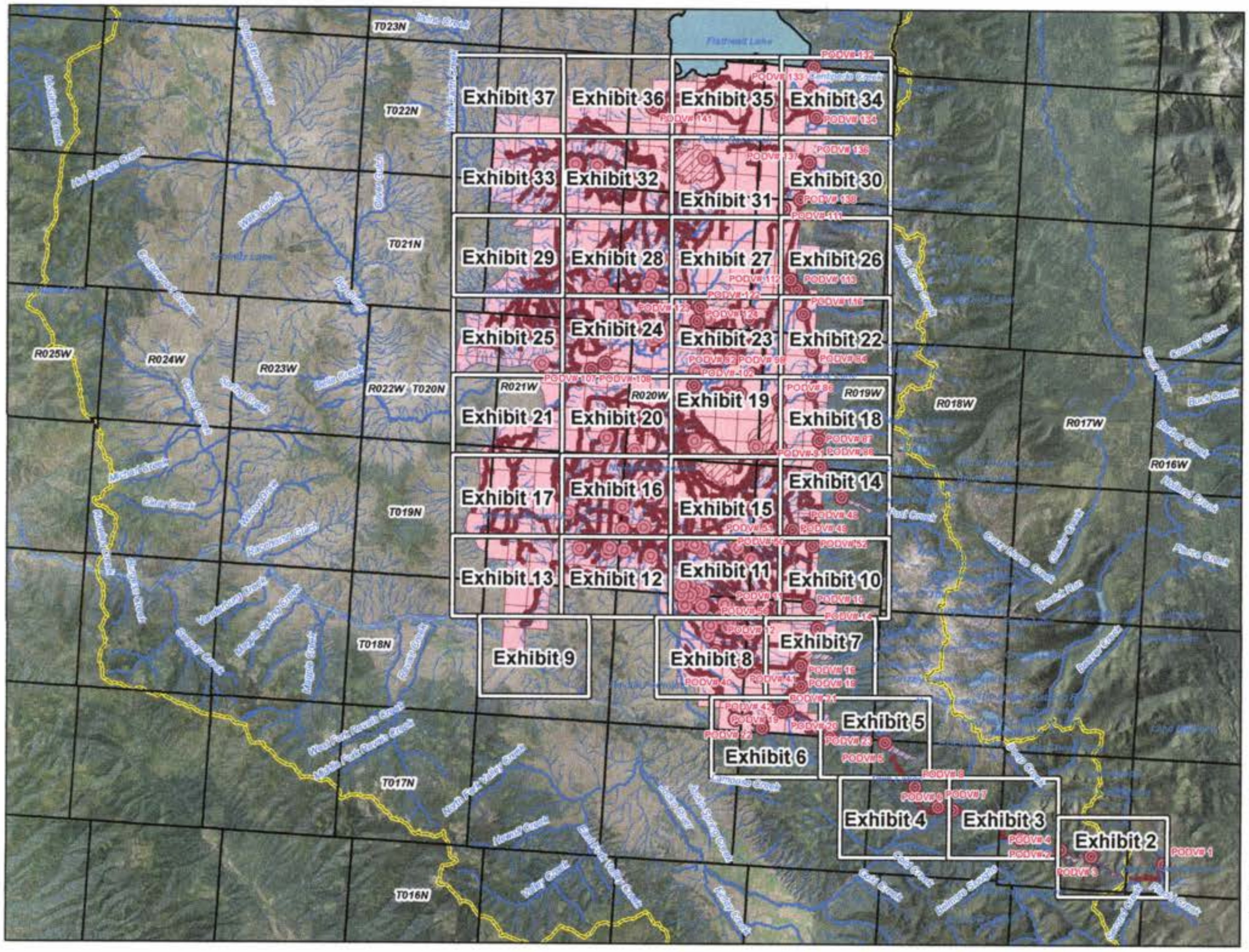

PROFILE ON CENTER LINE OF TUNNEL
Scale 1"-100'
TRASH RACK
Scale ¼"-1'-0"
For details see F-4933
SECTION THRU GATE CHAMBER
Not to scale.
For details see F-4837
Gate chamber and tower to be circular inside.
Half Sect. A-A
Longitudinal Sect.
OUTLET
Plan
Reinforce with ⅝ bars at 6" ctrs. ... ways.
Liner Plate
For reinforcing ... below gate tower, see Dwg. F-...
Hoop reinforcing below gate tower to be ... bars, ... as shown on Dwg. F-4841.
6 cutoffs required as shown on profile.
ABOVE GATE TOWER
Scale ¼"-1'-0"
For details see F-5128
BELOW GATE TOWER
Scale ¼"-1'-0"
AT CUT-OFF
Scale ¼"-1'-0"
TYPICAL TUNNEL SECTIONS
6'-0" Cut.
4400
4300
4200
4100
4000

③

Revised - May 1937

DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER JOCKO LAKE RESERVOIR
CONTROLLING WORKS

F-4836


Flathead Lake
Exhibit 37
Exhibit 36
Exhibit 35
Exhibit 34
Exhibit 33
Exhibit 32
Exhibit 31
Exhibit 30
Exhibit 29
Exhibit 28
Exhibit 27
Exhibit 26
Exhibit 25
Exhibit 24
Exhibit 23
Exhibit 22
Exhibit 21
Exhibit 20
Exhibit 19
Exhibit 18
Exhibit 17
Exhibit 16
Exhibit 15
Exhibit 14
Exhibit 13
Exhibit 12
Exhibit 11
Exhibit 10
Exhibit 9
Exhibit 8
Exhibit 7
Exhibit 6
Exhibit 5
Exhibit 4
Exhibit 3
Exhibit 2
T023N
T022N
T021N
T020N
T019N
T018N
T017N
T016N
R025W
R024W
R023W
R022W
R021W
R020W
R019W
R018W
R017W
R016W
PODV# 1
PODV# 2
PODV# 3
PODV# 4
PODV# 5
PODV# 6
PODV# 7
PODV# 8
PODV# 132
PODV# 133
PODV# 134
PODV# 141

Place of Use and Point of Diversion

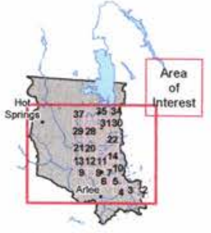
FIIP

Water Use

76L

30052932

Exhibit 1


Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
5
4
3
2

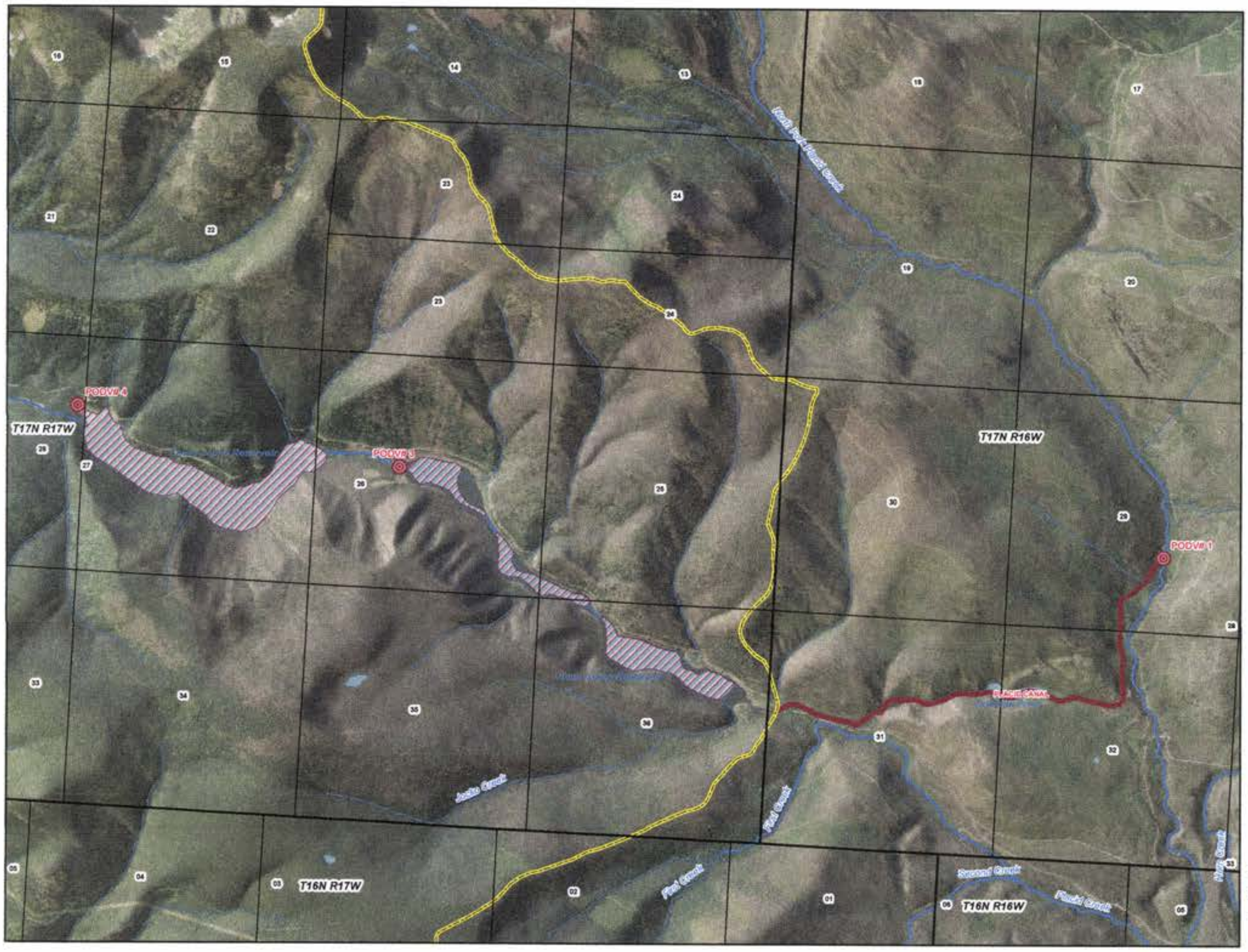
Flathead Indian Reservation

Legend

🟥 Place of Use
◉ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
▬ Ditch or Pipeline
▨ Reservoir

0 2.5 5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)



PODV# 4
PODV# 3
PODV# 1
T17N R17W
T17N R16W
T16N R17W
T16N R16W
PLACID CANAL
North Fork Placid Creek
Jocko Creek
First Creek
Second Creek
Placid Creek
16
15
14
13
18
17
21
22
23
24
19
20
28
27
26
25
30
29
33
34
35
36
31
32
05
04
03
02
01
06

Place of Use and Point of Diversion

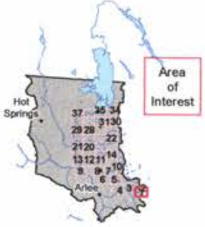
FIIP

Water Use

76L

30052932

Exhibit 2



Area of Interest
Hot Springs
Arlee

Flathead Indian Reservation

Legend

▭ Place of Use

◎ Primary Point(s) of Diversion

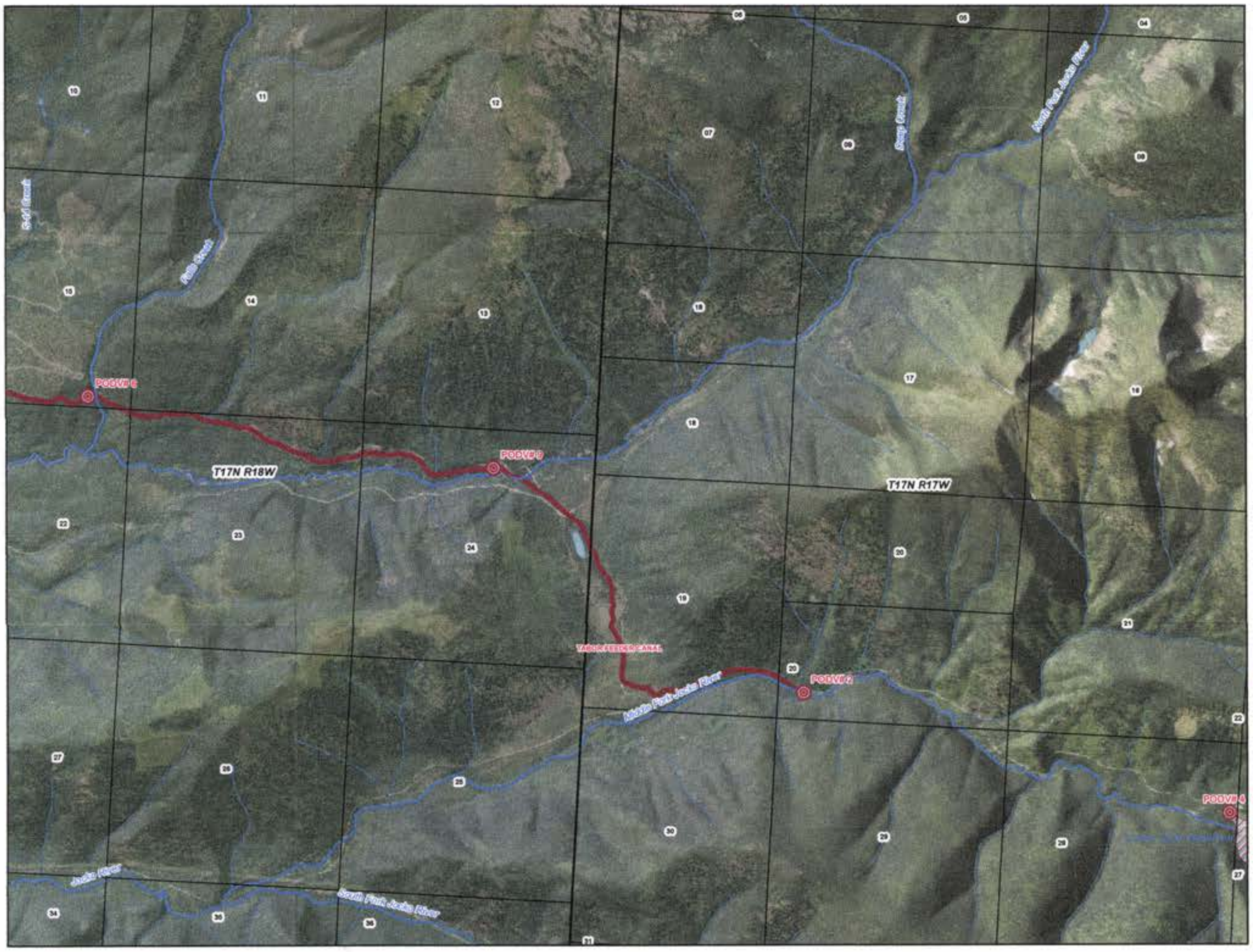
◎ Secondary Point(s) of Diversion

▬ Ditch or Pipeline

▨ Reservoir

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

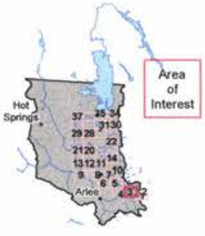

PODV# 6
PODV# 9
PODV# 2
PODV# 4
T17N R18W
T17N R17W
TABOR FEEDER CANAL
Middle Fork Jocko River
South Fork Jocko River
Jocko River
North Fork Jocko River

Place of Use and Point of Diversion

FIIP

Water Use

76L
30052932
Exhibit 3


Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5

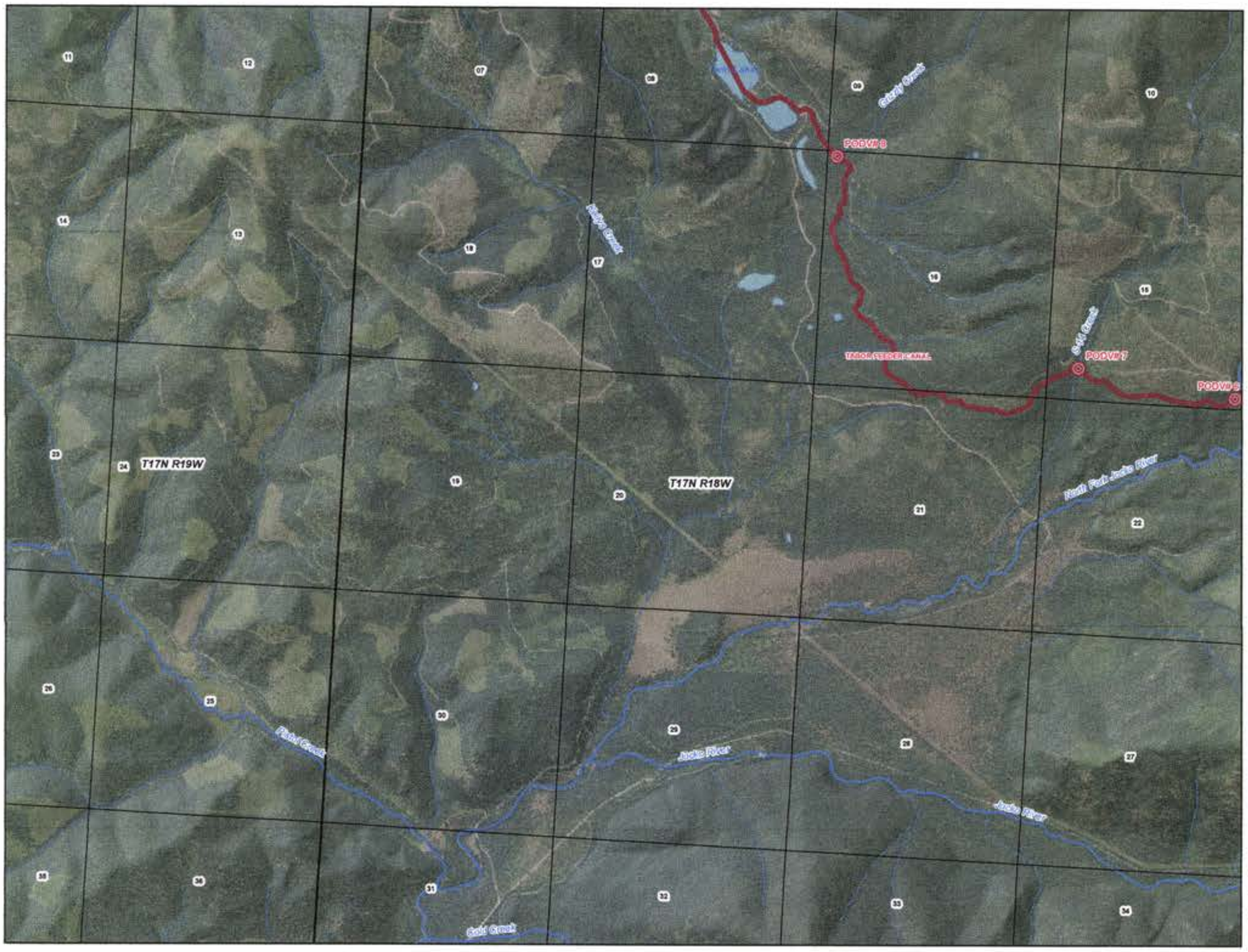
Flathead Indian Reservation

Legend

- ▨ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


11
12
07
08
09
Grizzly Creek
10
PODV# 8
14
13
18
17
16
15
TABOR FEEDER CANAL
PODV# 7
PODV# 6
23
24
T17N R19W
19
20
T17N R18W
21
North Fork Jocko River
22
26
25
30
29
Jocko River
28
27
Jocko River
35
36
31
Gold Creek
32
33
34

Place of Use and Point of Diversion *FIIP* *Water Use*

76L

30052932

Exhibit 4

Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
9
7
6
5
4
3
2

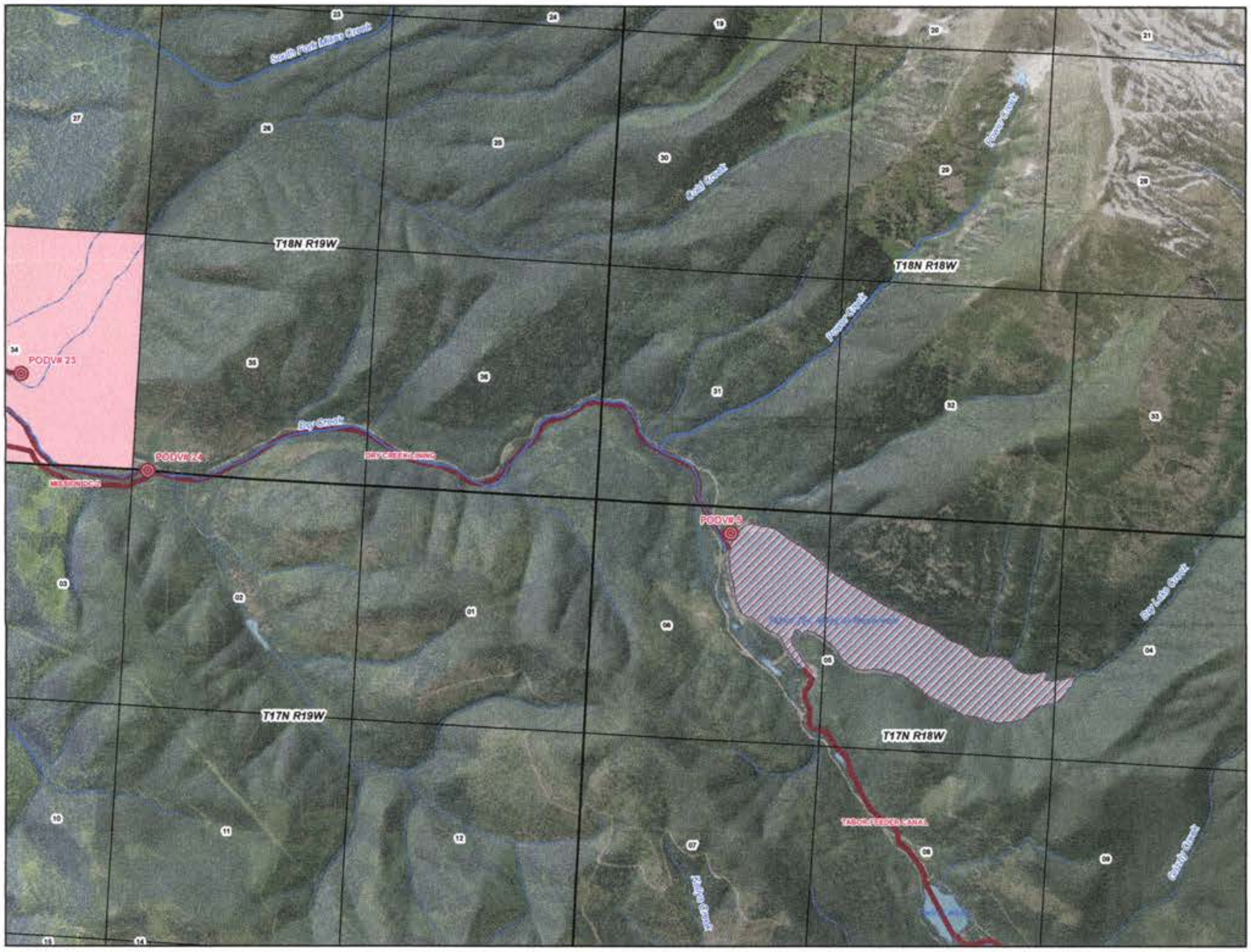
Flathead Indian Reservation

Legend

🟥 Place of Use
◎ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
▬ Ditch or Pipeline
▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


23
24
19
20
21
27
26
25
30
Cold Creek
Power Creek
29
28
T18N R19W
T18N R18W
34
PODV# 23
35
36
31
32
33
Dry Creek
PODV# 24
DRY CREEK LINING
PODV# 5
03
02
01
06
05
04
Dry Lake Creek
T17N R19W
T17N R18W
10
11
12
07
08
09
TABOR FEEDER CANAL
Grizzly Creek
15
14

Place of Use and Point of Diversion *FIIP Water Use* 76L 30052932 Exhibit 5

Hot Springs
37
35
34
31
30
29
28
22
21
20
14
13
12
11
8
9
7
10
6
5
4
3
2
Arlee
Area of Interest

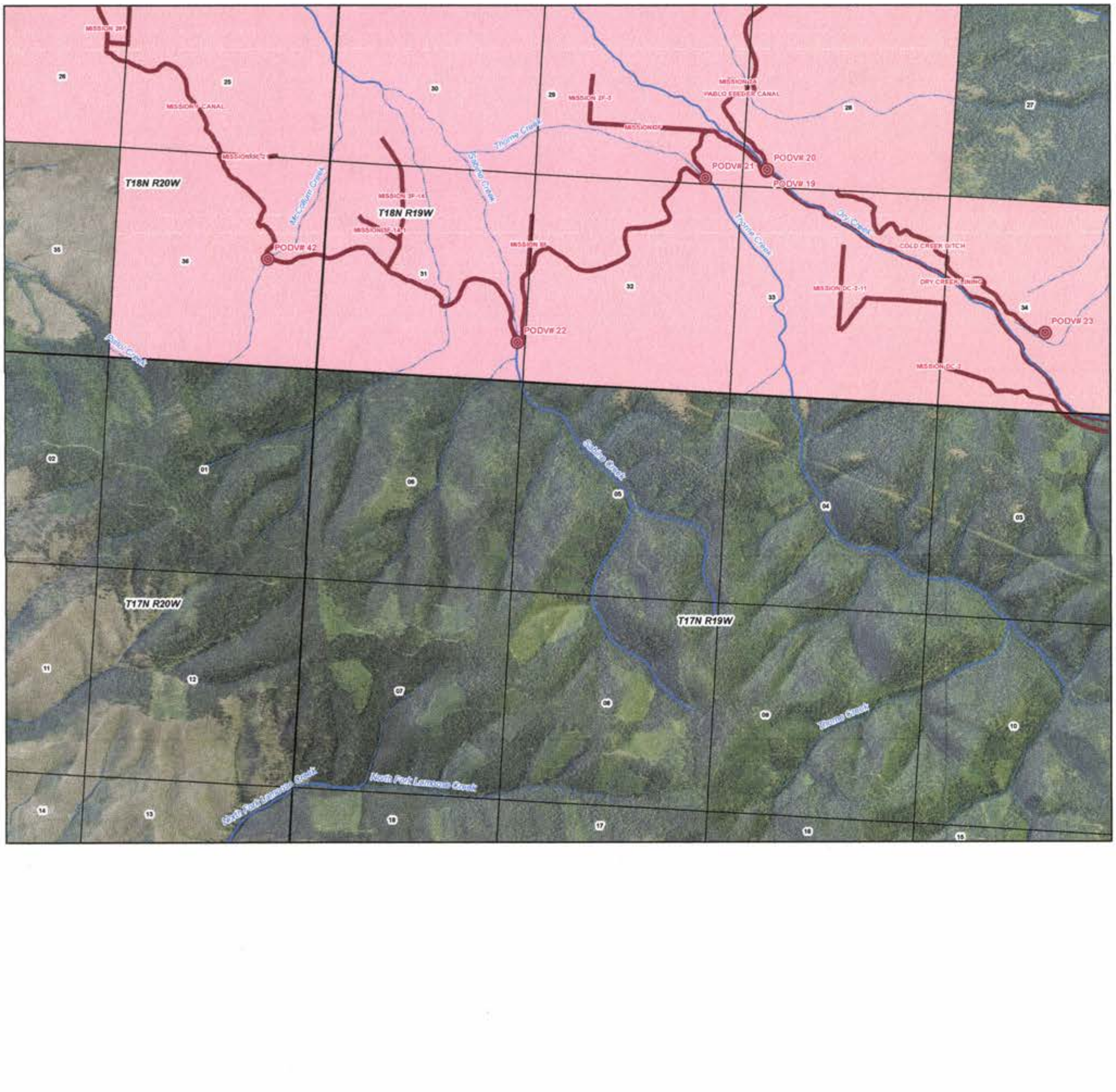
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
━	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


MISSION 2B7
MISSION CANAL
MISSION 2C
T18N R20W
McCollum Creek
PODV# 42
MISSION 3F-14
T18N R19W
MISSION 3F-14-1
Thorne Creek
Sabine Creek
MISSION 3B
PODV# 22
MISSION 2F-3
MISSION 2F
MISSION 2A
PABLO FEEDER CANAL
PODV# 21
PODV# 20
PODV# 19
Dry Creek
Thorne Creek
COLD CREEK DITCH
MISSION DC-2-11
DRY CREEK LINING
PODV# 23
MISSION DC-2
Pistol Creek
Sabine Creek
T17N R20W
T17N R19W
Thorne Creek
North Fork Lamoose Creek
26
25
30
29
28
27
35
36
31
32
33
34
02
01
06
05
04
03
11
12
07
08
09
10
14
13
18
17
16
15

Place of Use and Point of Diversion

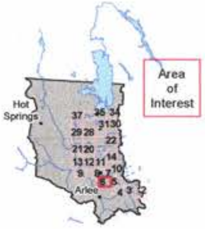
FIIP

Water Use

76L

30052932

Exhibit 6


Hot Springs
Arlee
Area of Interest
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
7
5
4
3
2

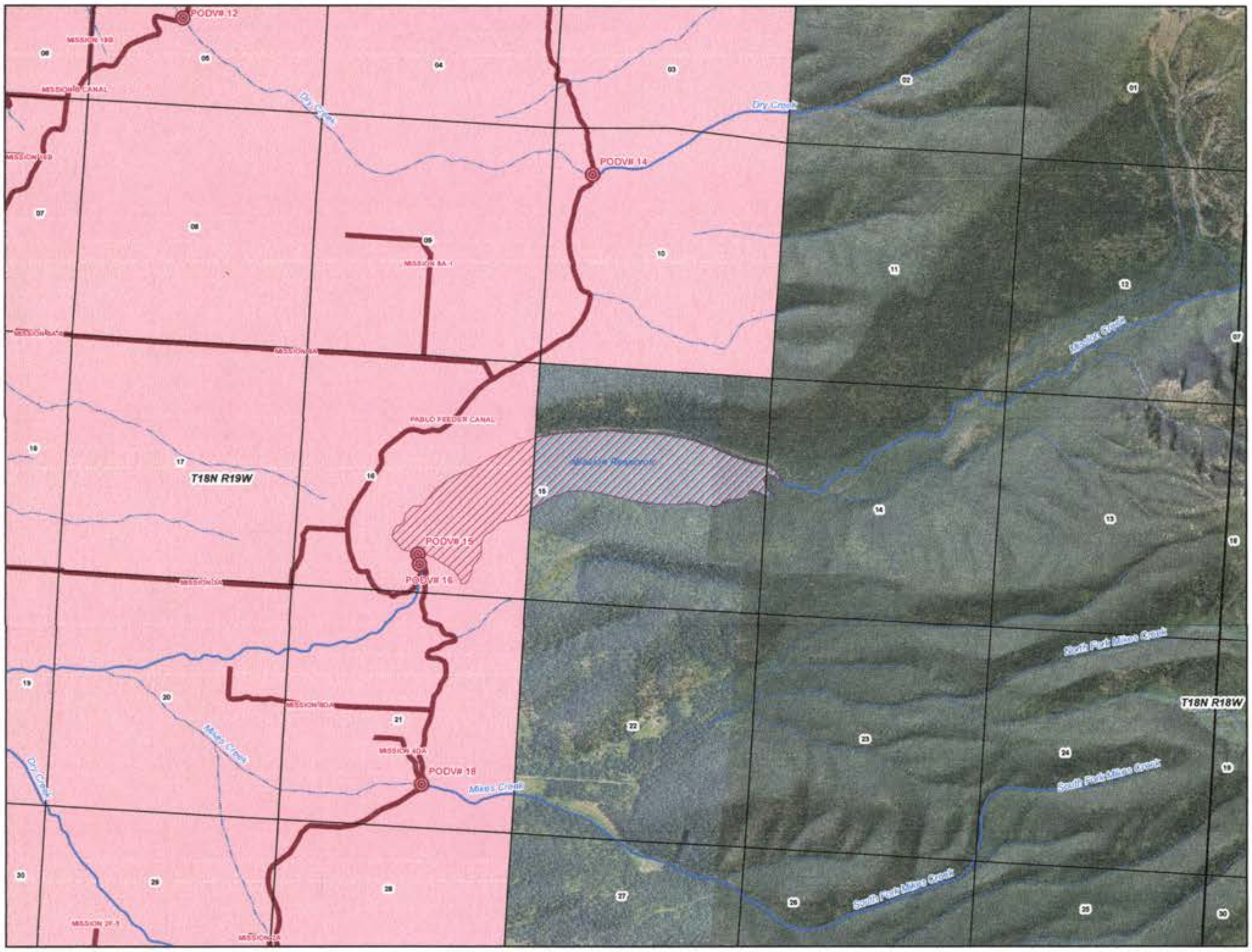
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PODV# 12
MISSION 19B
06
05
04
03
02
01
MISSION 8 CANAL
Dry Creek
Dry Creek
PODV# 14
MISSION 16B
07
08
09
MISSION 8A-1
10
11
12
MISSION 8A
Mission Creek
PABLO FEEDER CANAL
18
17
T18N R19W
16
Mission Reservoir
15
14
13
PODV# 15
PODV# 16
MISSION 10A
North Fork Mikes Creek
T18N R18W
19
20
MISSION 8DA
21
22
23
24
MISSION 4DA
PODV# 18
Mikes Creek
Mikes Creek
South Fork Mikes Creek
Dry Creek
30
29
28
27
26
25
MISSION 2F-1
MISSION 2A

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052932

Exhibit 7

Area of Interest
Hot Springs
Arlee
37
45
34
29
28
31
30
22
21
20
13
12
11
14
9
10
6
5
4
3
2
1

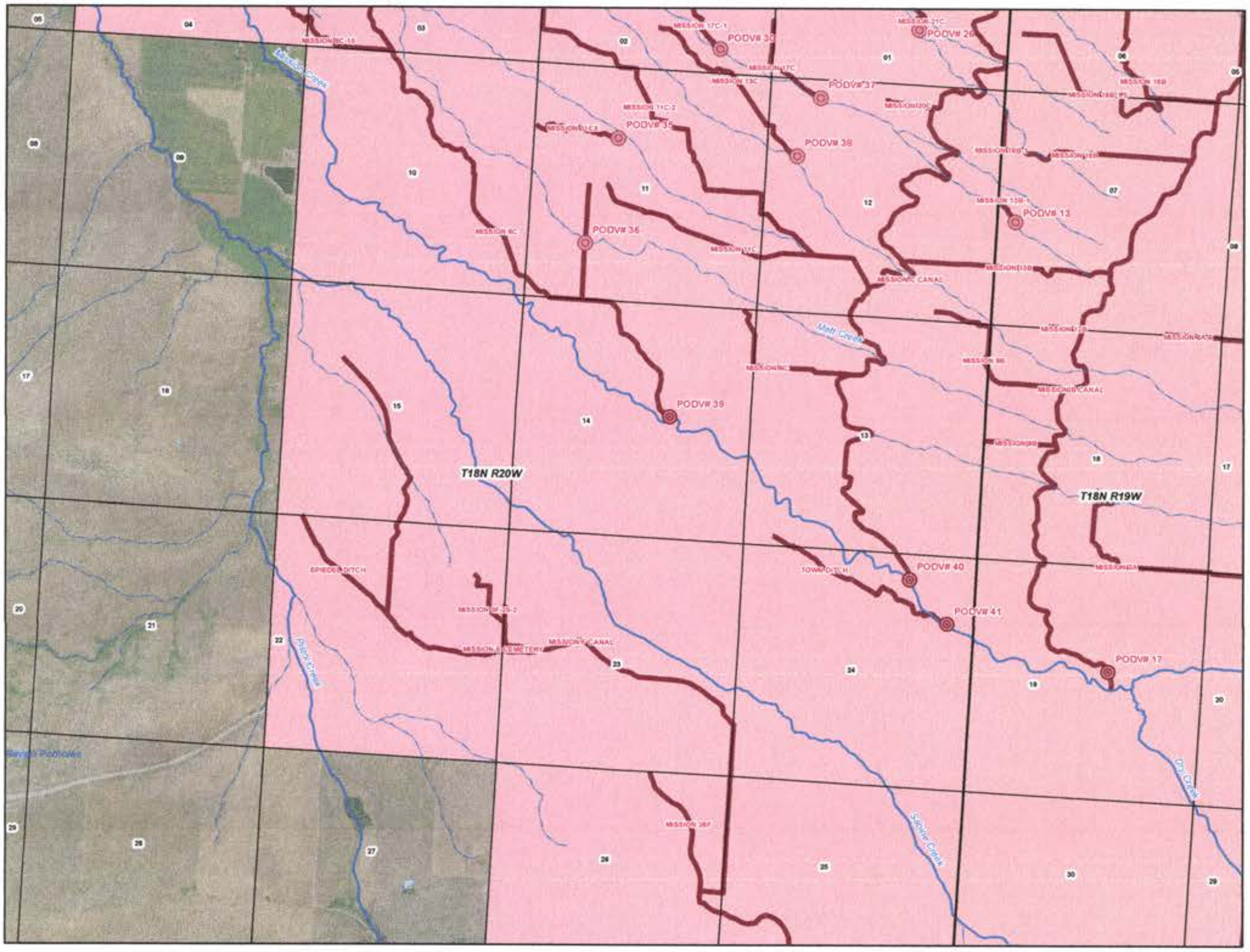
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


MISSION 17C-1
PODV# 30
MISSION 21C
PODV# 26
MISSION 8C-15
Mission Creek
MISSION 13C
MISSION 17C
PODV# 37
MISSION 20C
MISSION 19B
MISSION 11C-2
MISSION 11C
PODV# 35
PODV# 38
MISSION 16B
MISSION 13B-1
PODV# 13
MISSION 8C
PODV# 36
MISSION 11C
MISSION C CANAL
MISSION 13B
Mett Creek
MISSION 8B
MISSION B CANAL
PODV# 39
T18N R20W
T18N R19W
TOWN DITCH
PODV# 40
PODV# 41
PODV# 17
SPIEDEL DITCH
MISSION 3F-2S-2
MISSION CEMETERY
MISSION A CANAL
Post Creek
Sabine Creek
Dry Creek
MISSION 26F
Sevenh Potholes

Place of Use and Point of Diversion

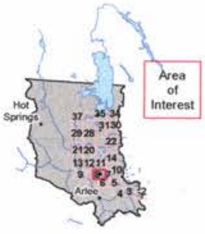
FIIP

Water Use

76L

30052932

Exhibit 8


Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
13
12
11
14
10
9
8
7
6
5
4
3
2

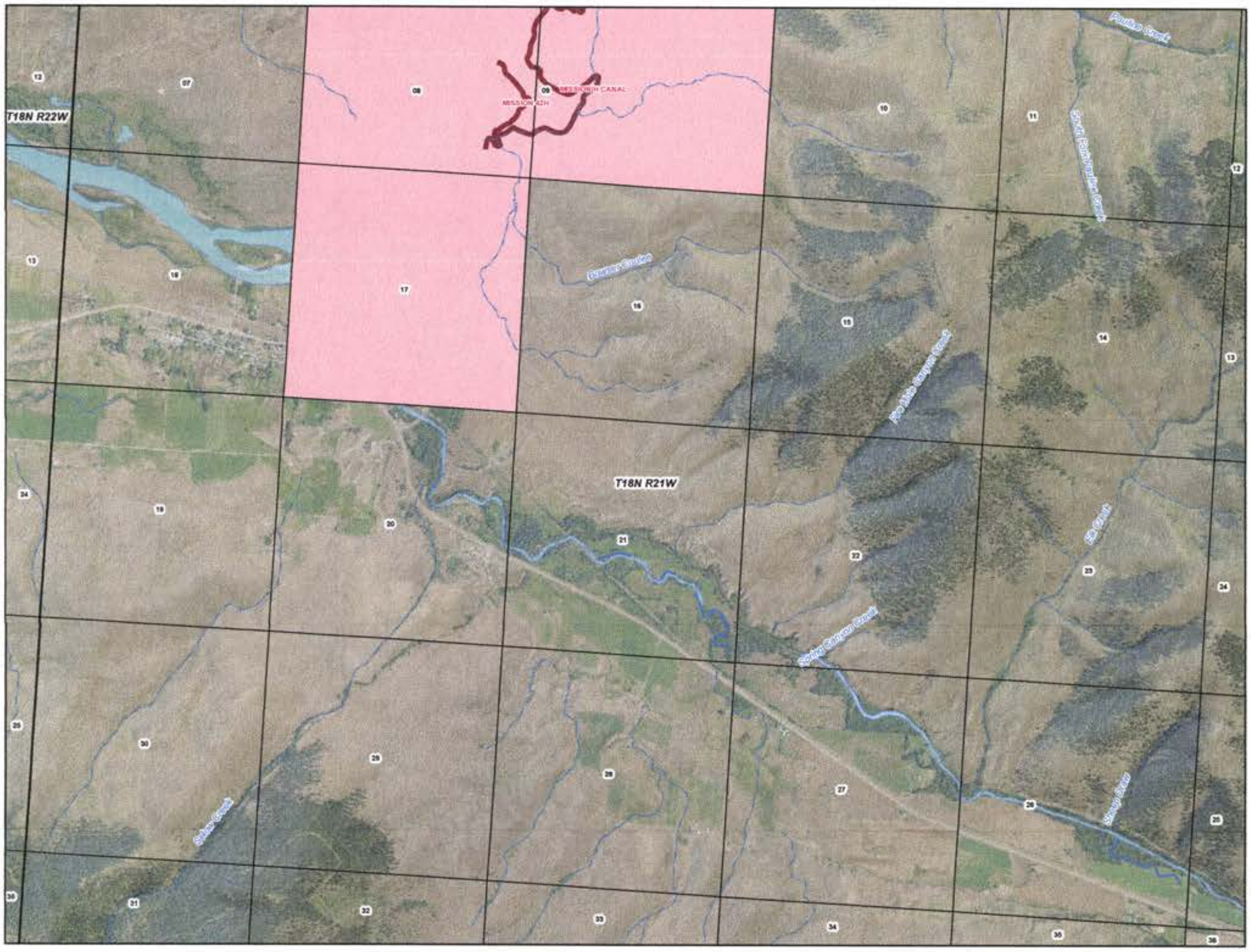
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R22W
T18N R21W
MISSION 42H
MISSION 8H CANAL
Spring Canyon Creek
Elk Creek
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052932

Exhibit 9

Area of Interest
Hot Springs
Arlee
37
35
34
28
29
31
30
22
21
20
13
12
11
14
9
7
10
6
5
4
3
2

Flathead Indian Reservation

Legend

🟥 Place of Use

◎ Primary Point(s) of Diversion

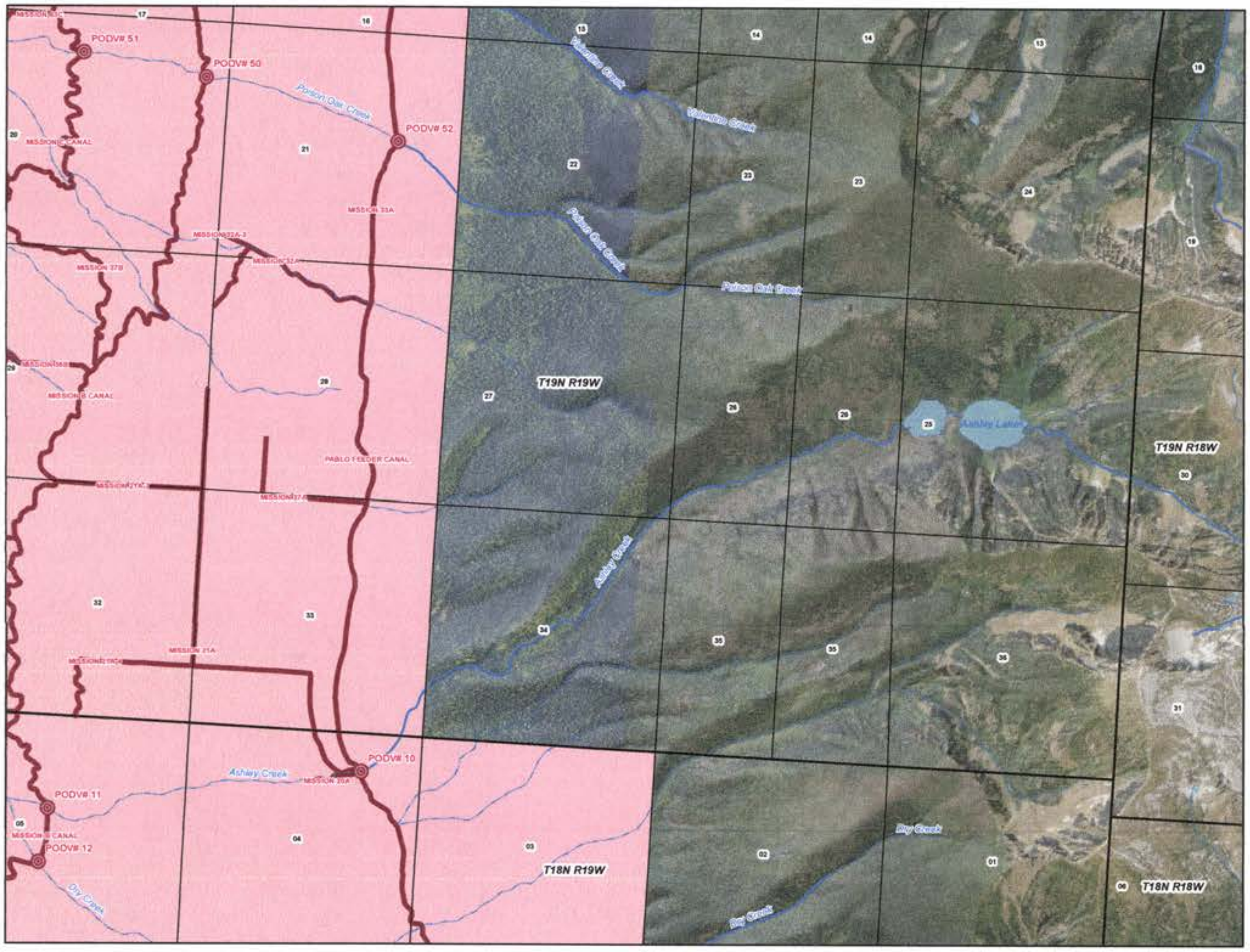
◎ Secondary Point(s) of Diversion

▬ Ditch or Pipeline

▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


MISSION 35C
17
16
PODV# 51
PODV# 50
Poison Oak Creek
PODV# 52
20
MISSION C CANAL
21
MISSION 33A
MISSION 32A-2
MISSION 32A
MISSION 37B
29
MISSION 8 CANAL
28
PABLO FEEDER CANAL
MISSION 27A
MISSION 21A
32
33
PODV# 10
Ashley Creek
MISSION 20A
PODV# 11
05
MISSION 8 CANAL
PODV# 12
Dry Creek
04
03
T18N R19W
15
14
14
13
18
Valentine Creek
Valentine Creek
22
23
23
24
Poison Oak Creek
Poison Oak Creek
19
T19N R19W
27
26
26
25
Ashley Lakes
T19N R18W
30
Ashley Creek
34
35
35
36
31
02
01
Dry Creek
Dry Creek
06
T18N R18W

Place of Use and Point of Diversion

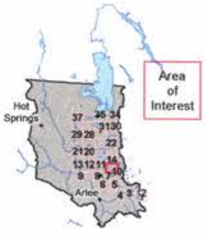
FIIP

Water Use

76L

30052932

Exhibit 10


Area of Interest
Hot Springs
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
Arlee
4
3
2

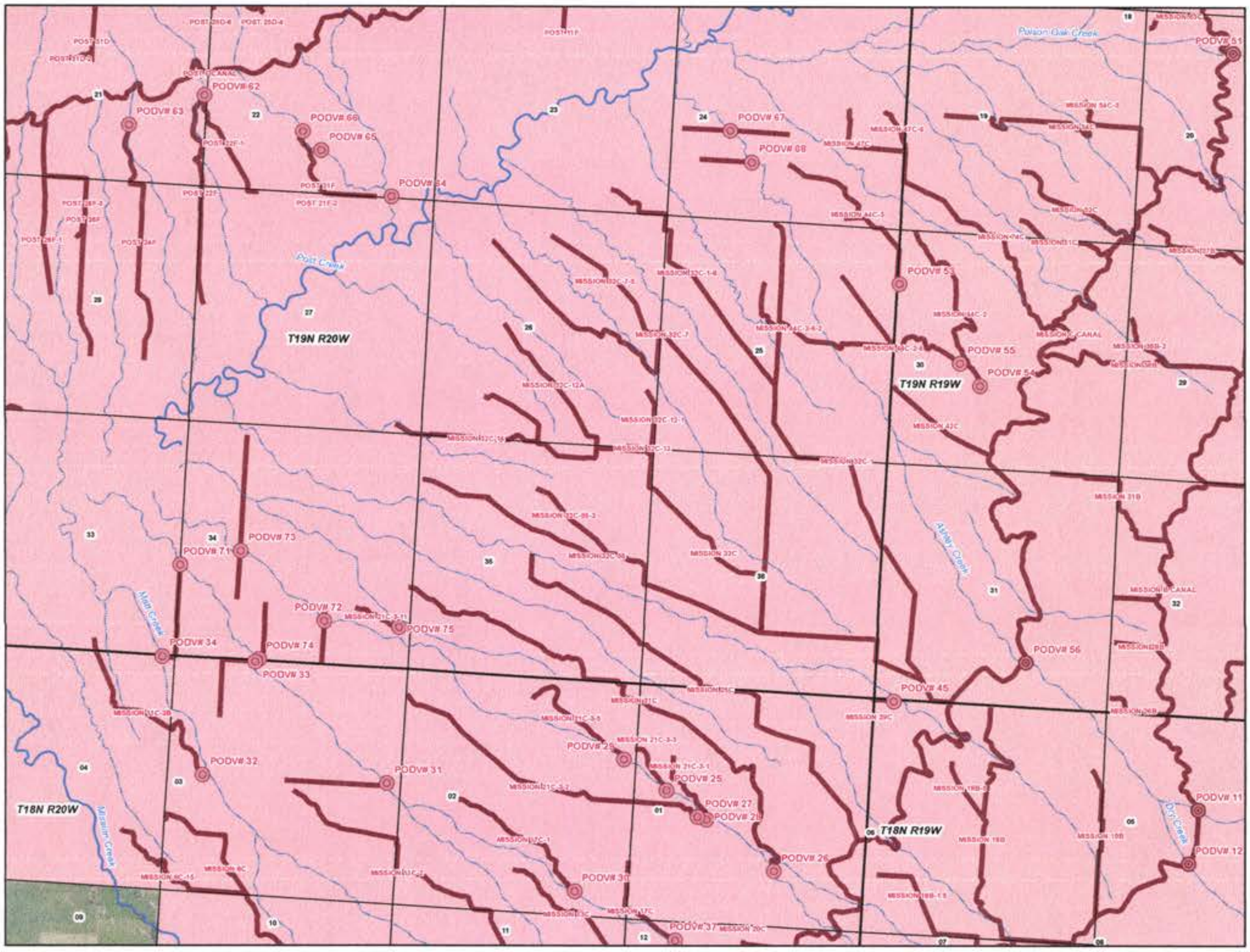
Flathead Indian Reservation

Legend

- ▭ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R20W
T19N R19W
T18N R20W
T18N R19W
Post Creek
Mission Creek
Mud Creek
Ashley Creek
Dry Creek
Poison Oak Creek
PODV# 62
PODV# 63
PODV# 64
PODV# 65
PODV# 66
PODV# 67
PODV# 68
PODV# 51
PODV# 53
PODV# 54
PODV# 55
PODV# 56
PODV# 45
PODV# 71
PODV# 72
PODV# 73
PODV# 74
PODV# 75
PODV# 34
PODV# 33
PODV# 32
PODV# 31
PODV# 30
PODV# 29
PODV# 25
PODV# 26
PODV# 27
PODV# 28
PODV# 37
PODV# 11
PODV# 12

Place of Use and Point of Diversion

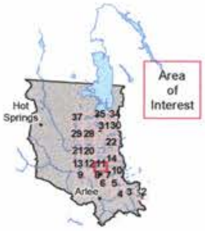
FIIP

Water Use

76L

30052932

Exhibit 11


Area of Interest
Hot Springs
Arlee
37
25
34
3130
29
28
22
21
20
13
12
11
14
9
8
7
10
6
5
4
3
2

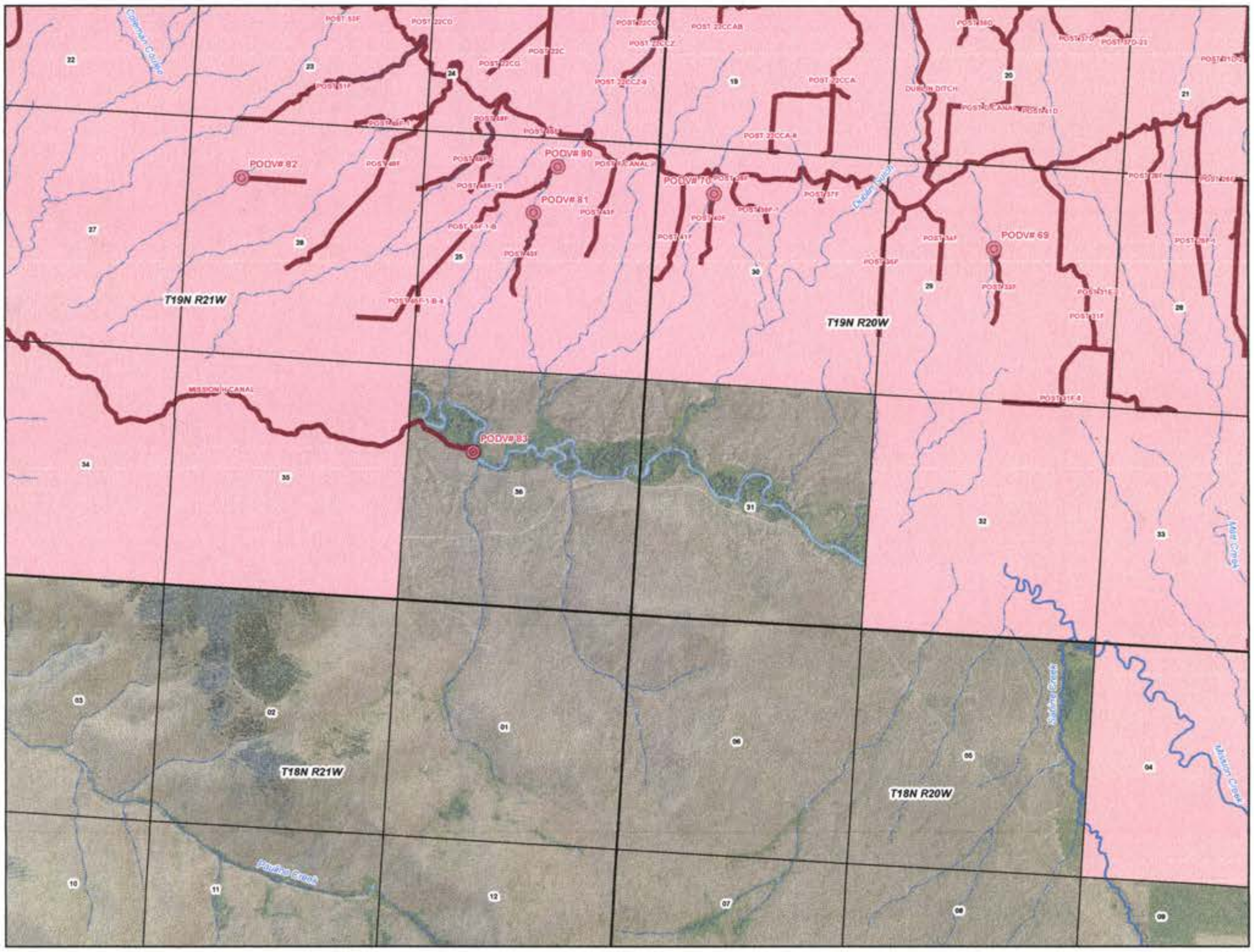
Flathead Indian Reservation

Legend

▨	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POST 53F
POST 22CD
POST 22CO
POST 22CCZ
POST 22CCAB
POST 22C
POST 22CG
POST 22CCZ-B
POST 22CCA
POST 22CCA-B
POST 51F
POST 49F
POST 48F
POST 45F
PODV# 82
PODV# 90
PODV# 81
PODV# 70
PODV# 69
PODV# 83
POST 48F-12
POST 48F-1-B
POST 48F-1-B-4
POST 43F
POST 40F
POST 41F
POST 37F
POST 34F
POST 36F
POST 33F
POST 31E
POST 31F
POST 31F-8
POST 28F
POST 26F-1
POST 38D
POST 37D
POST 37D-21
POST 21D
DUBLIN DITCH
MISSION CANAL
Dublin Gulch
Coleman Coulee
Mill Creek
Mission Creek
Sullivan Creek
Post Creek
T19N R21W
T19N R20W
T18N R21W
T18N R20W
22
23
24
19
20
21
27
26
25
30
29
28
34
35
36
31
32
33
03
02
01
06
05
04
10
11
12
07
08
09

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052932

Exhibit 12

Area of Interest
Hot Springs
Arlee
37
35
34
29
28
31
30
21
20
22
13
12
11
14
9
8
7
10
6
5
4
3
2

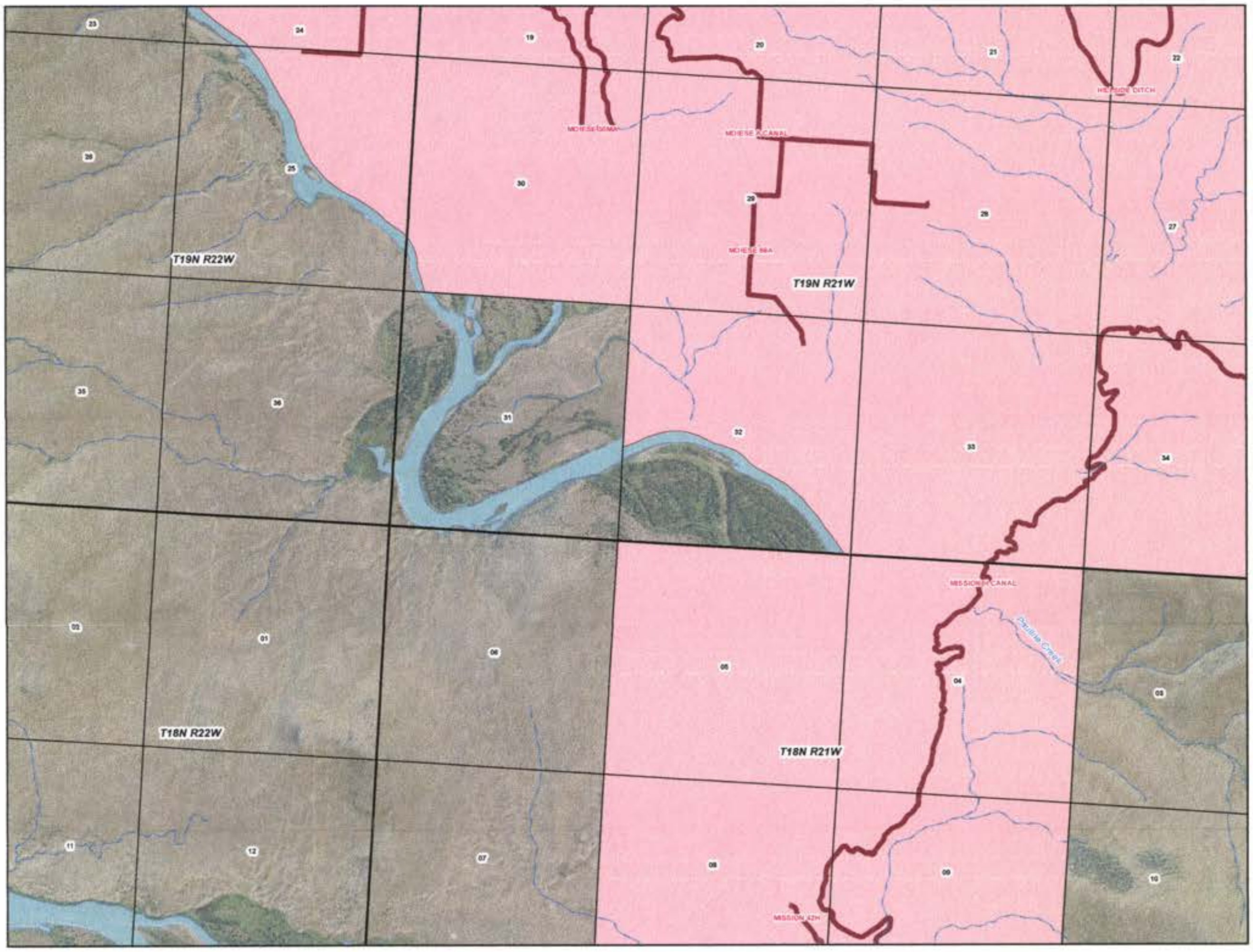
Flathead Indian Reservation

Legend

▨	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


23
24
19
20
21
22
36
25
30
29
28
27
T19N R22W
T19N R21W
HILLSIDE DITCH
MCHESE A CANAL
MCHESE 88A
35
36
31
32
33
34
02
01
06
05
04
03
T18N R22W
T18N R21W
MISSION CANAL
Pauline Creek
11
12
07
08
09
10
MISSION 42H

Place of Use
and Point of
Diversion
FIIP
Water Use
76L
30052932
Exhibit 13

Area
of
Interest
Hot
Springs
Arlee
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
4
3
2

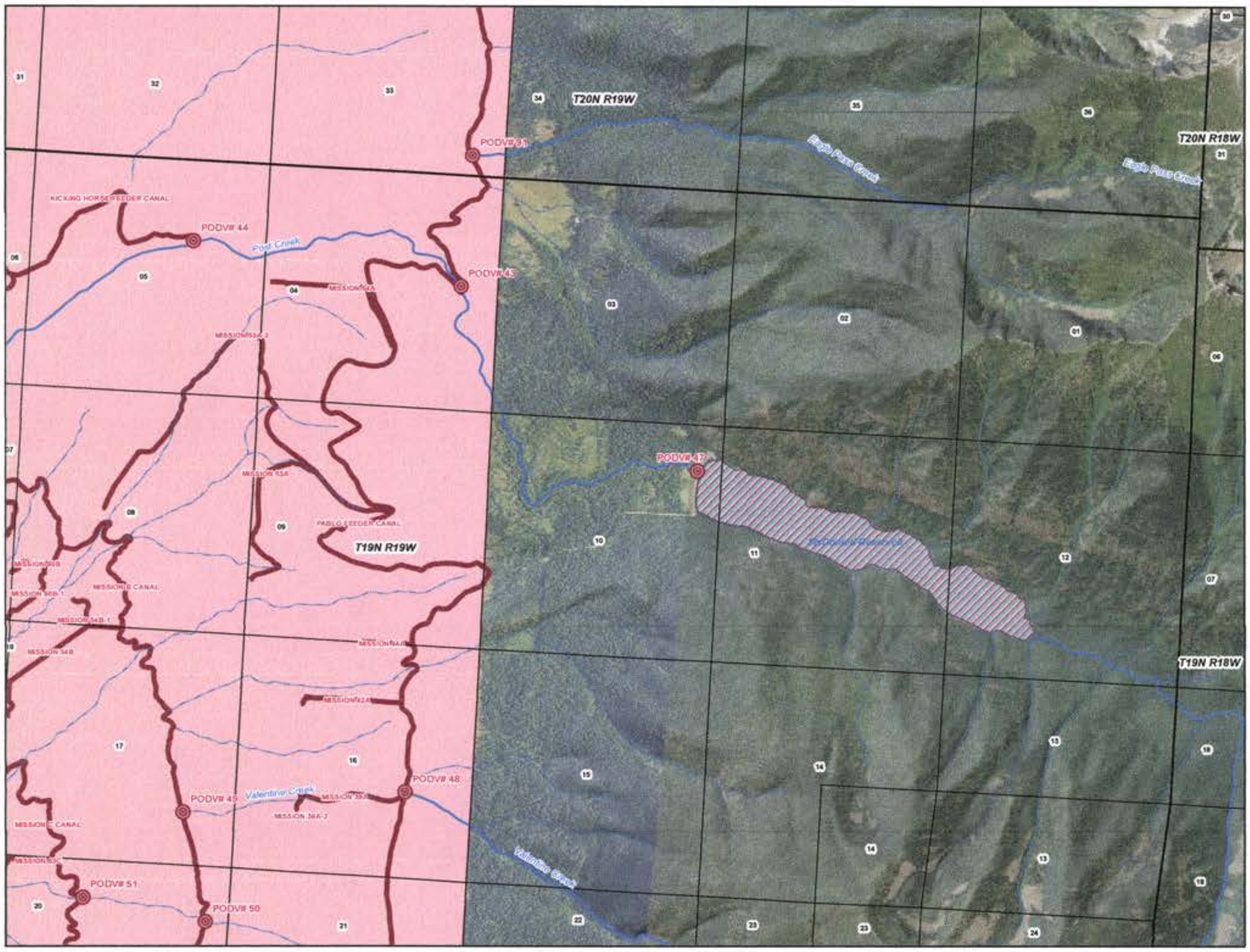
Flathead Indian Reservation

Legend

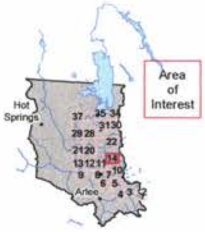
- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ━ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


31
32
33
34
T20N R19W
35
36
30
T20N R18W
31
PODV# 91
Eagle Pass Creek
Eagle Pass Creek
KICKING HORSE FEEDER CANAL
PODV# 44
Post Creek
06
05
PODV# 43
04
MISSION 56A
MISSION 55A-2
03
02
01
06
07
MISSION 53A
PODV# 47
08
09
PABLO FEEDER CANAL
T19N R19W
10
11
12
07
MISSION 56B
MISSION 56B-1
MISSION B CANAL
MISSION 54B-1
MISSION 54B
MISSION 54A
T19N R18W
MISSION 42A
17
16
15
14
13
18
PODV# 48
PODV# 45
Valentine Creek
MISSION 39A
MISSION 39A-2
MISSION C CANAL
MISSION 53C
14
13
19
PODV# 51
20
PODV# 50
21
Valentine Creek
22
23
23
24

Place of Use
and Point of
Diversion
FIIP
Water Use
76L
30052932
Exhibit 14


Area
of
Interest
Hot
Springs
37
35
34
29
28
31
30
22
21
20
13
12
11
14
9
8
7
10
6
5
Arlee
4
3
2

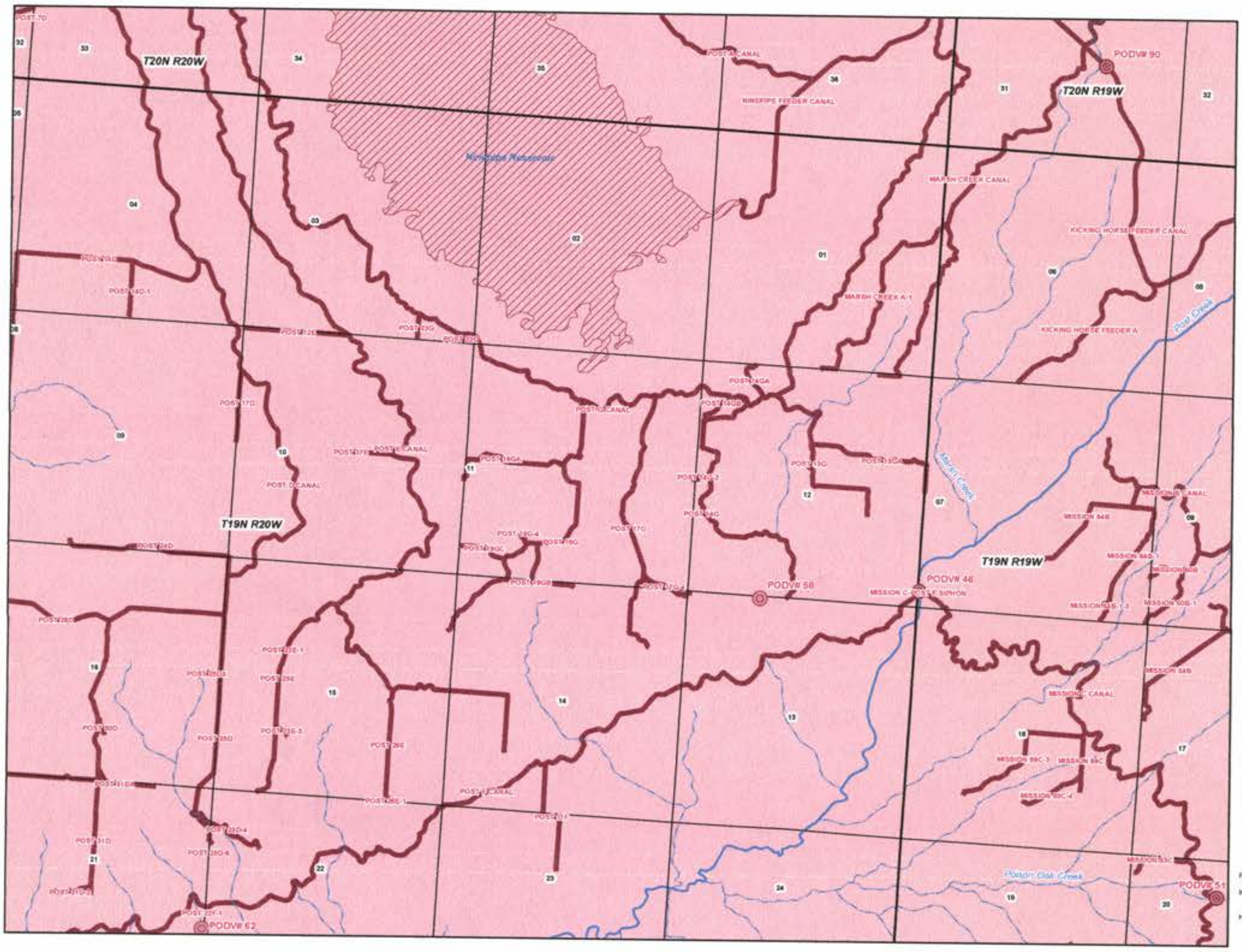
Flathead Indian Reservation

Legend

🟥 Place of Use
● Primary Point(s) of Diversion
○ Secondary Point(s) of Diversion
▬ Ditch or Pipeline
▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T20N R20W
T20N R19W
T19N R20W
T19N R19W
PODV# 90
PODV# 58
PODV# 46
PODV# 51
PODV# E2
Ninepipe Reservoir
POST A CANAL
NINEPIPE FEEDER CANAL
MARSH CREEK CANAL
KICKING HORSE FEEDER CANAL
MARSH CREEK A-1
KICKING HORSE FEEDER A
Post Creek
Marsh Creek
POST C CANAL
POST D CANAL
POST E CANAL
MISSION B CANAL
MISSION C-POST E SIPHON
MISSION C CANAL
Poison Oak Creek

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052932

Exhibit 15

Area of Interest
Hot Springs
Arlee
37
25
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
4
3
2

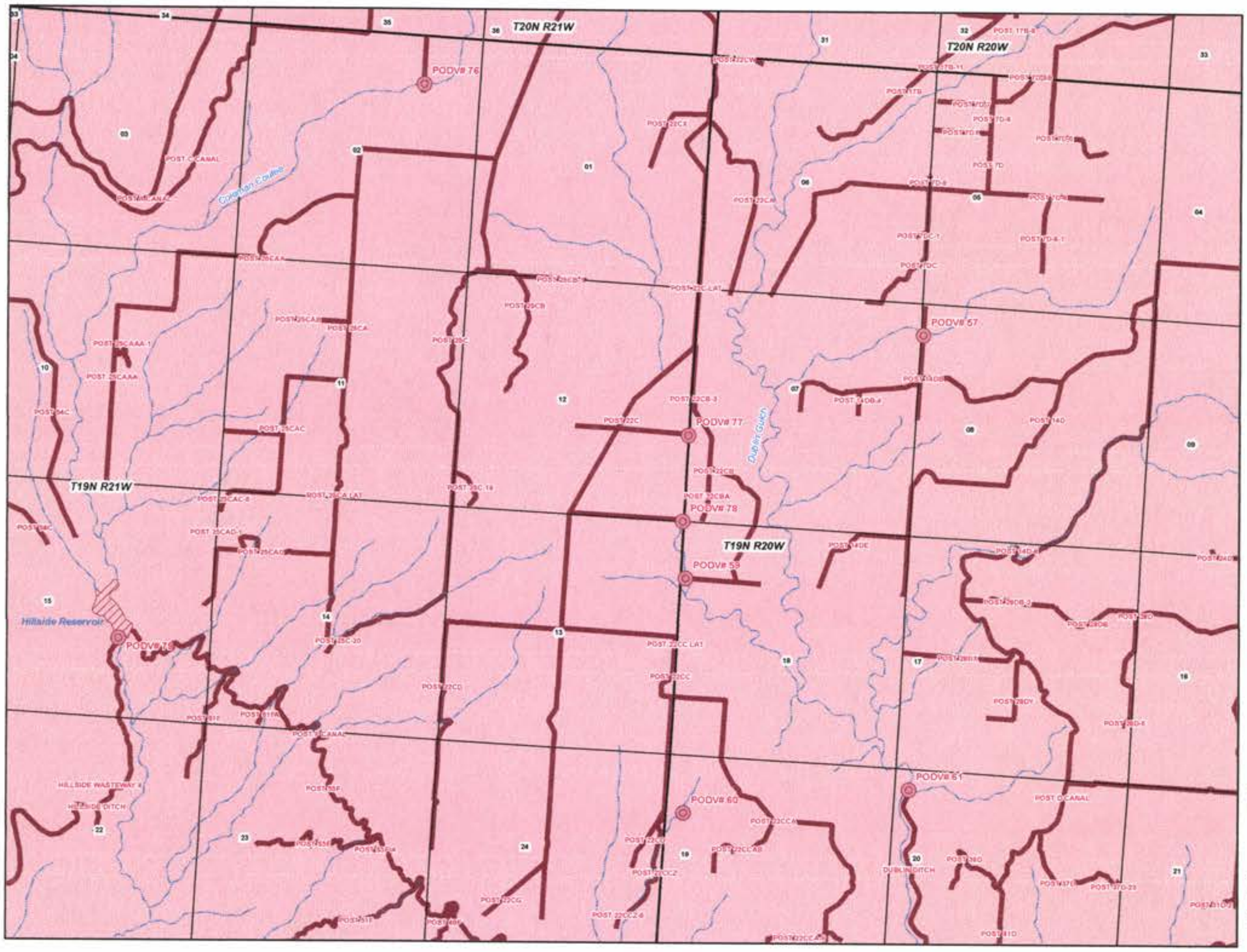
Flathead Indian Reservation

Legend

▭	Place of Use
◉	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T20N R21W
T20N R20W
T19N R21W
T19N R20W
PODV# 76
PODV# 77
PODV# 78
PODV# 59
PODV# 57
PODV# 79
PODV# 60
PODV# 61
Coleman Coulee
Dublin Gulch
Hillside Reservoir
HILLSIDE WASTEWAY 4
HILLSIDE DITCH
DUBLIN DITCH
POST C CANAL
POST D CANAL
POST 25CAAA
POST 25CAC
POST 25CAC-8
POST 25CA LAT
POST 25CAD-1
POST 25CC 18
POST 25C-20
POST 22C
POST 22CB-3
POST 22CBA
POST 22CC LAT
POST 22CCZ
POST 22CCZ-6
POST 22CCA
POST 22CX
POST 22C LAT
POST 17B-8
POST 17B-11
POST 7D
POST 7D-4
POST 7DC-1
POST 7D-6-1
POST 14DB-4
POST 14D
POST 14DE
POST 28DY
POST 28D-6
POST 37D-23
34
35
36
31
32
33
01
02
03
04
05
06
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Place of Use and Point of Diversion

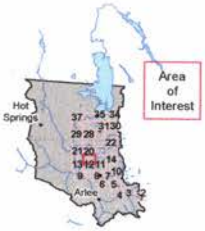
FIIP

Water Use

76L

30052932

Exhibit 16


Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
4
3
2

Flathead Indian Reservation

Legend

🟥 Place of Use

◉ Primary Point(s) of Diversion

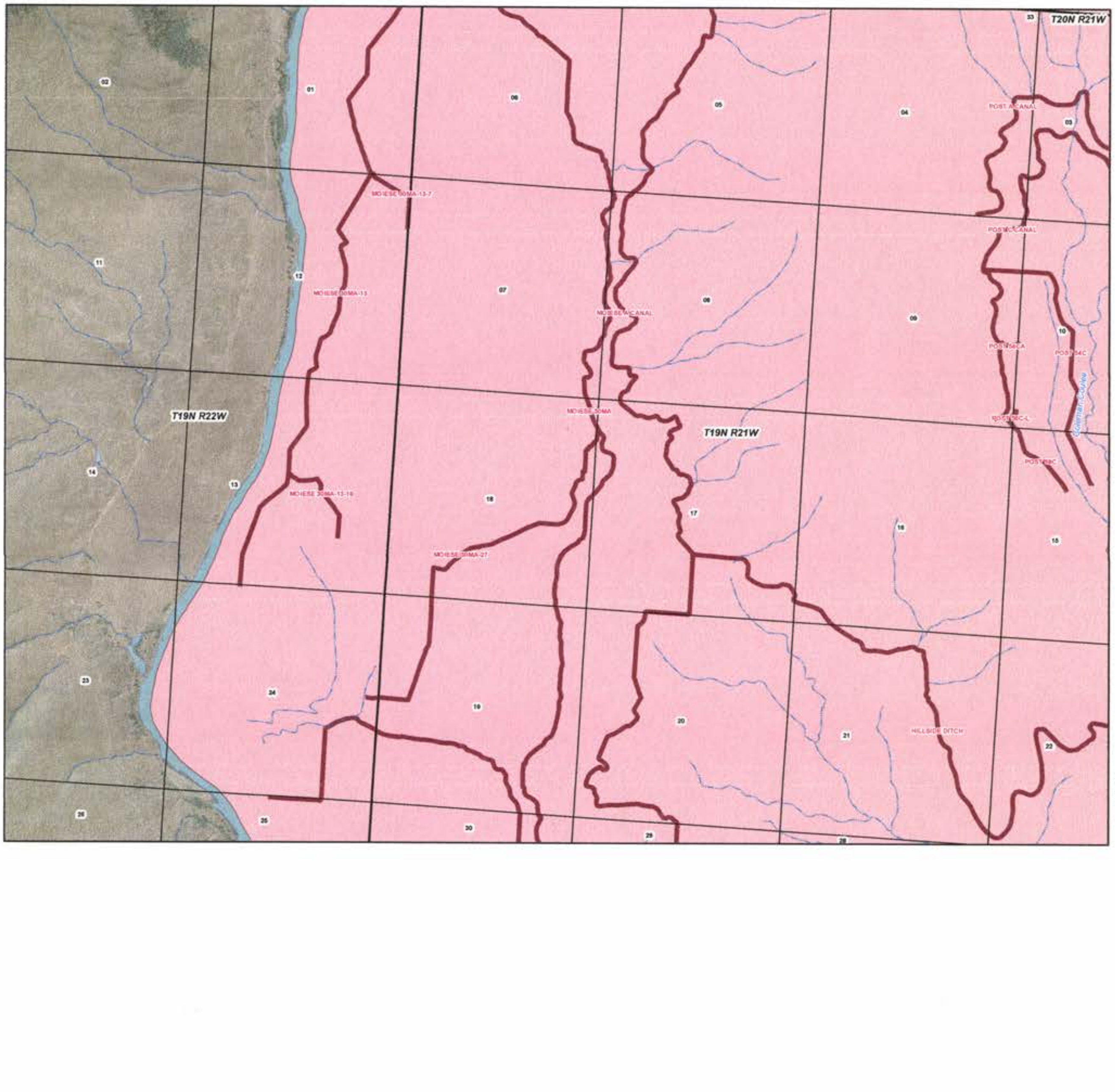
◎ Secondary Point(s) of Diversion

▬ Ditch or Pipeline

▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T20N R21W
33
02
01
06
05
04
POST A CANAL
03
MOIESE 30MA-13-7
POST C CANAL
11
12
MOIESE 30MA-13
07
MOIESE A CANAL
08
09
10
POST 54CA
POST 54C
T19N R22W
MOIESE 30MA
T19N R21W
POST 54C-L
POST 54C
14
13
MOIESE 30MA-13-16
18
17
16
15
MOIESE 30MA-27
23
24
19
20
21
HILLSIDE DITCH
22
26
25
30
29
28

Place of Use and Point of Diversion
FIIP Water Use
76L
30052932
Exhibit 17

Area of Interest
Hot Springs
37
35
34
31
30
29
28
22
21
20
19
12
11
14
10
9
8
7
6
5
Arlee
4
3
2

Flathead Indian Reservation

Legend

▭ Place of Use

◎ Primary Point(s) of Diversion

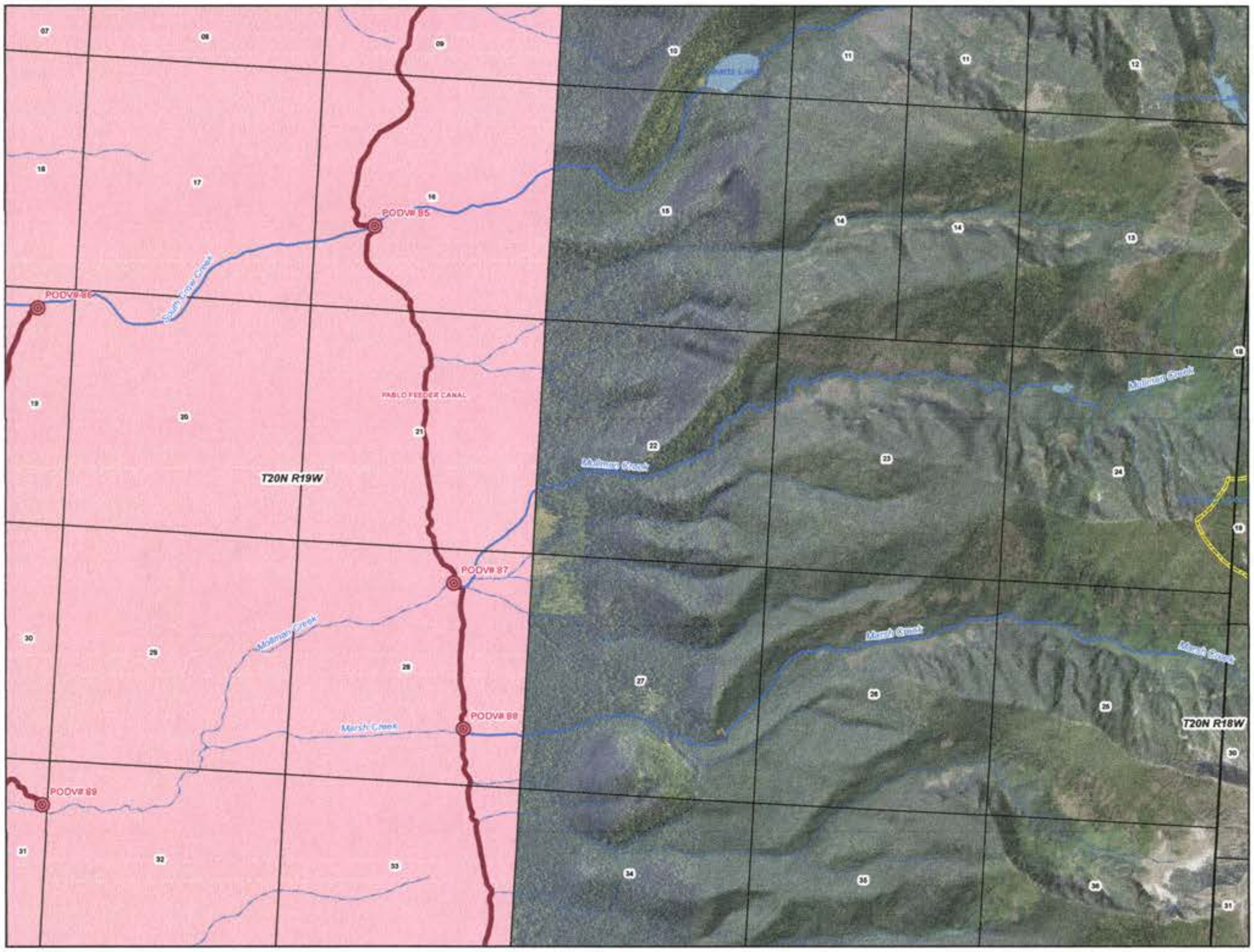
◎ Secondary Point(s) of Diversion

▬ Ditch or Pipeline

▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


07
08
09
10
11
11
12
16
17
16
15
14
14
13
PODV# 85
PODV# 86
South Crow Creek
18
19
20
PABLO FEEDER CANAL
21
22
23
24
T20N R19W
Mollman Creek
Mollman Creek
19
PODV# 87
30
29
Mollman Creek
28
27
26
25
Marsh Creek
Marsh Creek
Marsh Creek
PODV# 88
T20N R18W
30
PODV# 89
31
32
33
34
35
36
31

Place of Use and Point of Diversion

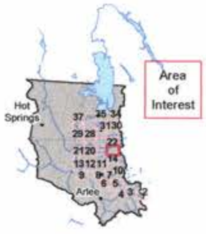
FIIP

Water Use

76L

30052932

Exhibit 18


Area of Interest
Hot Springs
37
35
34
31
30
29
28
22
21
20
14
13
12
11
9
8
7
10
6
5
Arlee
4
3
2

Flathead Indian Reservation

Legend

🟥 Place of Use

◎ Primary Point(s) of Diversion

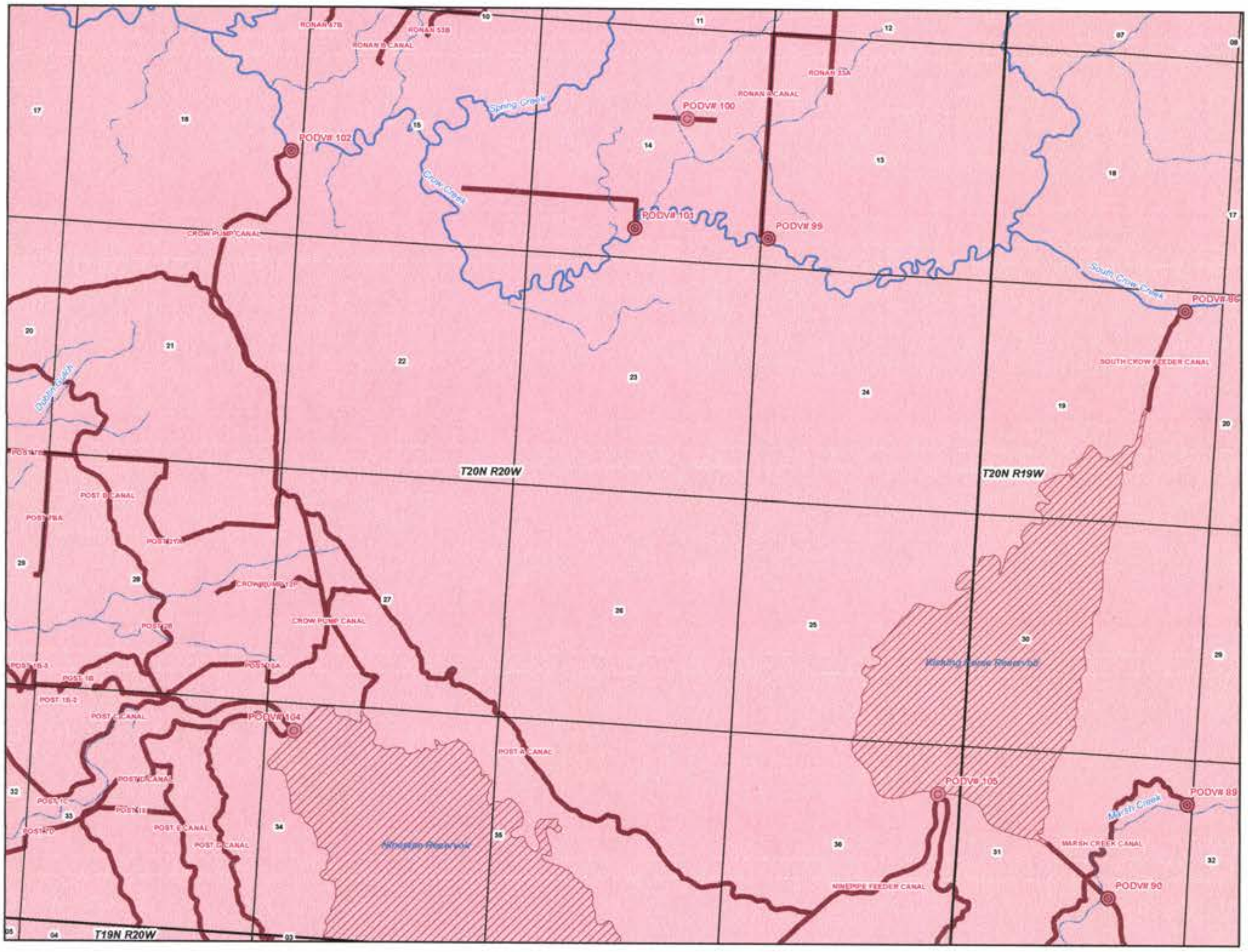
◎ Secondary Point(s) of Diversion

▬ Ditch or Pipeline

▨ Reservoir

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


RONAN 87B
RONAN 53B
RONAN B CANAL
RONAN A CANAL
RONAN 33A
PODV# 100
PODV# 102
PODV# 101
PODV# 99
PODV# 86
Spring Creek
Crow Creek
South Crow Creek
CROW PUMP CANAL
SOUTH CROW FEEDER CANAL
T20N R20W
T20N R19W
T19N R20W
POST A CANAL
POST B CANAL
POST 1B
CROW PUMP 12P
PODV# 104
PODV# 105
PODV# 89
PODV# 90
Marsh Creek
MARSH CREEK CANAL
NINEPIPE FEEDER CANAL
Kicking Horse Reservoir
Ninepipe Reservoir

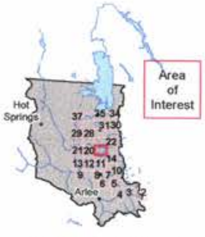
Place of Use and Point of Diversion

FIIP

Water Use

76L 30052932

Exhibit 19


Hot Springs
Arlee
Area of Interest
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
4
3
2

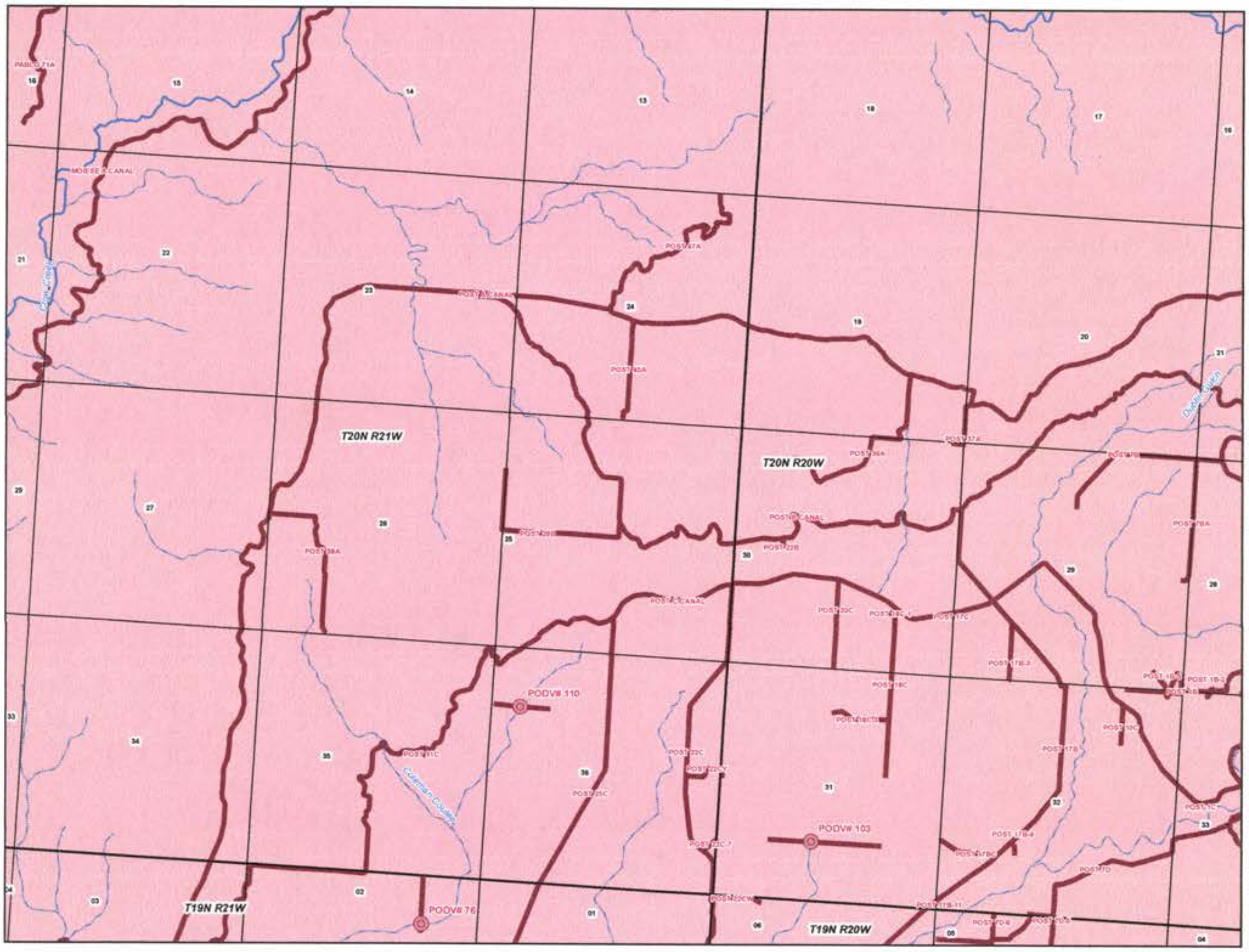
Flathead Indian Reservation

Legend

▨	Place of Use
◉	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PABLO 71A
16
15
14
13
18
17
16
MOIESE A CANAL
21
22
POST 47A
POST A CANAL
23
24
19
20
21
POST 45A
T20N R21W
T20N R20W
POST 36A
POST 17A
POST 7B
29
27
26
POST 36B
25
POST 36 CANAL
30
POST 22B
POST 38A
POST 7BA
29
28
POST A CANAL
POST 20C
POST 18C
POST 17C
POST 17B-3
POST 18C
POST 18-2
PODV# 110
33
34
35
POST 31C
POST 22C
POST 17B
POST 32C
36
POST 35C
31
32
POST 1C
33
PODV# 103
POST 17B-8
POST 22C-7
POST 17BC
POST 17D
04
03
02
01
PODV# 76
T19N R21W
POST 22CW
06
T19N R20W
POST 17B-11
05
04

Place of Use and Point of Diversion
FIIP Water Use
76L
30052932
Exhibit 20

Area of Interest
Hot Springs
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
Arlee
4
3
2

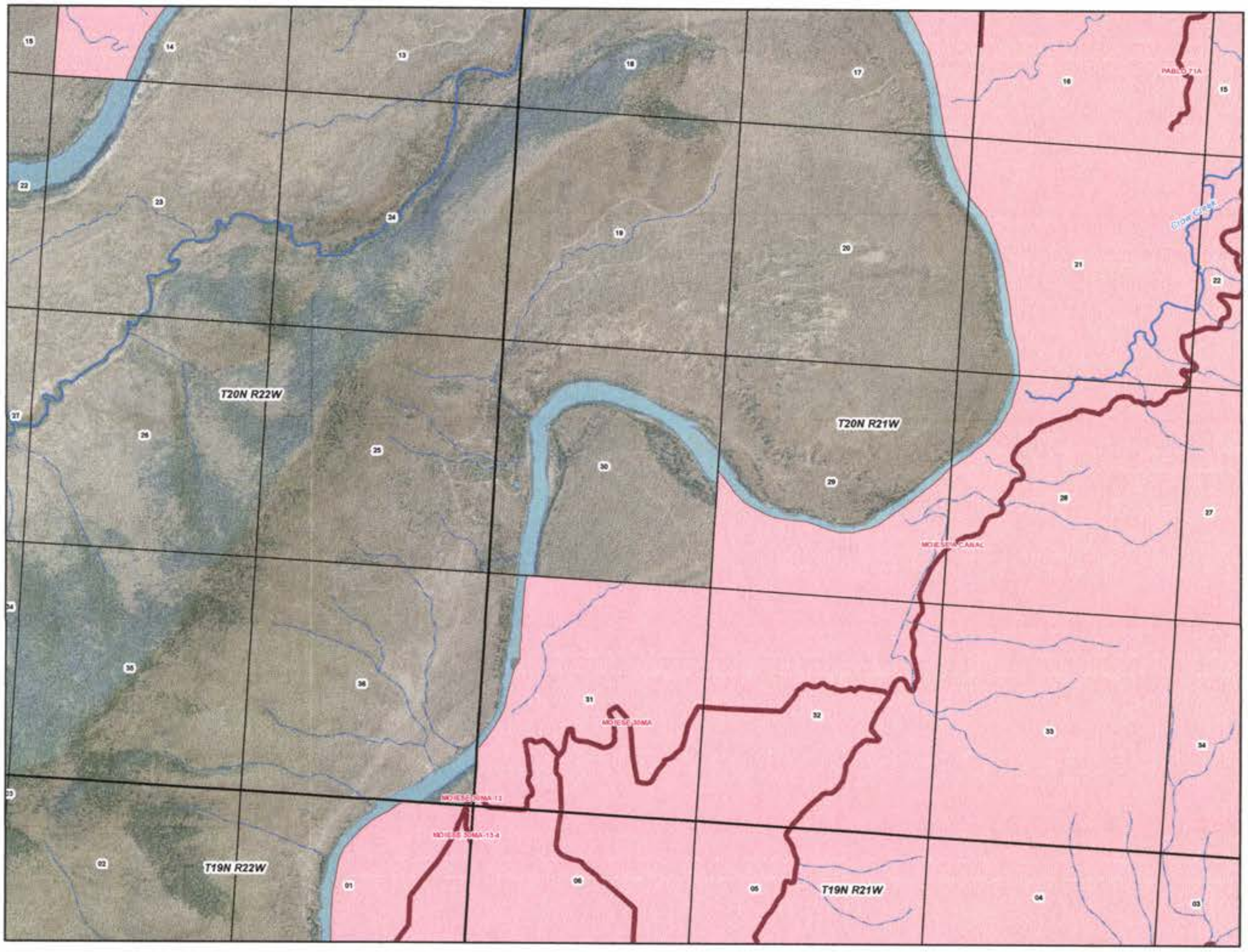
Flathead Indian Reservation

Legend

▨	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


15
14
13
18
17
16
PABLO 71A
15
22
23
24
19
20
21
Crow Creek
22
T20N R22W
27
26
25
30
T20N R21W
29
28
MOIESE CANAL
27
34
35
36
31
MOIESE 30MA
32
33
34
35
MOIESE 30MA-13
MOIESE 30MA-13-4
02
T19N R22W
01
06
05
T19N R21W
04
03

Place of Use and Point of Diversion

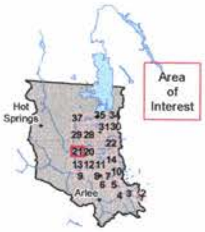
FIIP

Water Use

76L

30052932

Exhibit 21


Area of Interest
Hot Springs
37
35
34
31
30
29
28
22
21
20
13
12
11
14
9
7
10
6
5
4
3
2
Arlee

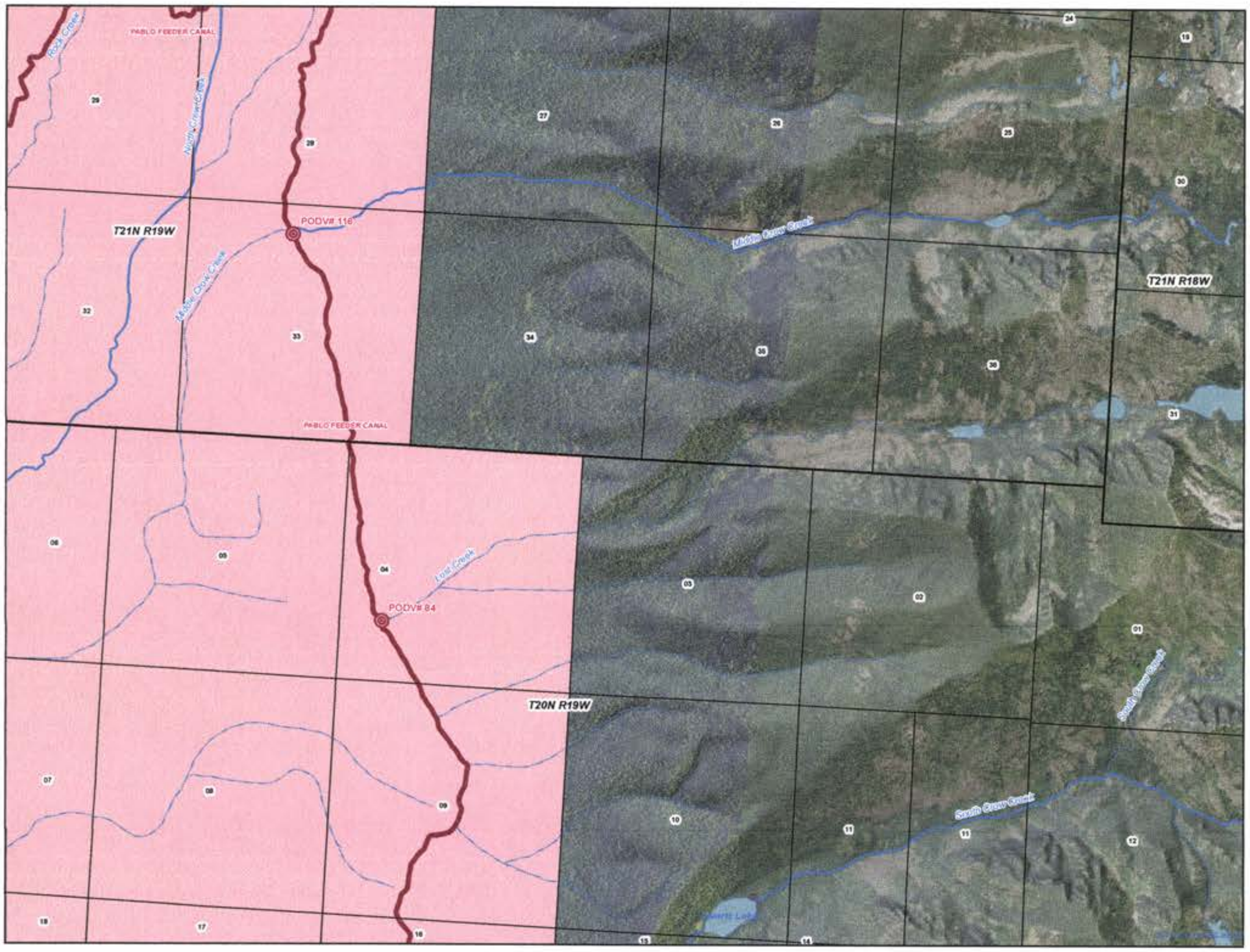
Flathead Indian Reservation

Legend

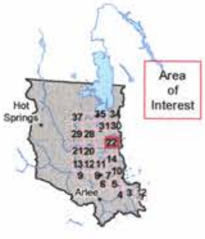
- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PABLO FEEDER CANAL
Rock Creek
North Crow Creek
Middle Crow Creek
PODV# 116
PODV# 84
Lost Creek
T21N R19W
T21N R18W
T20N R19W
South Crow Creek
29
28
27
26
25
24
19
30
32
33
34
35
36
31
06
05
04
03
02
01
07
08
09
10
11
12
18
17
16
15
14

Place of Use and Point of Diversion
FIIP
Water Use
76L
30052932
Exhibit 22


Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
13
12
11
14
9
8
7
10
6
5
4
3
2

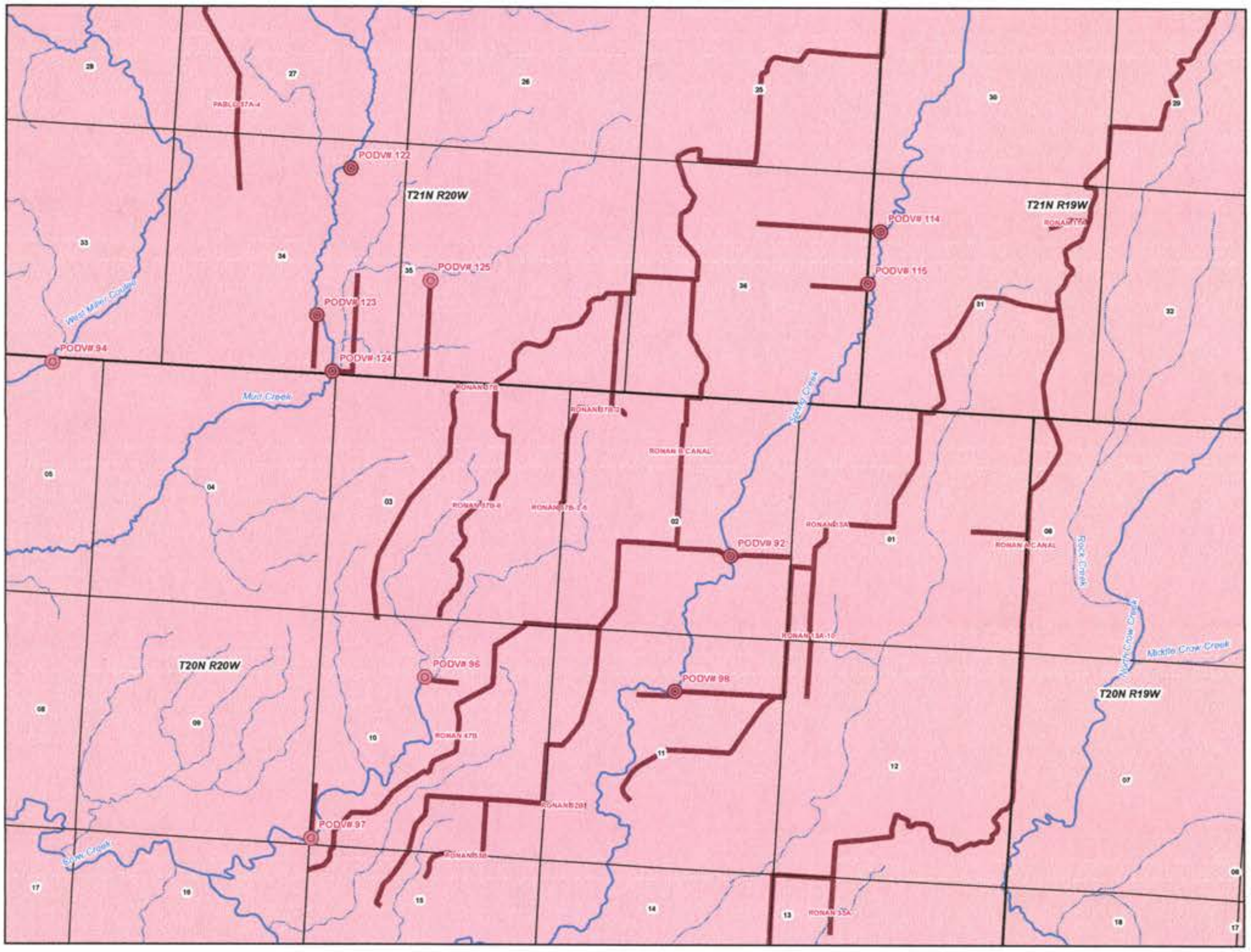
Flathead Indian Reservation

Legend

- ▨ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


28
27
26
25
30
29
PABLO 37A-4
PODV# 122
T21N R20W
T21N R19W
PODV# 114
PODV# 115
33
34
35
PODV# 125
36
31
32
West Miller Coulee
PODV# 123
PODV# 94
PODV# 124
Mud Creek
RONAN 37B
RONAN 37B-2
RONAN B CANAL
Spring Creek
05
04
03
RONAN 37B-8
RONAN 37B-7-5
02
RONAN 13A
01
06
RONAN A CANAL
Rock Creek
PODV# 92
RONAN 13A-10
North Crow Creek
Middle Crow Creek
T20N R20W
PODV# 96
PODV# 98
T20N R19W
08
09
10
RONAN 47B
11
12
07
RONAN 20E
PODV# 97
Crow Creek
RONAN 55
17
16
15
14
13
RONAN 33A
18
17
06

Place of Use and Point of Diversion

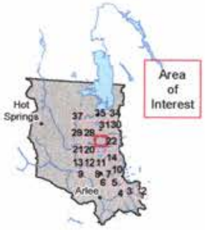
FIIP

Water Use

76L

30052932

Exhibit 23


Area of Interest
Hot Springs
37
35
34
31
30
29
28
22
21
20
14
13
12
11
9
8
7
10
6
5
Arlee
4
3
2

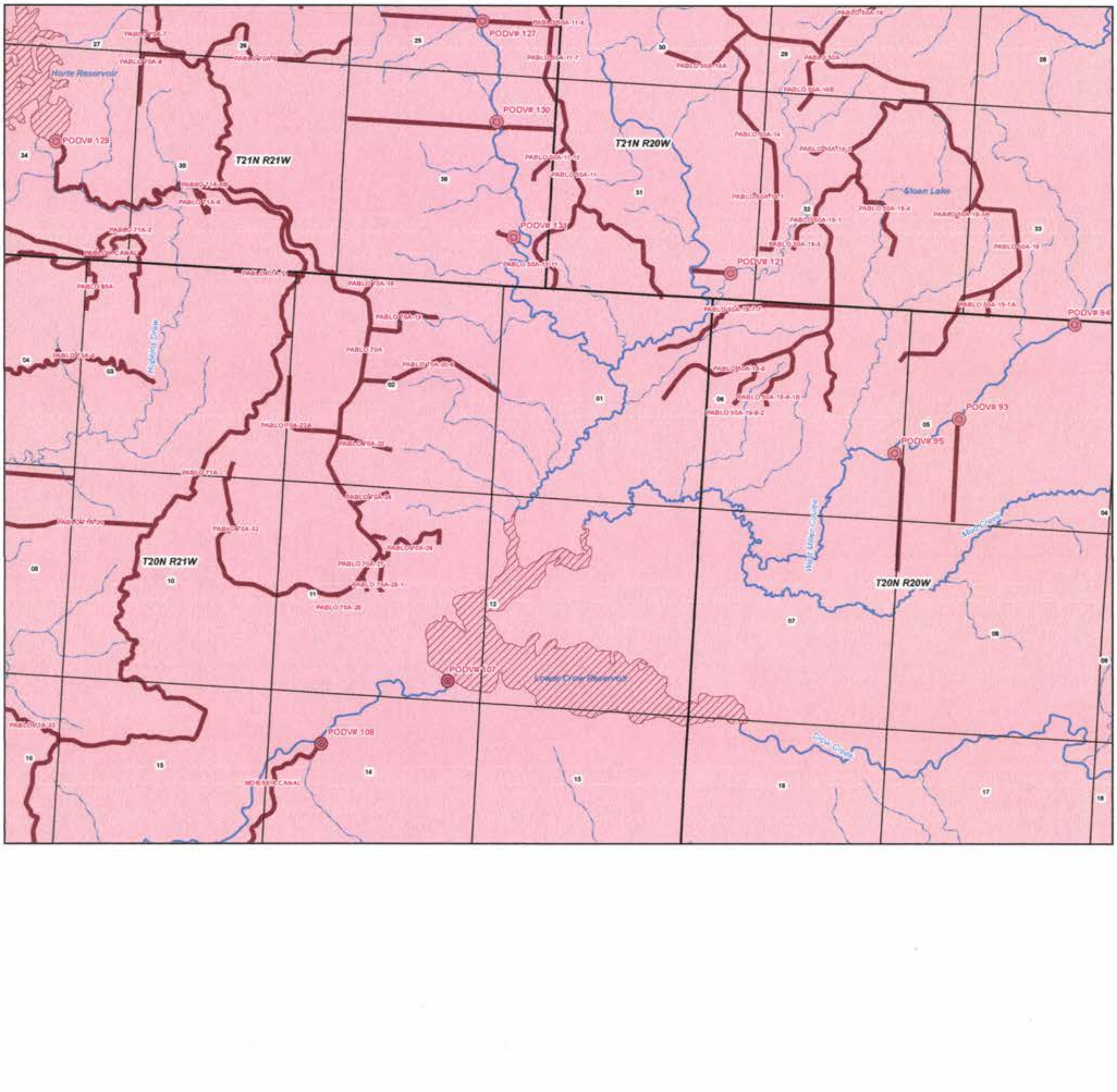
Flathead Indian Reservation

Legend

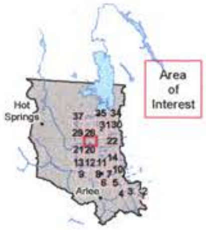
- ▨ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T21N R21W
T21N R20W
T20N R21W
T20N R20W
PODV# 127
PODV# 130
PODV# 129
PODV# 131
PODV# 121
PODV# 94
PODV# 93
PODV# 95
PODV# 107
PODV# 108
Horte Reservoir
Sloan Lake
Lower Crow Reservoir
Hopkins Draw
West Miller Coulee
Mud Creek
Crow Creek
MOIESE A CANAL
PABLO 70A
PABLO 71A
PABLO 50A-19-1
PABLO 50A-14
PABLO 50A-16B
PABLO 50A-11
PABLO 70A-28
PABLO 70A-27

Place of Use and Point of Diversion
FIIP
Water Use
76L
30052932
Exhibit 24


Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
13
12
11
14
10
9
8
7
6
5
4
3
2

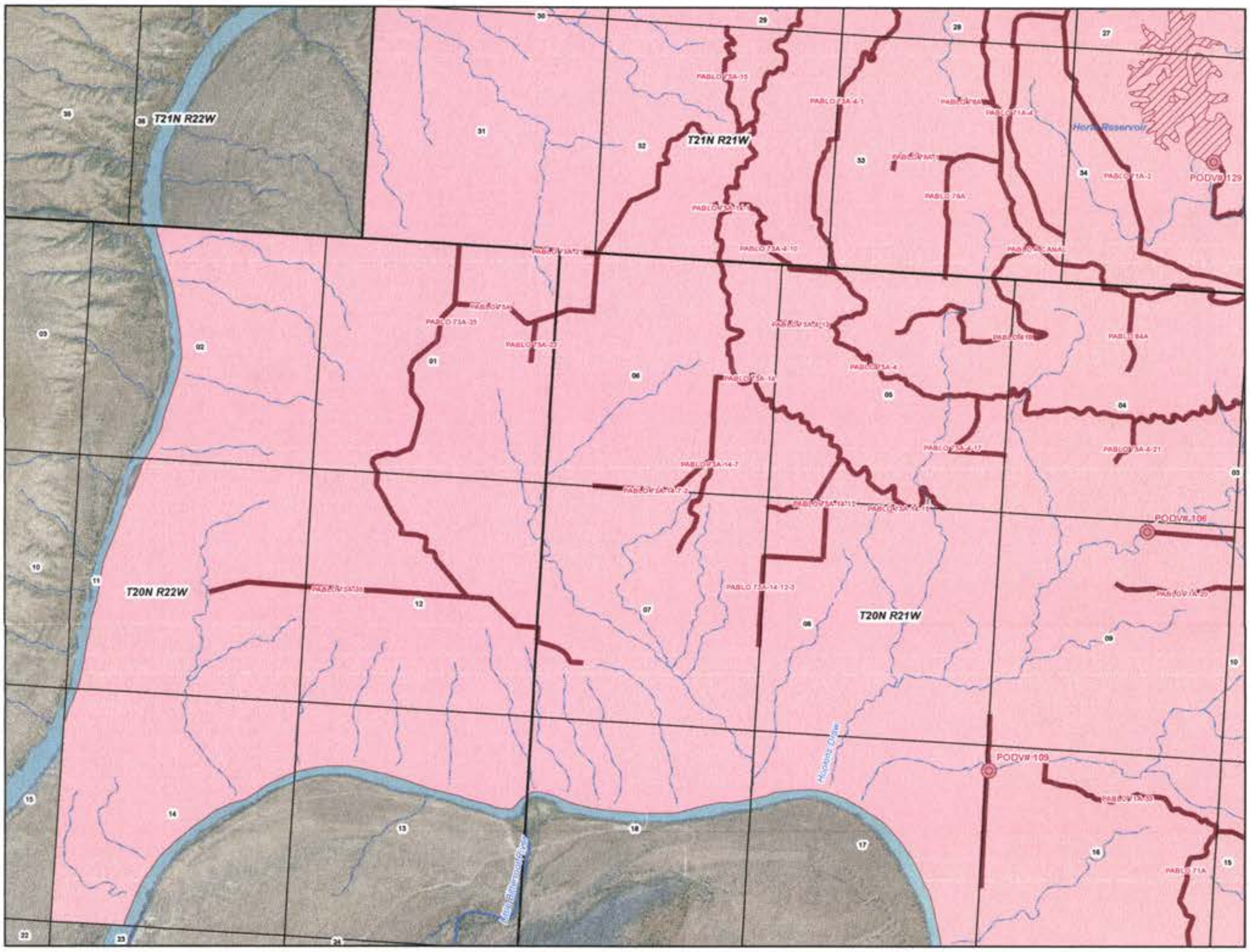
Flathead Indian Reservation

Legend

- ▨ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R22W
T21N R21W
T20N R22W
T20N R21W
Horse Reservoir
PODV# 129
PODV# 106
PODV# 109
PABLO 73A-15
PABLO 73A-4-1
PABLO 71A-4
PABLO 79A
PABLO 71A-2
PABLO 73A-4-10
PABLO 73A-25
PABLO 73A-23
PABLO 73A-14
PABLO 73A-4
PABLO 84A
PABLO 73A-4-17
PABLO 73A-4-21
PABLO 73A-14-7
PABLO 73A-14-7-2
PABLO 73A-14-12
PABLO 73A-14-12-3
PABLO 71A
Hodgkiss Draw
30
29
28
27
36
31
32
33
34
02
01
06
05
04
03
10
11
12
07
08
09
15
14
13
18
17
16
22
23
24

Place of Use and Point of Diversion

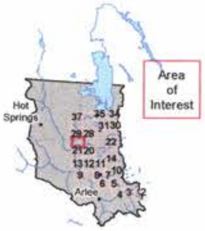
FIIP

Water Use

76L

30052932

Exhibit 25


Area of Interest
Hot Springs
37
35
34
31
30
29
28
22
21
20
13
12
11
14
9
8
7
10
6
5
Arlee
4
3
2

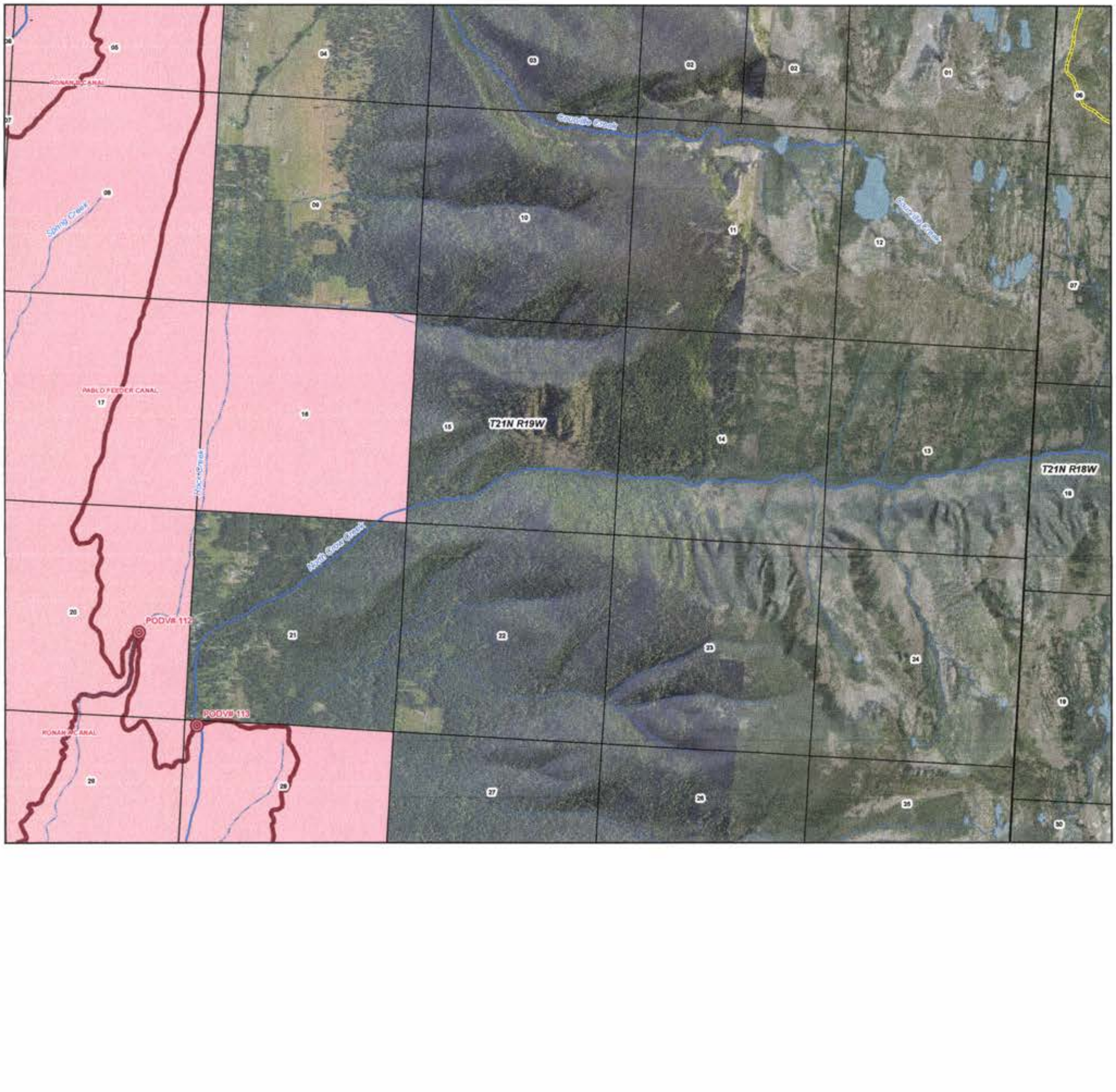
Flathead Indian Reservation

Legend

- ▨ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


RONAN B CANAL
Spring Creek
PABLO FEEDER CANAL
RONAN A CANAL
Courville Creek
North Crow Creek
PODV# 112
PODV# 113
T21N R19W
T21N R18W
01
02
03
04
05
06
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Place of Use and Point of Diversion
FIIP Water Use
76L
30052932
Exhibit 26

Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
13
12
11
14
9
8
7
10
6
5
4
3
2

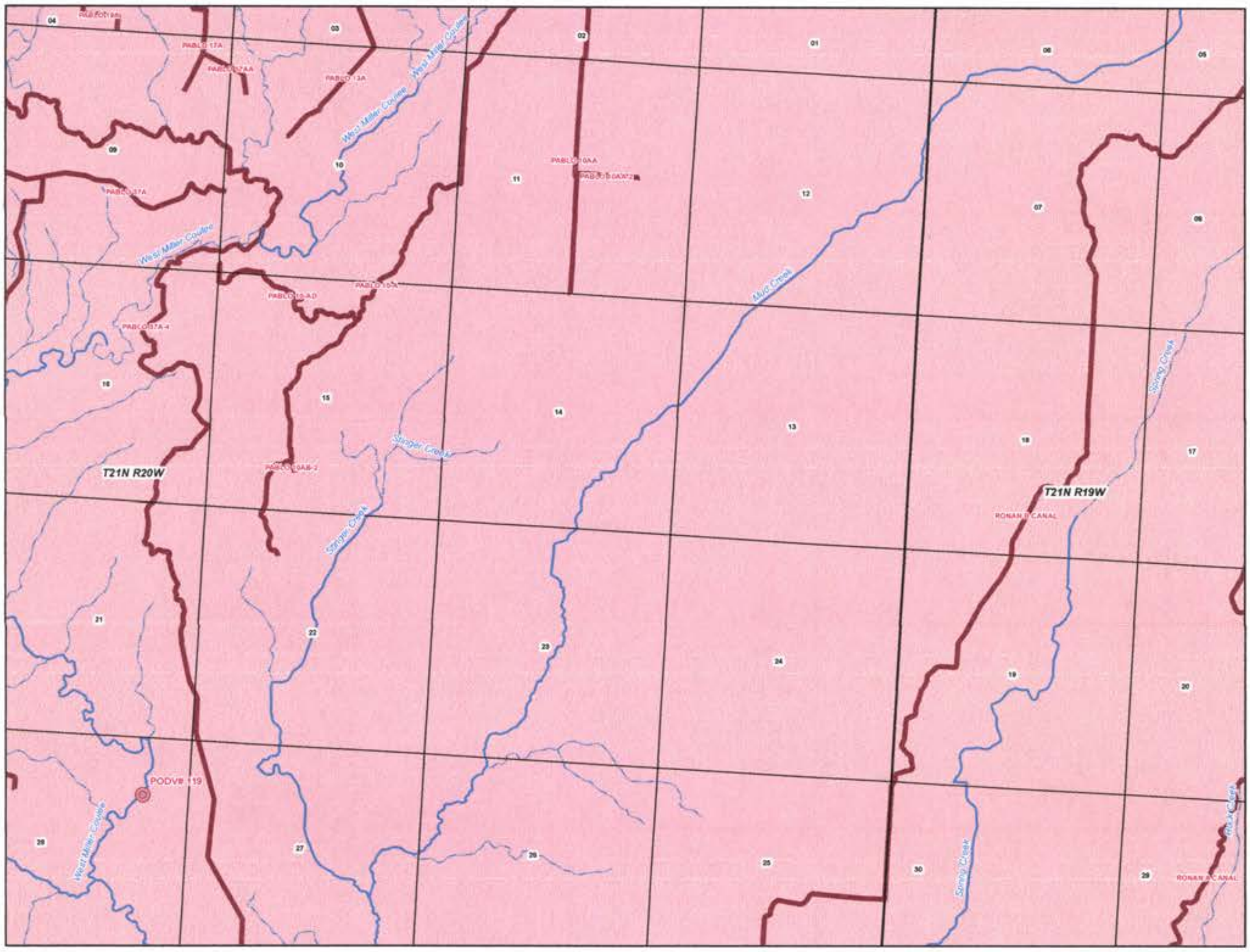
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


04
PABLO 17A
PABLO 17AA
03
PABLO 13A
West Miller Coulee
West Miller Coulee
02
01
06
05
09
10
PABLO 10AA
PABLO 10AA-2
11
12
07
08
PABLO 17A
West Miller Coulee
PABLO 15-AD
PABLO 15-A
Mud Creek
PABLO 17A-4
16
15
14
13
18
17
Stinger Creek
Spring Creek
PABLO 10AB-2
T21N R20W
T21N R19W
RONAN CANAL
Stinger Creek
21
22
23
24
19
20
PODV# 119
West Miller Coulee
28
27
26
25
30
29
Spring Creek
RONAN CANAL

Place of Use and Point of Diversion

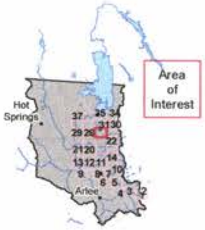
FIIP

Water Use

76L

30052932

Exhibit 27


Area of Interest
Hot Springs
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
Arlee
4
3
2

Flathead Indian Reservation

Legend

▭ Place of Use

◎ Primary Point(s) of Diversion

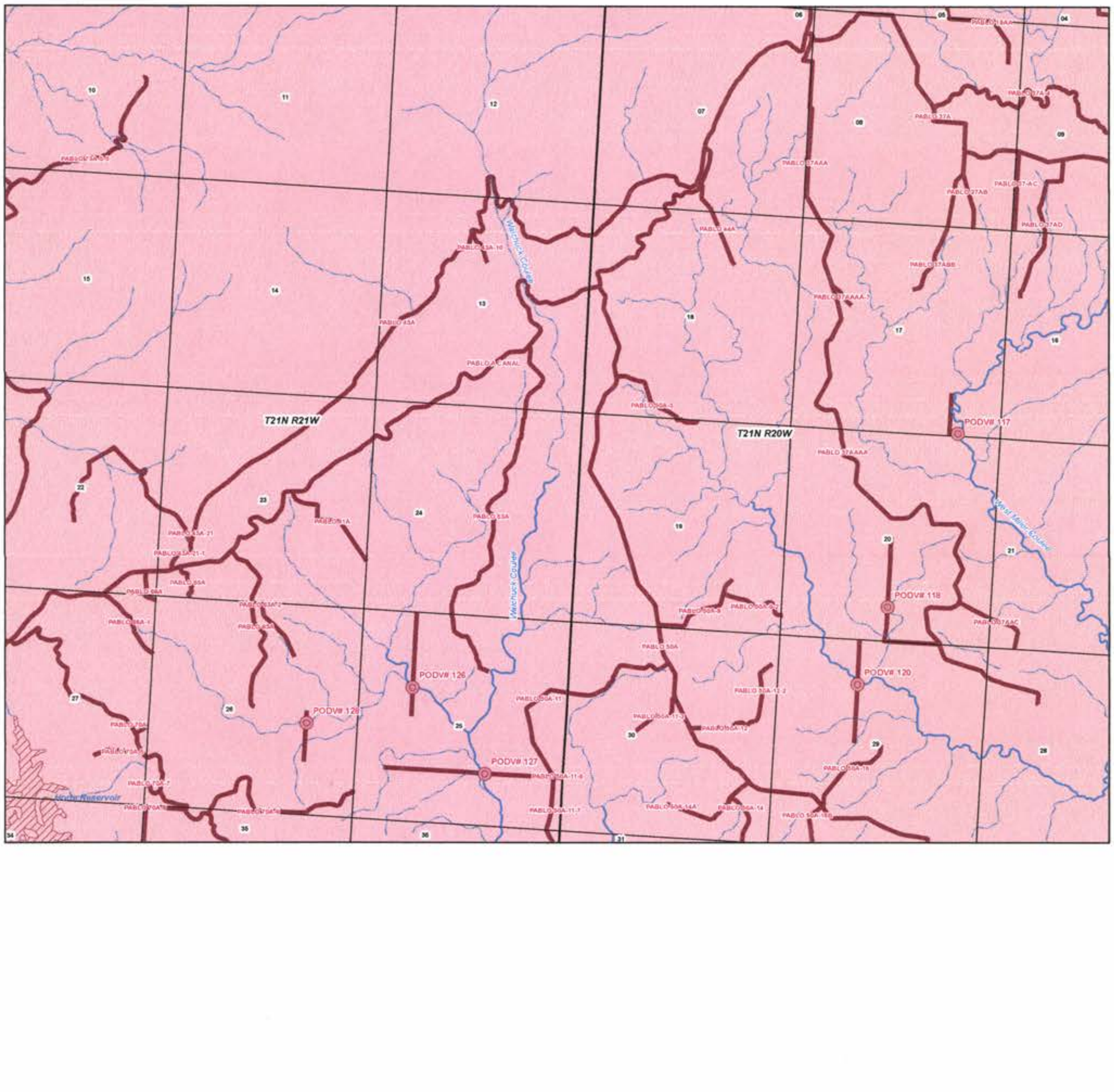
◎ Secondary Point(s) of Diversion

━ Ditch or Pipeline

▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R21W
T21N R20W
PODV# 117
PODV# 118
PODV# 120
PODV# 126
PODV# 127
PODV# 128
PABLO CANAL
PABLO 37A
PABLO 37AB
PABLO 37AC
PABLO 37AD
PABLO 37ABB
PABLO 37AAA
PABLO 37AAAA
PABLO 44A
PABLO 43A
PABLO 53A
PABLO 55A
PABLO 56A
PABLO 50A
Reservoir
10
11
12
07
08
09
15
14
13
18
17
16
22
23
24
19
20
21
27
26
25
30
29
28
34
35
36
31
06
05
04

Place of Use and Point of Diversion

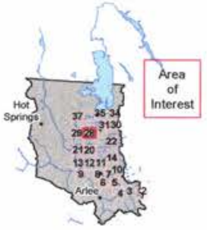
FIIP

Water Use

76L

30052932

Exhibit 28


Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
4
3
2

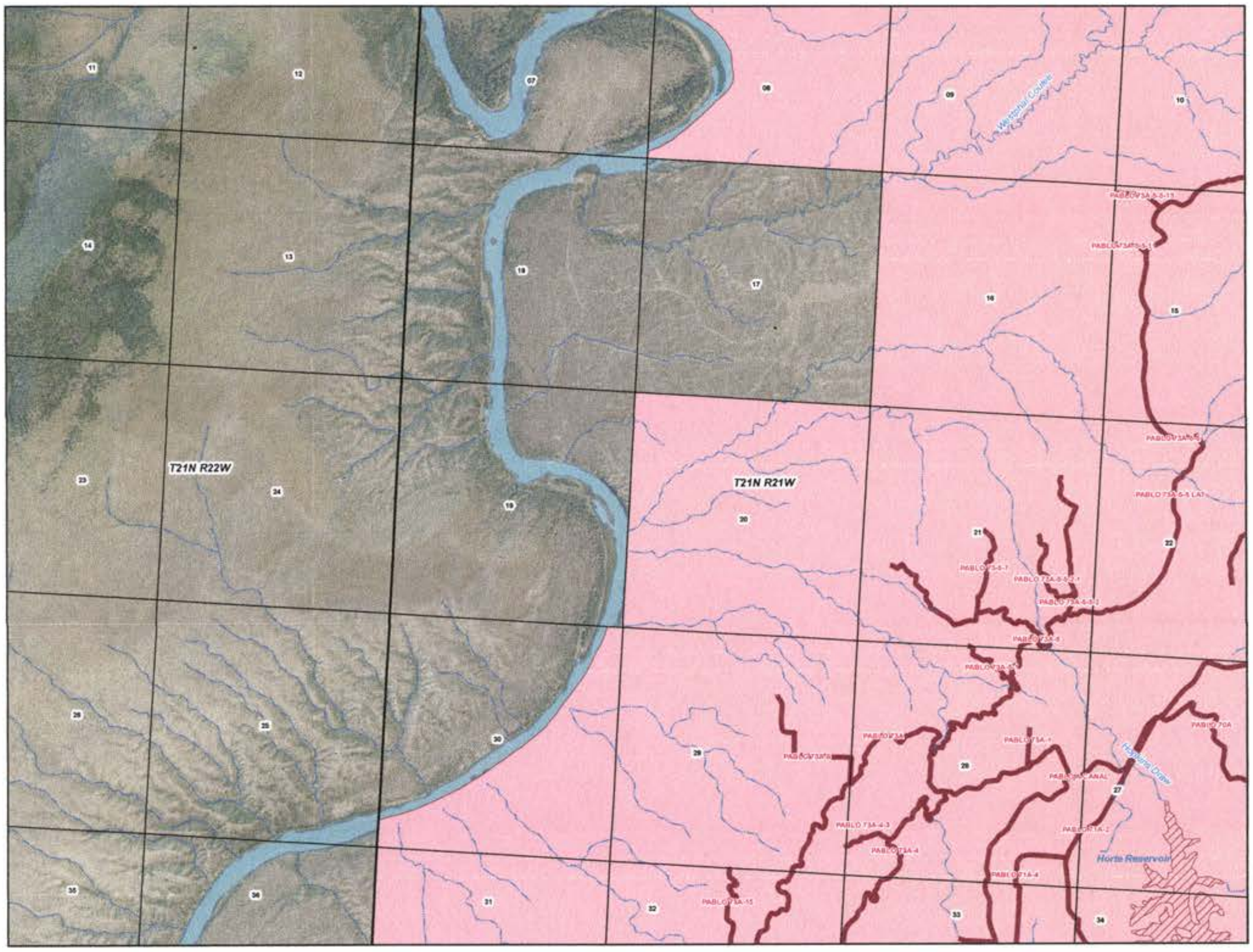
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Secondary Point(s) of Diversion
- Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


11
12
07
08
09
10
Westphal Coulee
14
13
18
17
16
15
T21N R22W
T21N R21W
23
24
19
20
21
22
26
25
30
29
28
27
35
36
31
32
33
34
PABLO 73A-5-5-11
PABLO 73A-5-5-1
PABLO 73A-6-5
PABLO 73A-5-5 LAT
PABLO 73-5-7
PABLO 73A-5-5-2-1
PABLO 73A-5-5-2
PABLO 73A-5
PABLO 73A-5
PABLO 73A
PABLO 73A-1
PABLO 73A-4-3
PABLO 73A-4
PABLO CANAL
PABLO 70A
PABLO 71A-2
PABLO 71A-4
PABLO 73A-15
Hopkins Draw
Horte Reservoir

Place of Use and Point of Diversion

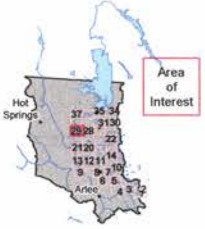
FIIP

Water Use

76L

30052932

Exhibit 29


Area of Interest
Hot Springs
Arlee
37
35
34
29
28
31
30
21
20
22
13
12
11
14
9
8
7
10
6
5
4
3
2

Flathead Indian Reservation

Legend

🟥 Place of Use

◎ Primary Point(s) of Diversion

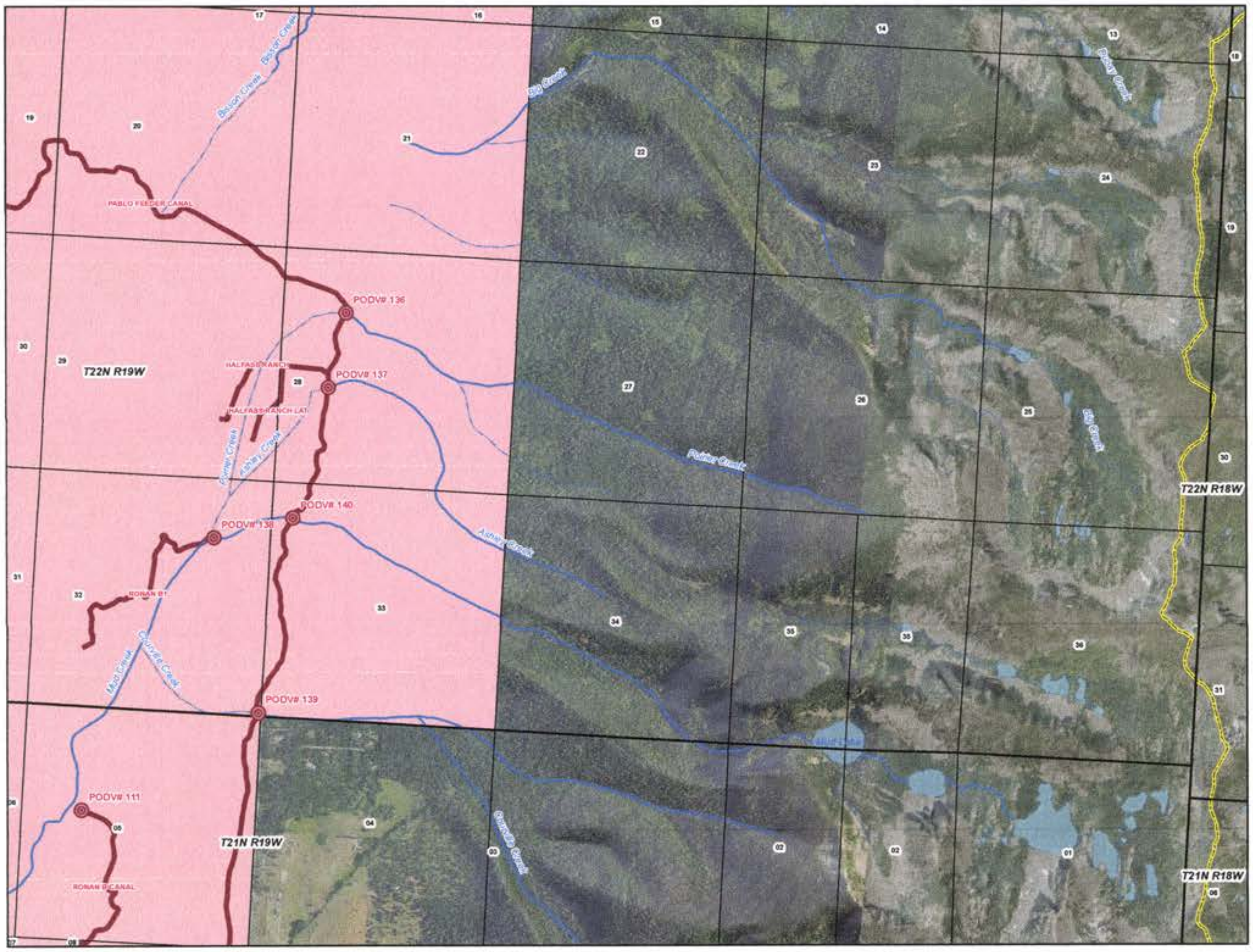
◎ Secondary Point(s) of Diversion

▬ Ditch or Pipeline

▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


17
16
15
14
13
18
19
20
21
Bisson Creek
Bisson Creek
Big Creek
22
23
24
PABLO FEEDER CANAL
19
PODV# 136
30
29
T22N R19W
HALFASS RANCH
28
PODV# 137
HALFASS RANCH LAT
Dowler Creek
Ashley Creek
27
26
25
Lily Creek
Pobley Creek
30
T22N R18W
PODV# 140
PODV# 138
Ashley Creek
31
32
RONAN B1
33
34
35
35
36
Mud Creek
Crow Creek
PODV# 139
31
PODV# 111
06
05
04
03
02
02
01
T21N R19W
T21N R18W
RONAN B CANAL
07
08
06

Place of Use and Point of Diversion

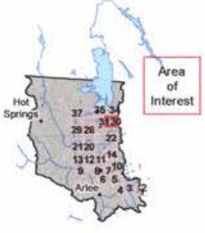
FIIP

Water Use

76L

30052932

Exhibit 30


Area of Interest
Hot Springs
37
35
34
29
28
22
21
20
13
12
11
14
9
8
7
10
6
5
Arlee
4
3
2

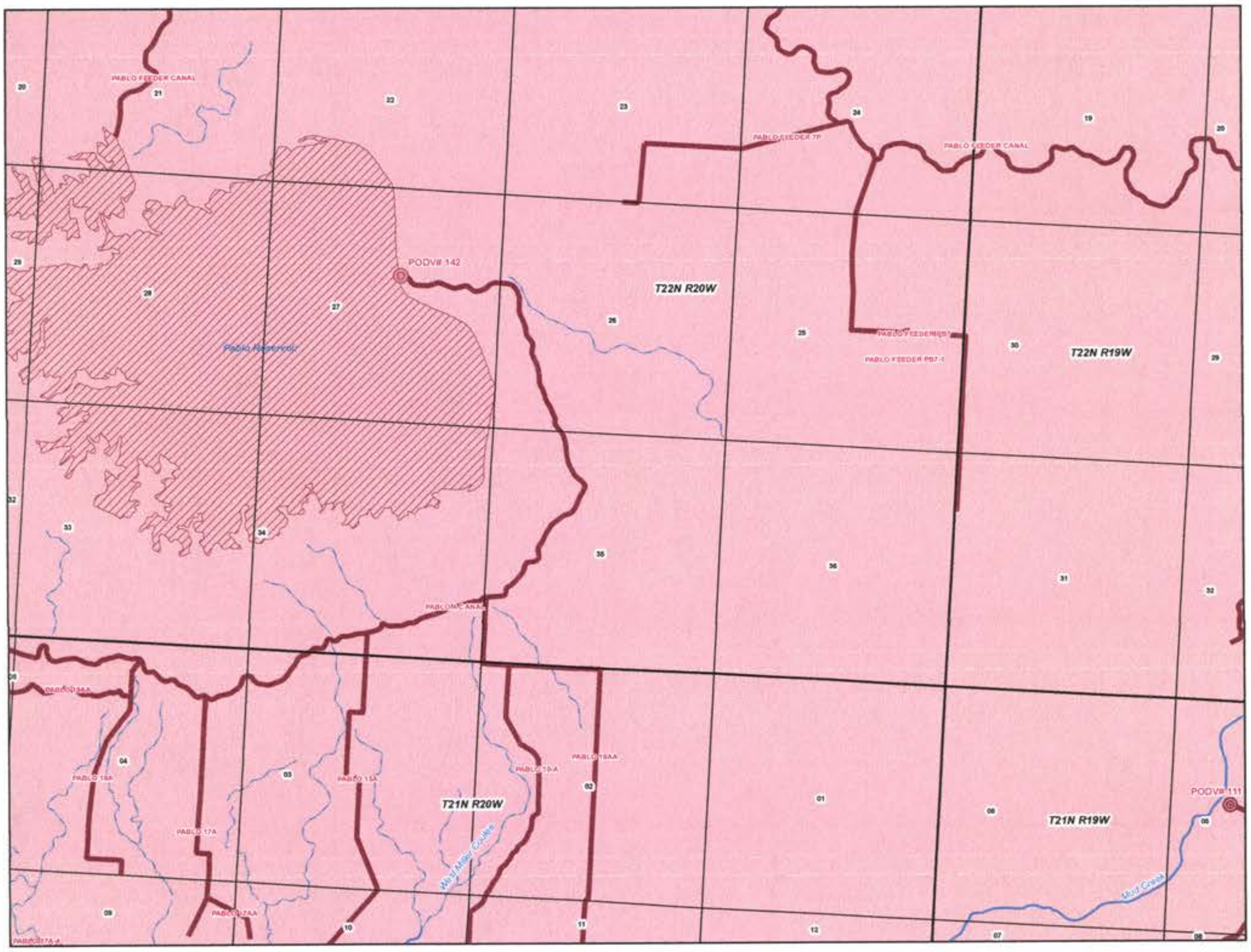
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
━	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PABLO FEEDER CANAL
20
21
22
23
24
19
20
PABLO FEEDER 7P
PABLO FEEDER CANAL
29
28
27
PODV# 142
Pablo Reservoir
26
T22N R20W
25
PABLO FEEDER PB7
PABLO FEEDER PB7-1
30
T22N R19W
29
32
33
34
35
36
31
32
PABLO CANAL
05
PABLO 18AA
04
PABLO 18A
03
PABLO 13A
PABLO 19-A
PABLO 19AA
02
T21N R20W
01
06
T21N R19W
PODV# 111
05
PABLO 17A
Mud Miller Coulee
09
PABLO 17AA
10
11
12
Mud Creek
07
08
PABLO 17A-A

Place of Use and Point of Diversion

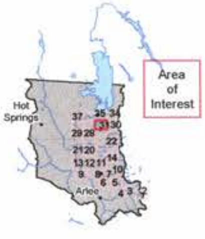
FIIP

Water Use

76L

30052932

Exhibit 31


Area of Interest
Hot Springs
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
Arlee
4
3
2

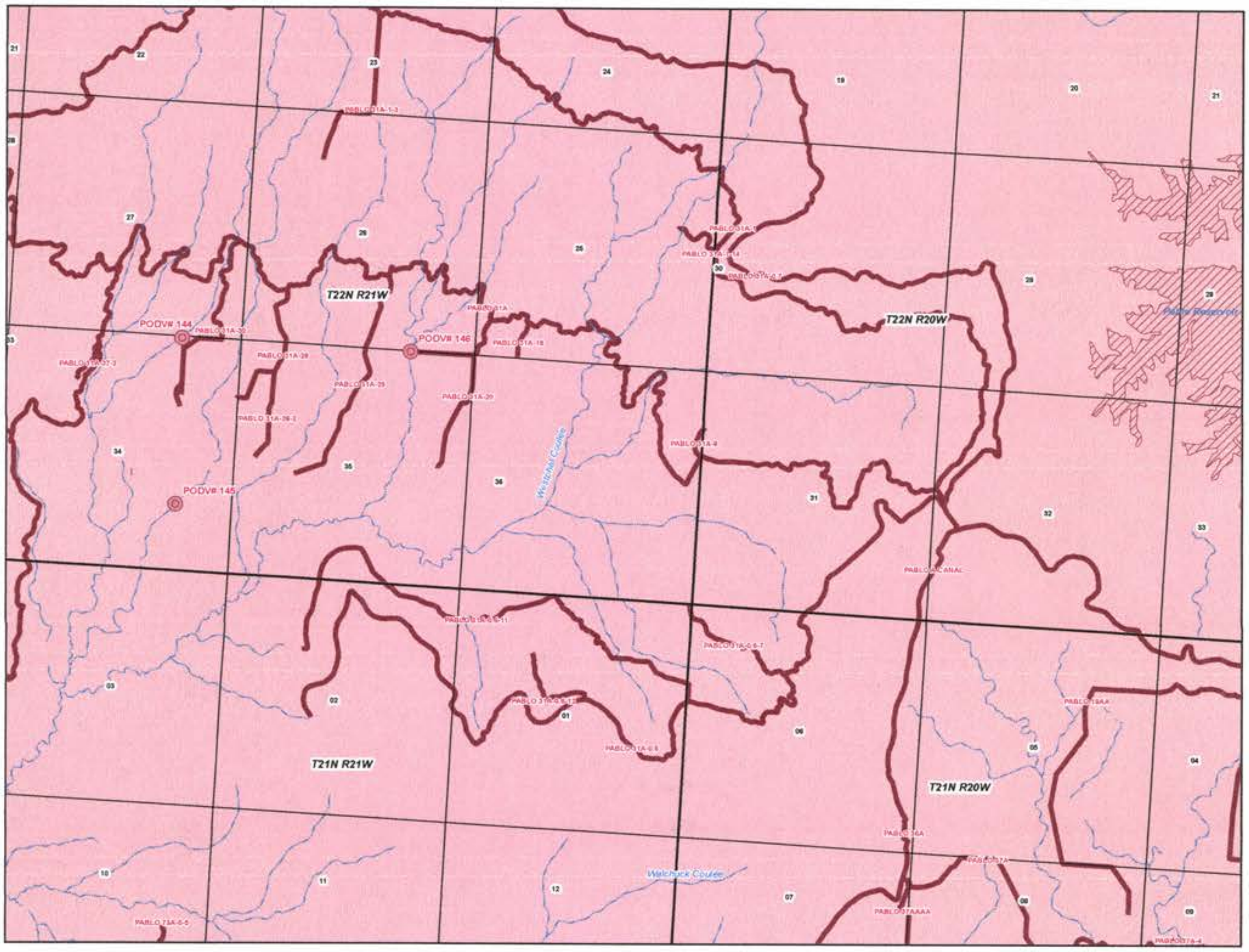
Flathead Indian Reservation

Legend

- ▨ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ━ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T22N R21W
T22N R20W
T21N R21W
T21N R20W
PODV# 144
PODV# 145
PODV# 146
PABLO 31A-1-3
PABLO 31A
PABLO 31A-32
PABLO 31A-37-2
PABLO 31A-28
PABLO 31A-28-2
PABLO 31A-25
PABLO 31A-18
PABLO 31A-20
PABLO 31A-4
PABLO CANAL
PABLO 31A-0-6-7
PABLO 31A-0-6
PABLO 16AA
PABLO 36A
PABLO 37A
PABLO 37AAAA
PABLO 37A-4
Westphal Coulee
Walchuck Coulee
Pablo Reservoir

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052932

Exhibit 32

Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
4
3
2

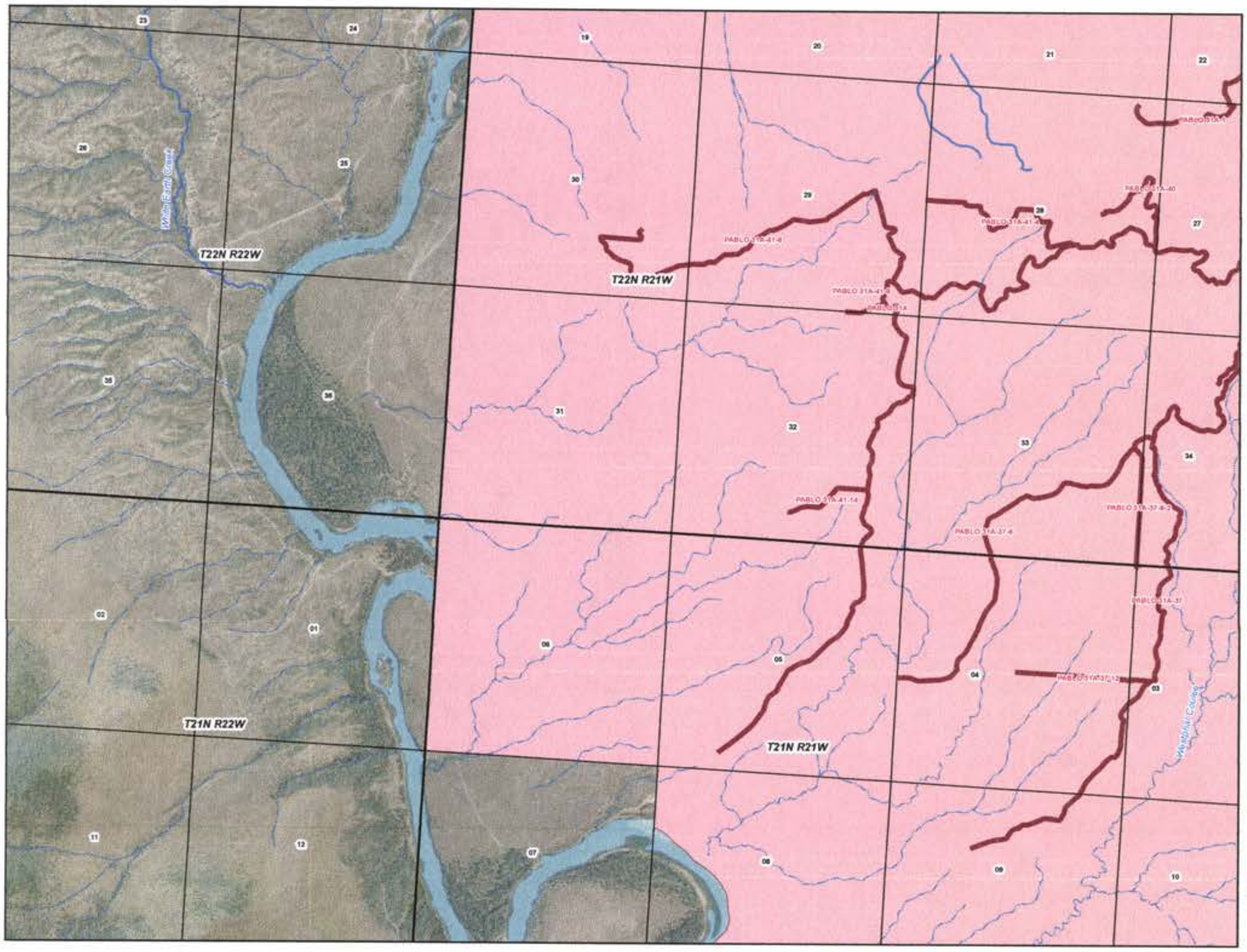
Flathead Indian Reservation

Legend

- ▨ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

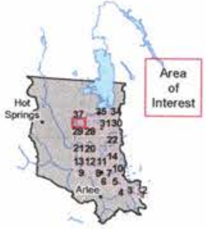

23
24
19
20
21
22
26
25
30
29
28
27
White Earth Creek
T22N R22W
T22N R21W
PABLO 31A-41-8
PABLO 31A-41-4
PABLO 31A-40
PABLO 31A-1
PABLO 31A-41-1
PABLO 31A
35
36
31
32
33
34
PABLO 31A-41-14
PABLO 31A-37-6
PABLO 31A-37-8-2
PABLO 31A-37
PABLO 31A-37-12
02
01
06
05
04
03
T21N R22W
T21N R21W
11
12
07
08
09
10

Place of Use and Point of Diversion

FIIP

Water Use

76L
30052932
Exhibit 33


Area of Interest
Hot Springs
Arlee
37
35
34
31
30
29
28
22
21
20
14
13
12
11
10
9
8
7
6
5
4
3
2

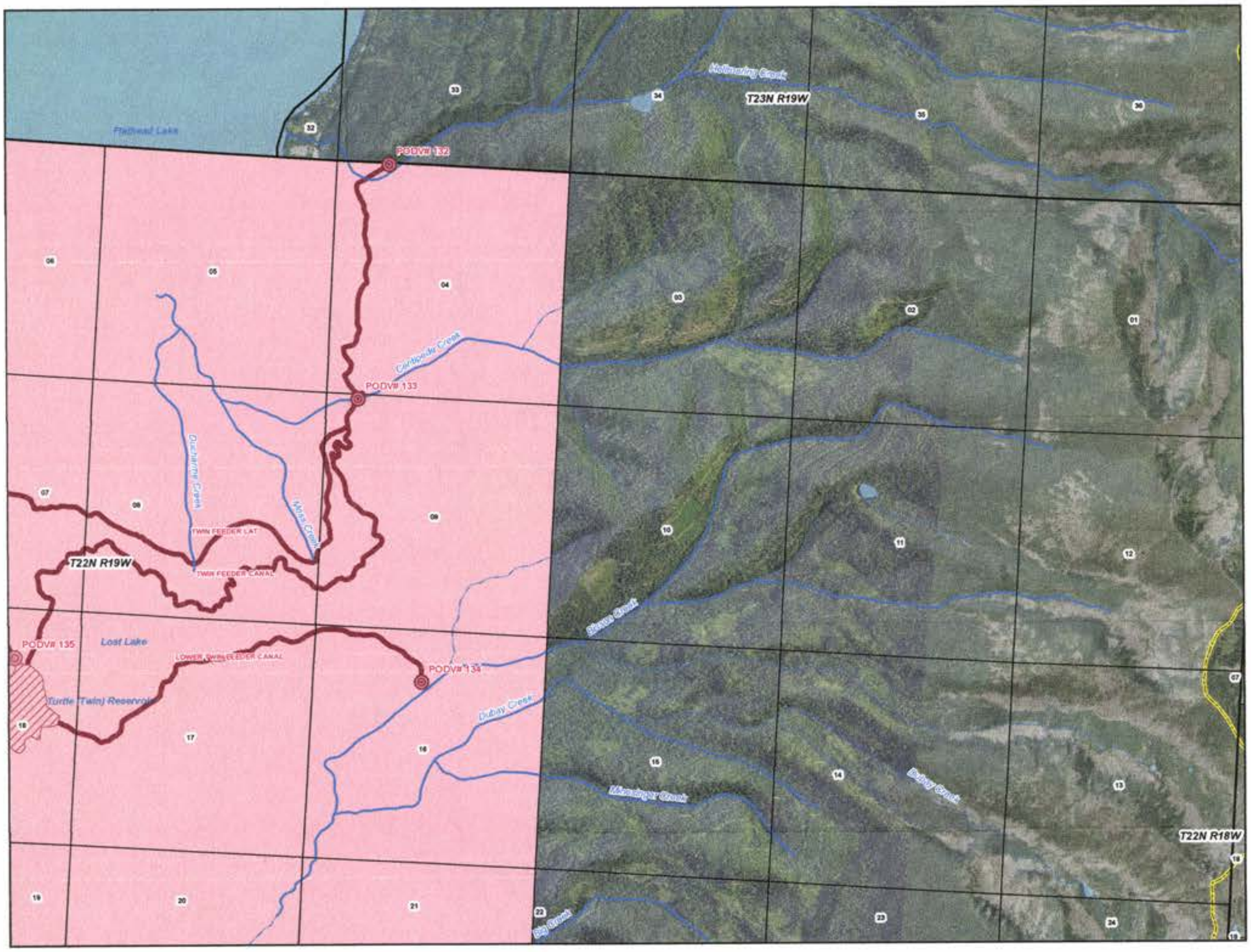
Flathead Indian Reservation

Legend

▭	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Flathead Lake
T23N R19W
Hellroaring Creek
PODV# 132
Centipede Creek
PODV# 133
Ducharme Creek
Mill Creek
TWIN FEEDER LAT
TWIN FEEDER CANAL
T22N R19W
PODV# 135
Lost Lake
LOWER TWIN FEEDER CANAL
PODV# 134
Turtle (Twin) Reservoir
Dubay Creek
Minnesinger Creek
Big Creek
T22N R18W

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052932

Exhibit 34

Area of Interest
Hot Springs
Arlee
37
26
34
31
30
29
28
22
21
20
13
12
11
14
9
8
7
10
6
5
4
3
2

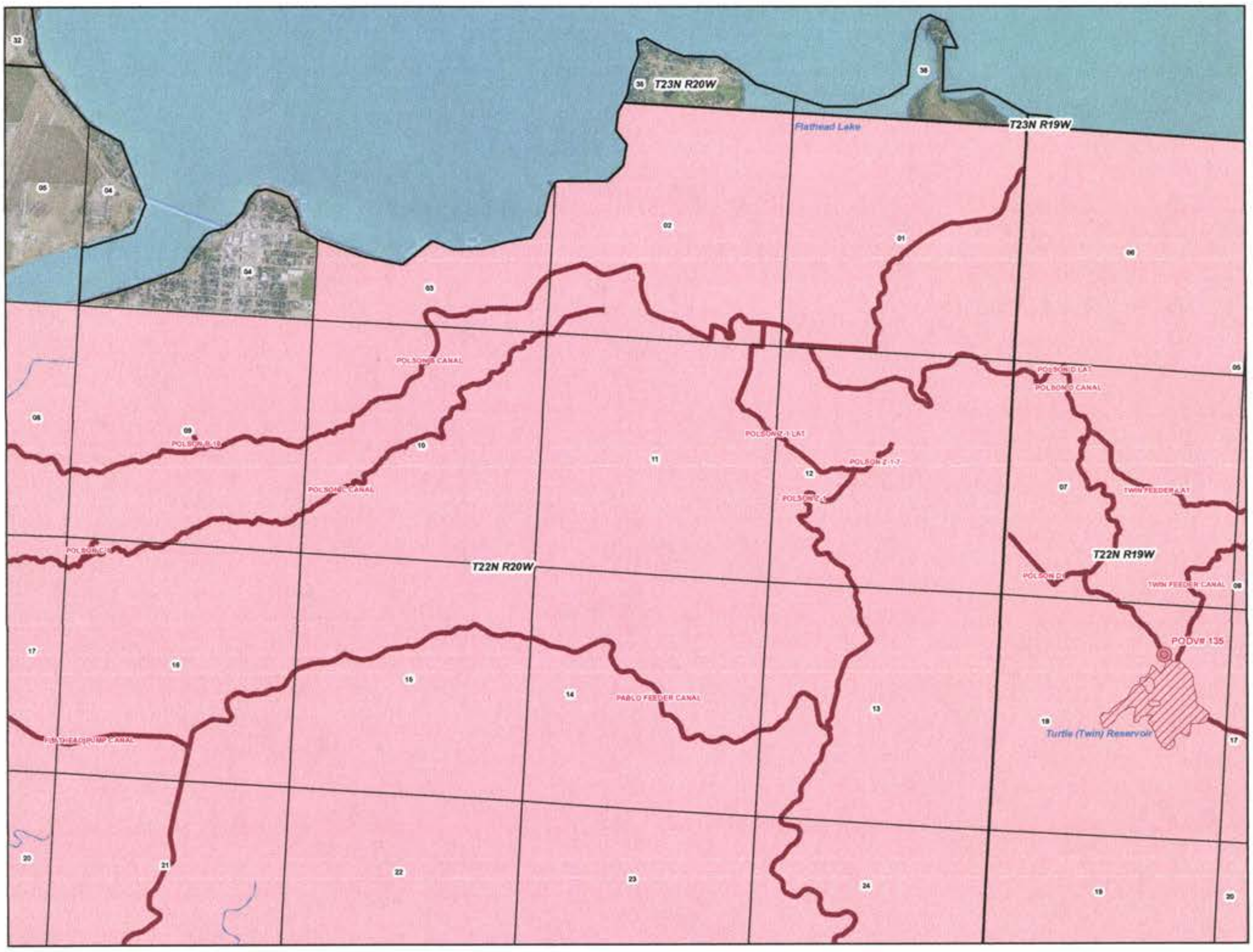
Flathead Indian Reservation

Legend

- ▭ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T23N R20W
T23N R19W
Flathead Lake
T22N R20W
T22N R19W
POLSON B CANAL
POLSON B-18
POLSON C CANAL
POLSON C
POLSON D LAT
POLSON D CANAL
POLSON Z-1 LAT
POLSON Z-1-7
POLSON Z
POLSON D
TWIN FEEDER LAT
TWIN FEEDER CANAL
PABLO FEEDER CANAL
FLATHEAD PUMP CANAL
PODV# 135
Turtle (Twin) Reservoir
32
36
35
05
04
03
02
01
06
08
09
10
11
12
07
17
16
15
14
13
18
20
21
22
23
24
19

Place of Use and Point of Diversion

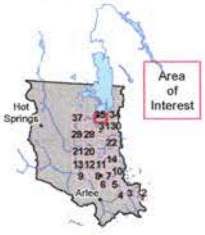
FIIP

Water Use

76L

30052932

Exhibit 35


Area of Interest
Hot Springs
Arlee
37
28 29
31 30
21 20
22
13 12 11 14
9
8
7
10
6
5
4
3
2

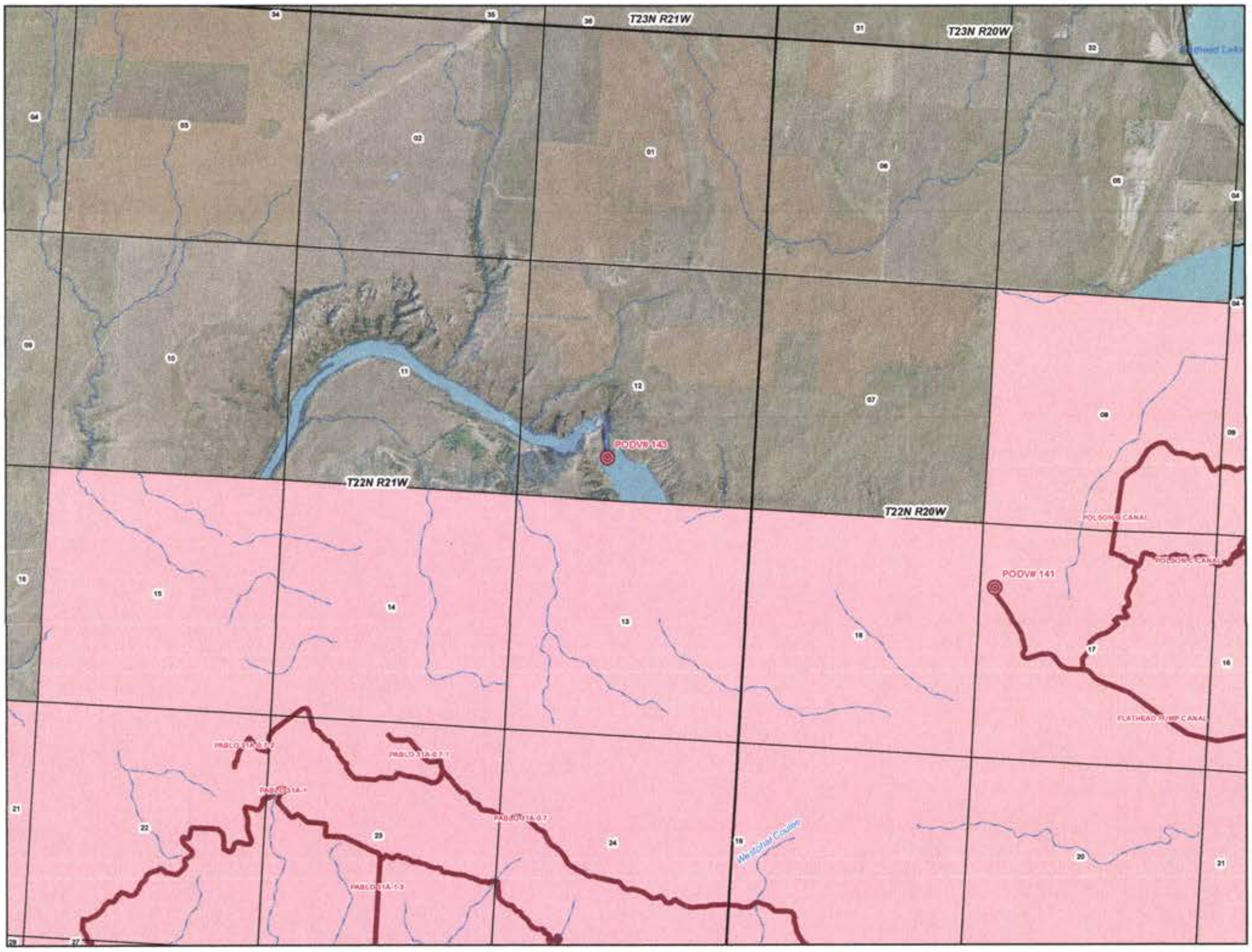
Flathead Indian Reservation

Legend

▨	Place of Use
◉	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T23N R21W
T23N R20W
Flathead Lake
T22N R21W
T22N R20W
PODV# 143
PODV# 141
POLSON G CANAL
POLSON C CANAL
FLATHEAD PUMP CANAL
PABLO 31A-0.7-2
PABLO 31A-0.7-1
PABLO 31A-1
PABLO 31A-0.7
PABLO 31A-1-3
Westphal Coulee
34
35
36
31
32
04
03
02
01
06
05
09
10
11
12
07
08
16
15
14
13
18
17
21
22
23
24
19
20
28
27

Place of Use and Point of Diversion *FIIP* *Water Use*

76L 30052932

Exhibit 36

Area of Interest
Hot Springs
Arlee
37
35
34
29
28
31
30
21
20
22
13
12
11
14
9
8
7
10
6
5
4
3
2

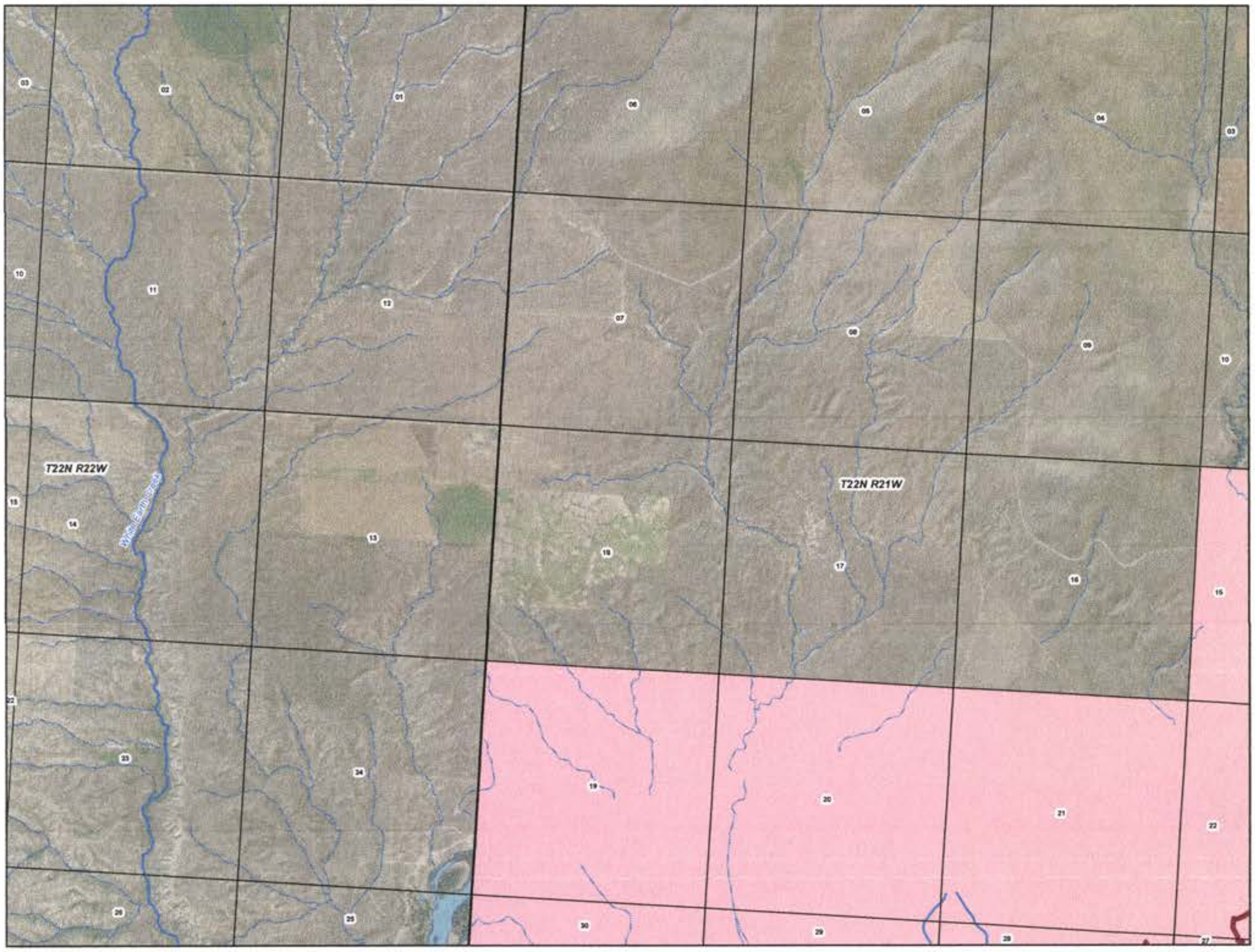
Flathead Indian Reservation

Legend

- ▨ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


03
02
01
06
05
04
03
10
11
12
07
08
09
10
T22N R22W
15
14
13
18
T22N R21W
17
16
15
22
23
24
19
20
21
22
26
25
30
29
28
27

Place of Use and Point of Diversion

FIIP

Water Use

76L

30052932

Exhibit 37

Area of Interest
Hot Springs
37
36
35
34
29
28
31
30
22
21
20
14
13
12
11
9
8
7
10
6
5
Arlee
4
3
2

Flathead Indian Reservation

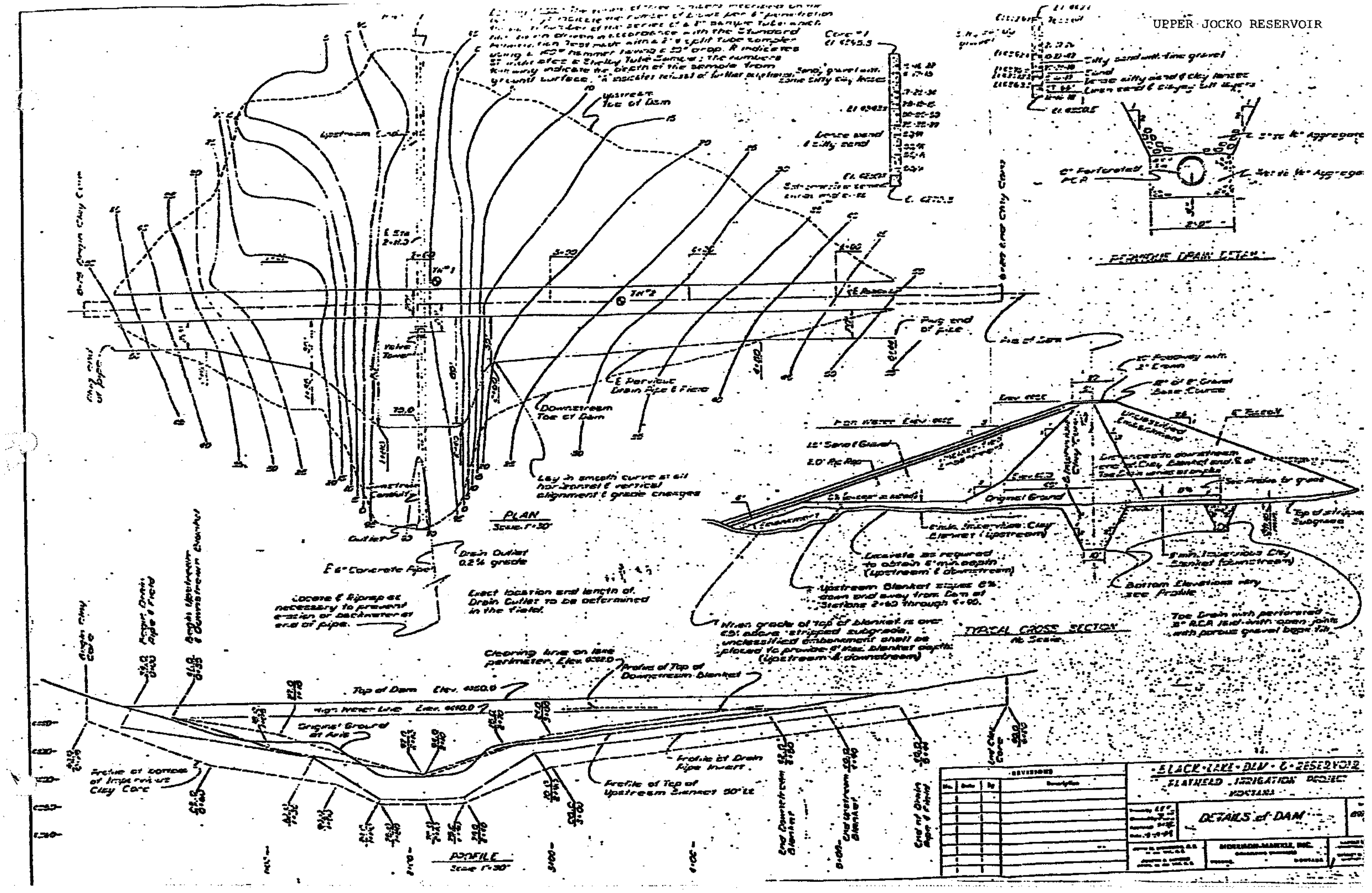
Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir

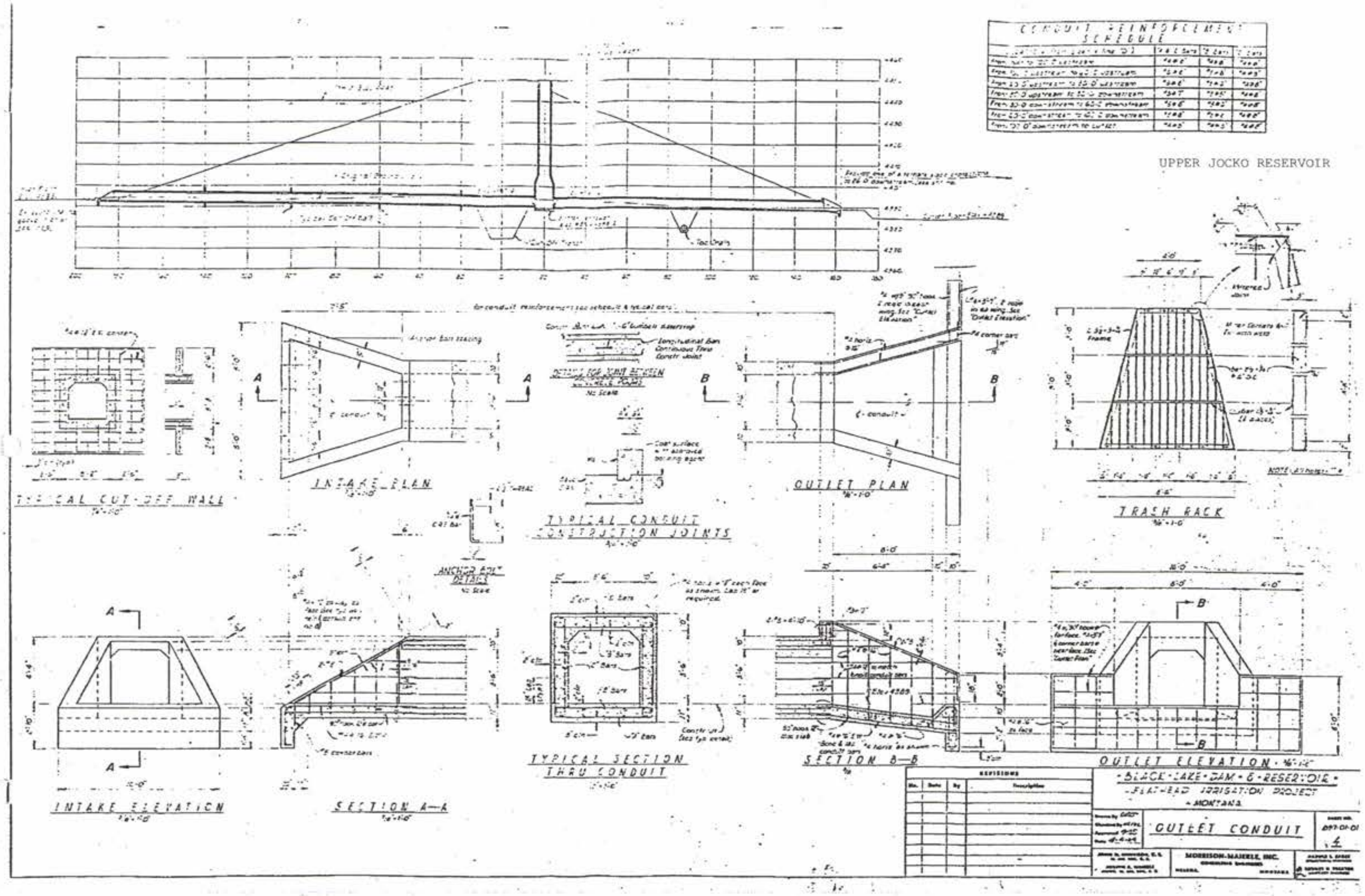
0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Water
Use (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

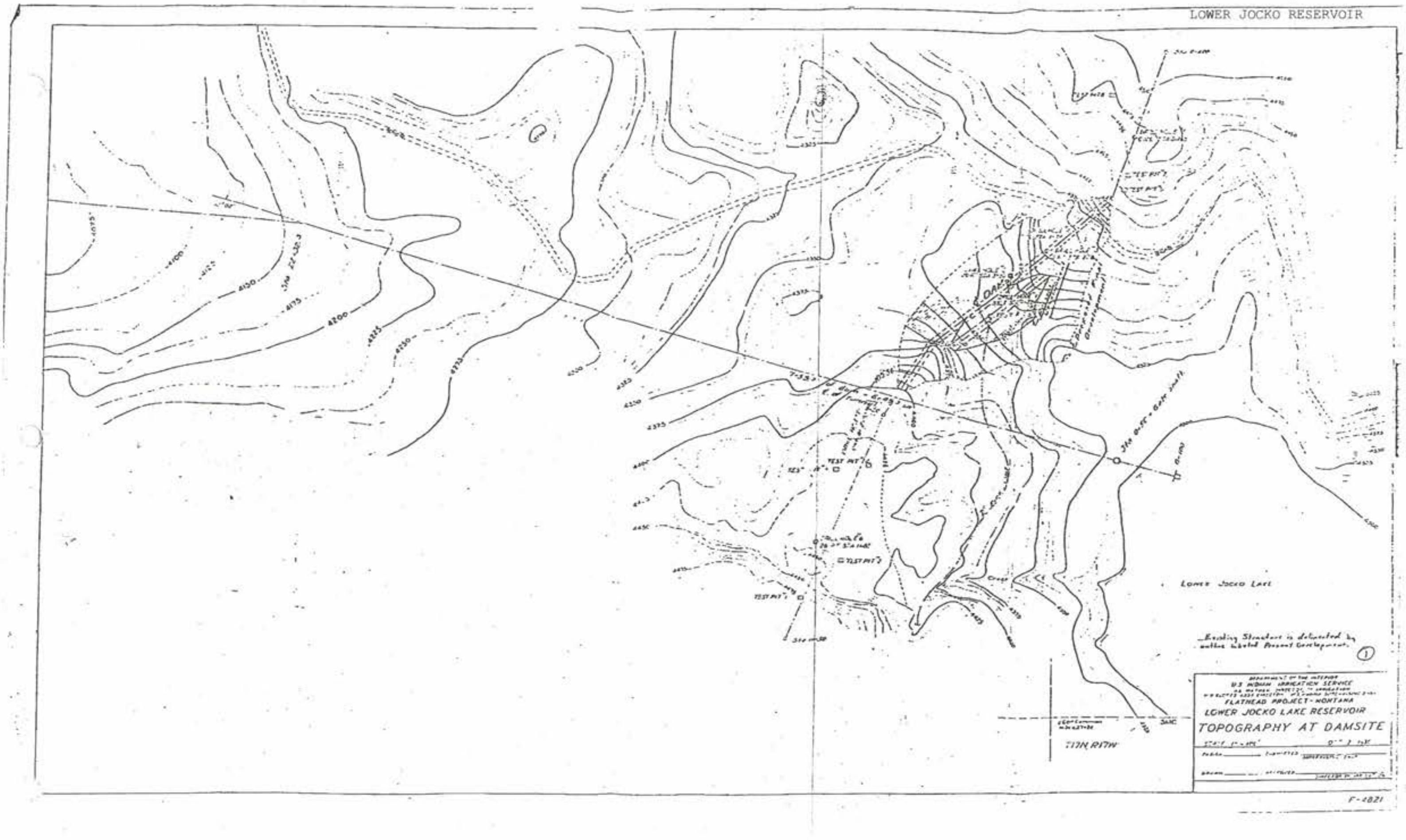
UPPER JOCKO RESERVOIR


PLAN
Scale 1"=30'
Upstream Toe of Dam
Upstream Cond.
Valve Tower
Downstream Toe of Dam
℄ Pervious Drain Pipe & Field
Lay in smooth curve at all horizontal & vertical alignment & grade changes
Plug end of pipe
Toe of Dam
Outlet
Drain Outlet 0.2% grade
℄ 6" Concrete Pipe
Exact location and length of Drain Outlet to be determined in the field.
Locate & Riprap as necessary to prevent erosion or backwater at end of pipe.
TH #1
TH #2
Dense sand & silty sand
PERVIOUS DRAIN DETAIL
6" Perforated PCP
Silty sand with fine gravel
Sand
Dense silty sand & clay lenses
2'-0"
12' Roadway with 2" Crown
8" of 6" Gravel Base Course
Elev. 6050
High Water Elev. 6032
1.5' Sand Gravel
2.0' Rip Rap
Unclassified Embankment
Original Ground
Impervious Clay Core
Impervious Clay Blanket (Upstream)
Excavate as required to obtain 6' min. depth (Upstream & downstream)
Upstream Blanket slopes 6% down and away from Dam at Stations 2+40 through 4+00.
When grade of top of blanket is over 6.5' above stripped subgrade, unclassified embankment shall be placed to provide 6' min. blanket depth (Upstream & downstream)
6' min. Impervious Clay Blanket (downstream)
Bottom Elevations vary see Profile
See Profile for grade
Top of stripped Subgrade
Toe Drain with perforated 8" RCP laid with open joints with porous gravel backfill
TYPICAL CROSS SECTION
No Scale
10'
Clearing line on lake perimeter, Elev. 6020
Profile of Top of Downstream Blanket
Top of Dam Elev. 6050.0
High Water Line Elev. 6032.0
Original Ground at Axis
Profile of Drain Pipe Invert
Profile of Top of Upstream Blanket 50' Lt
Profile at bottom of Impervious Clay Core
Begin Clay Core
Begin Drain Pipe & Field
Begin Upstream & Downstream Blanket
End Downstream Blanket
End Upstream Blanket
End of Drain Pipe & Field
End Clay Core
PROFILE
Scale 1"=30'
REVISIONS
No.
Date
By
Description
BLACK LAKE DAM & RESERVOIR
FLATHEAD IRRIGATION PROJECT
MONTANA
DETAILS of DAM
MORRISON-MAIERLE, INC.

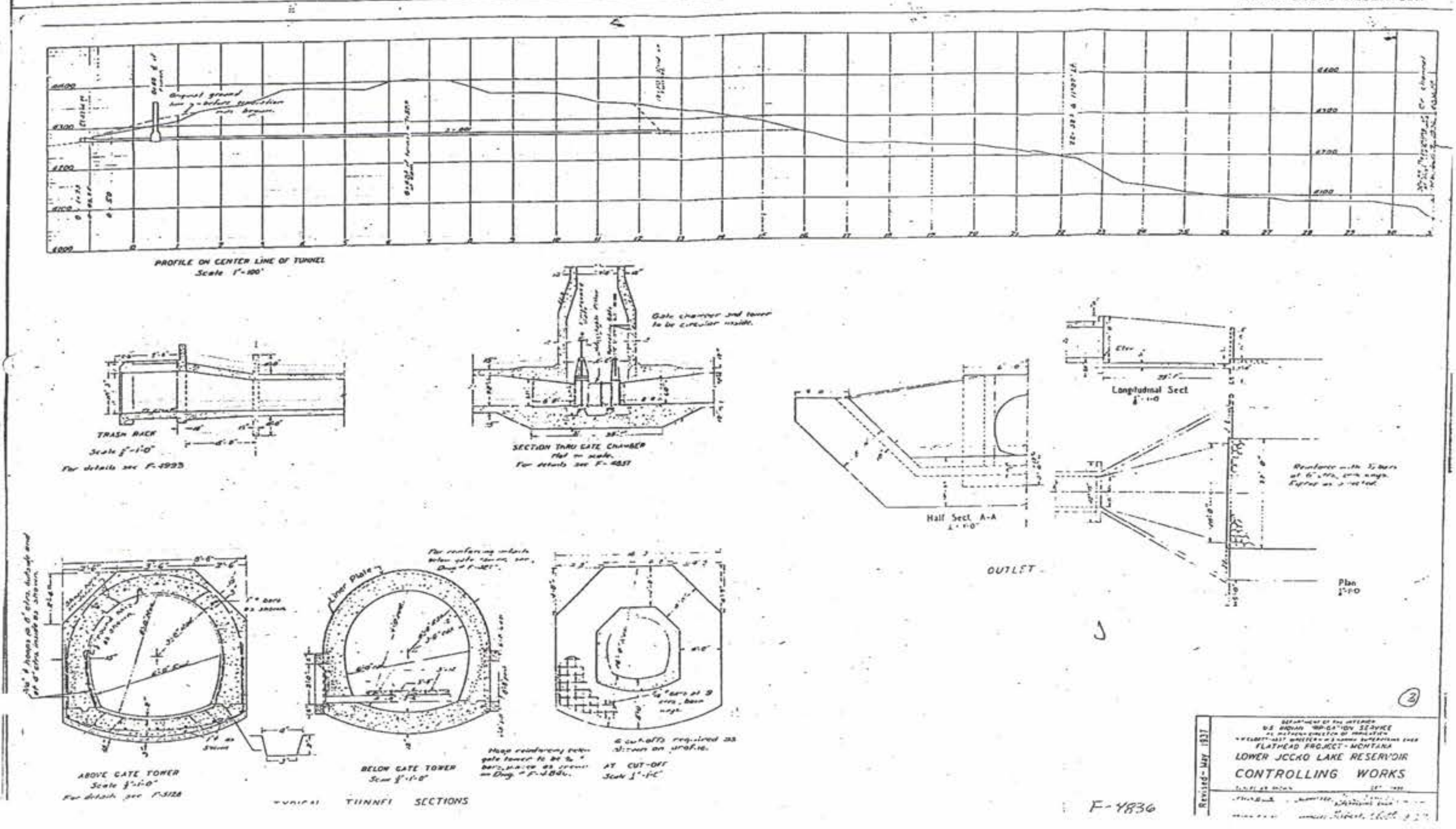
UPPER JOCKO RESERVOIR


CONDUIT REINFORCEMENT SCHEDULE
Original Ground
Cut-off Trench
Toe Drain
for conduit reinforcement see schedule & typical detail
TYPICAL CUT-OFF WALL
INTAKE PLAN
A
DETAILS FOR JOINT BETWEEN CONDUIT & WALL
No Scale
TYPICAL CONDUIT CONSTRUCTION JOINTS
ANCHOR BOLT DETAILS
No Scale
OUTLET PLAN
B
TRASH RACK
INTAKE ELEVATION
SECTION A—A
TYPICAL SECTION THRU CONDUIT
SECTION B—B
OUTLET ELEVATION
REVISIONS
No.
Date
By
Description
• BLACK • LAKE • DAM • & • RESERVOIR •
• FLATHEAD IRRIGATION PROJECT
• MONTANA
OUTLET CONDUIT
4
MORRISON-MAIERLE, INC.
CONSULTING ENGINEERS
HELENA
MONTANA

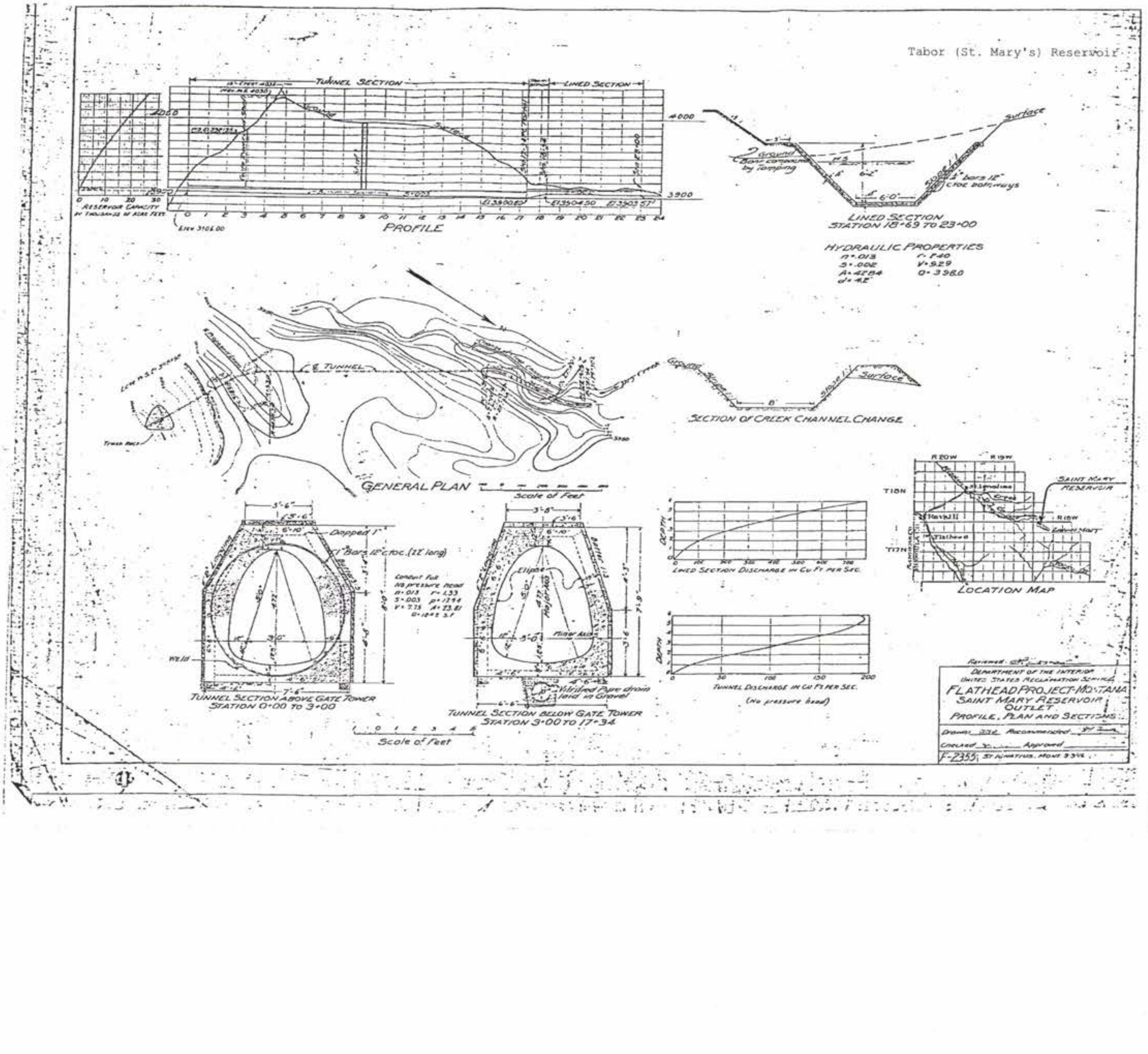
LOWER JOCKO RESERVOIR


4200
4225
4250
4275
4300
4325
4350
4375
4400
4425
4450
4475
TEST PIT
DAM
Lower Jocko Lake
Creek
T17N, R17W
Existing Structure is delineated by outline labeled Present Development.
①
DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER JOCKO LAKE RESERVOIR
TOPOGRAPHY AT DAMSITE
F-4821

LOWER JOCKO RESERVOIR


4400
4300
4200
4100
4000
Original ground line before construction was begun.
PROFILE ON CENTER LINE OF TUNNEL
Scale 1"=100'
TRASH RACK
Scale ⅛"=1'-0"
For details see F-4993
Gate chamber and tower to be circular inside.
SECTION THRU GATE CHAMBER
Not to scale.
For details see F-4837
Longitudinal Sect
Half Sect. A-A
OUTLET
Plan
Reinforce with ½" bars at 6" ctrs. each way.
Liner Plate
For reinforcing details below gate tower, see Dwg. F-4861
ABOVE GATE TOWER
Scale ⅛"=1'-0"
For details see F-5128
BELOW GATE TOWER
Scale ⅛"=1'-0"
Hoop reinforcing below gate tower to be ¾" bars, placed as shown on Dwg. F-4861.
6 cut-offs required as shown on prof. 16.
AT CUT-OFF
Scale ⅛"=1'-0"
TYPICAL TUNNEL SECTIONS
③
DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER JOCKO LAKE RESERVOIR
CONTROLLING WORKS
Revised - May 1937
F-4836

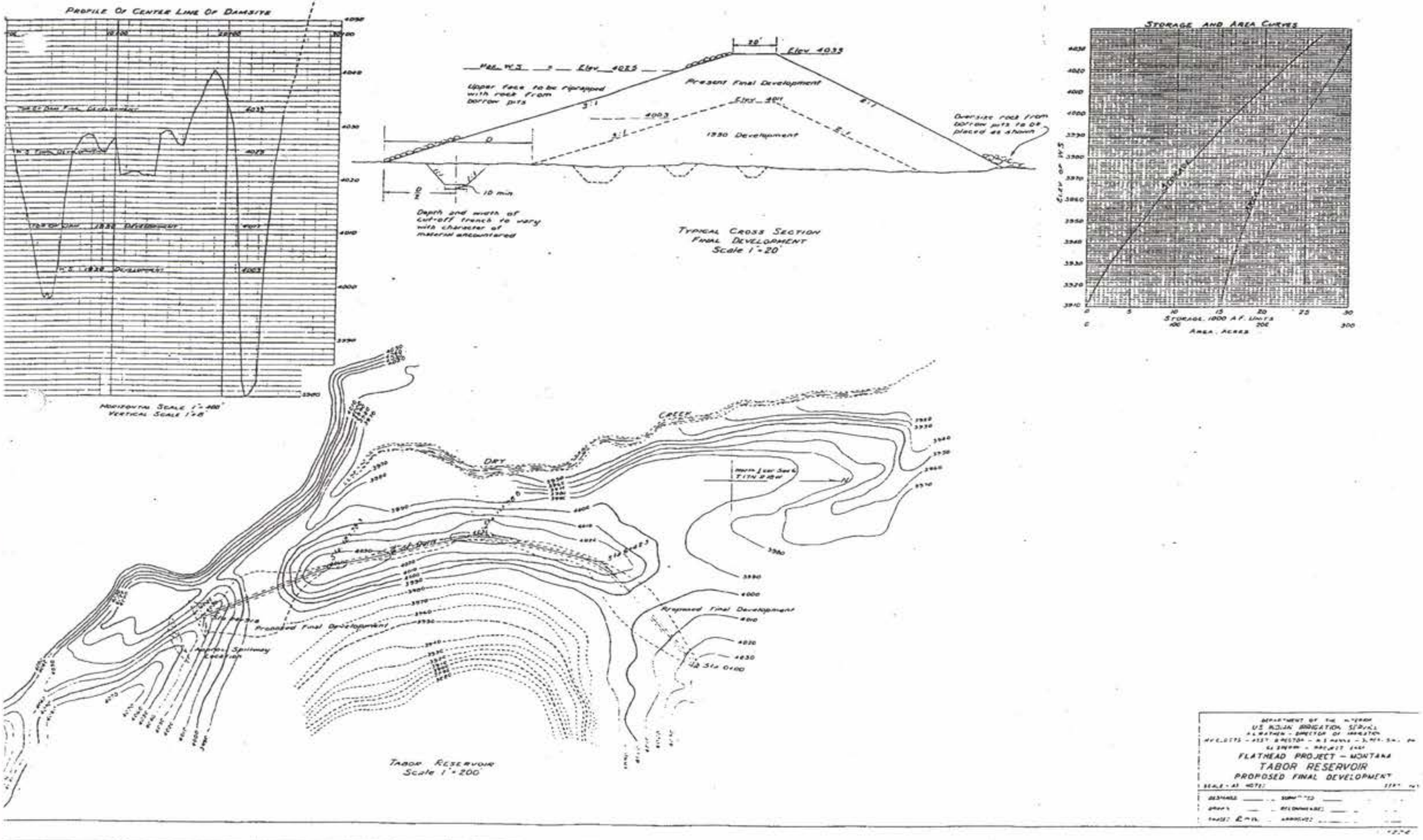
Tabor (St. Mary's) Reservoir

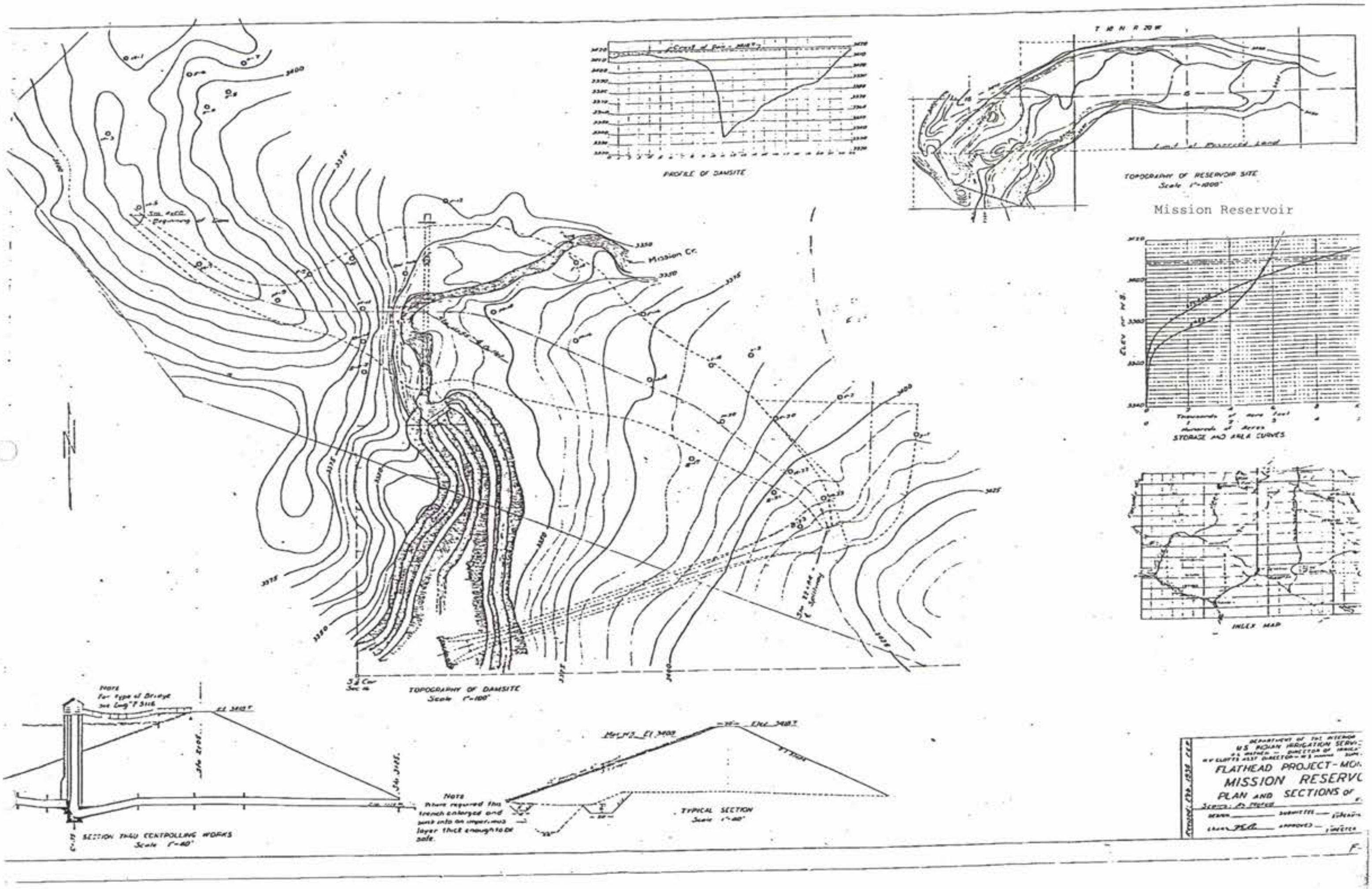

TUNNEL SECTION
LINED SECTION
PROFILE
RESERVOIR CAPACITY IN THOUSANDS OF ACRE FEET
4000
3900
LINED SECTION STATION 18+69 TO 23+00
Surface
Ground
6'-0"
HYDRAULIC PROPERTIES
n=.013 r=2.40
S=.002 V=9.29
A=42.84 Q=398.0
d=4.2'
¢ TUNNEL
Trash Rack
GENERAL PLAN
Scale of Feet
SECTION OF CREEK CHANNEL CHANGE
Surface
8'
R20W
R19W
T18N
T17N
SAINT MARY RESERVOIR
LOCATION MAP
Dapped 1"
1" Bars 12" c.to c. (22' long)
Conduit Full
No pressure head
Ellipse
Minor Axis
Weld
Vitrified Pipe drain laid in Gravel
TUNNEL SECTION ABOVE GATE TOWER STATION 0+00 TO 3+00
TUNNEL SECTION BELOW GATE TOWER STATION 3+00 TO 17+34
Scale of Feet
DEPTH
LINED SECTION DISCHARGE IN CU FT PER SEC.
TUNNEL DISCHARGE IN CU FT PER SEC.
(No pressure head)

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT-MONTANA
SAINT MARY RESERVOIR
OUTLET
PROFILE, PLAN AND SECTIONS

Reviewed:
Drawn: JJL Recommended:
Checked: Approved:
F-2355 ST IGNATIUS, MONT 3-3-16

Tabor (St. Mary's) Reservoir


PROFILE OF CENTER LINE OF DAMSITE
HORIZONTAL SCALE 1" = 400'
VERTICAL SCALE 1" = 8'
1930 Development
Max. W.S. Elev 4025
Elev 4033
20'
Upper face to be riprapped with rock from borrow pits
Present Final Development
3:1
Elev 4011
4003
1930 Development
2:1
Oversize rock from borrow pits to be placed as shown
D
D/2
10 min
Depth and width of cut-off trench to vary with character of material encountered
TYPICAL CROSS SECTION
FINAL DEVELOPMENT
Scale 1" = 20'
STORAGE AND AREA CURVES
ELEV OF W.S.
STORAGE, 1000 A.F. UNITS
AREA, ACRES
Storage
Area
DRY
CREEK
Proposed Final Development
Approx. Spillway Location
Sta 0+00
TABOR RESERVOIR
Scale 1" = 200'
DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT – MONTANA
TABOR RESERVOIR
PROPOSED FINAL DEVELOPMENT
SCALE – AS NOTED


Crest of Dam - 3410
3400
3375
3350
3325
Mission Cr.
Sta 0+00 Beginning of Dam
Sta 22+00 ± Spillway
S ¼ Cor Sec 16
T 18 N R 20 W
Limit of Reserved Land
Elev. W.S.
Thousands of Acre Feet
Hundreds of Acres
Note For type of Bridge see Dwg. F 3116
El. 3410 ±
Sta 21+08
Sta 31+25
C. of
Max W.S. El. 3409
Elev 3410 ±
Note Where required this trench enlarged and sunk into an impervious layer thick enough to be safe.

PROFILE OF DAMSITE

TOPOGRAPHY OF RESERVOIR SITE
Scale 1" = 1000'

Mission Reservoir

STORAGE AND AREA CURVES

INDEX MAP

TOPOGRAPHY OF DAMSITE
Scale 1" = 100'

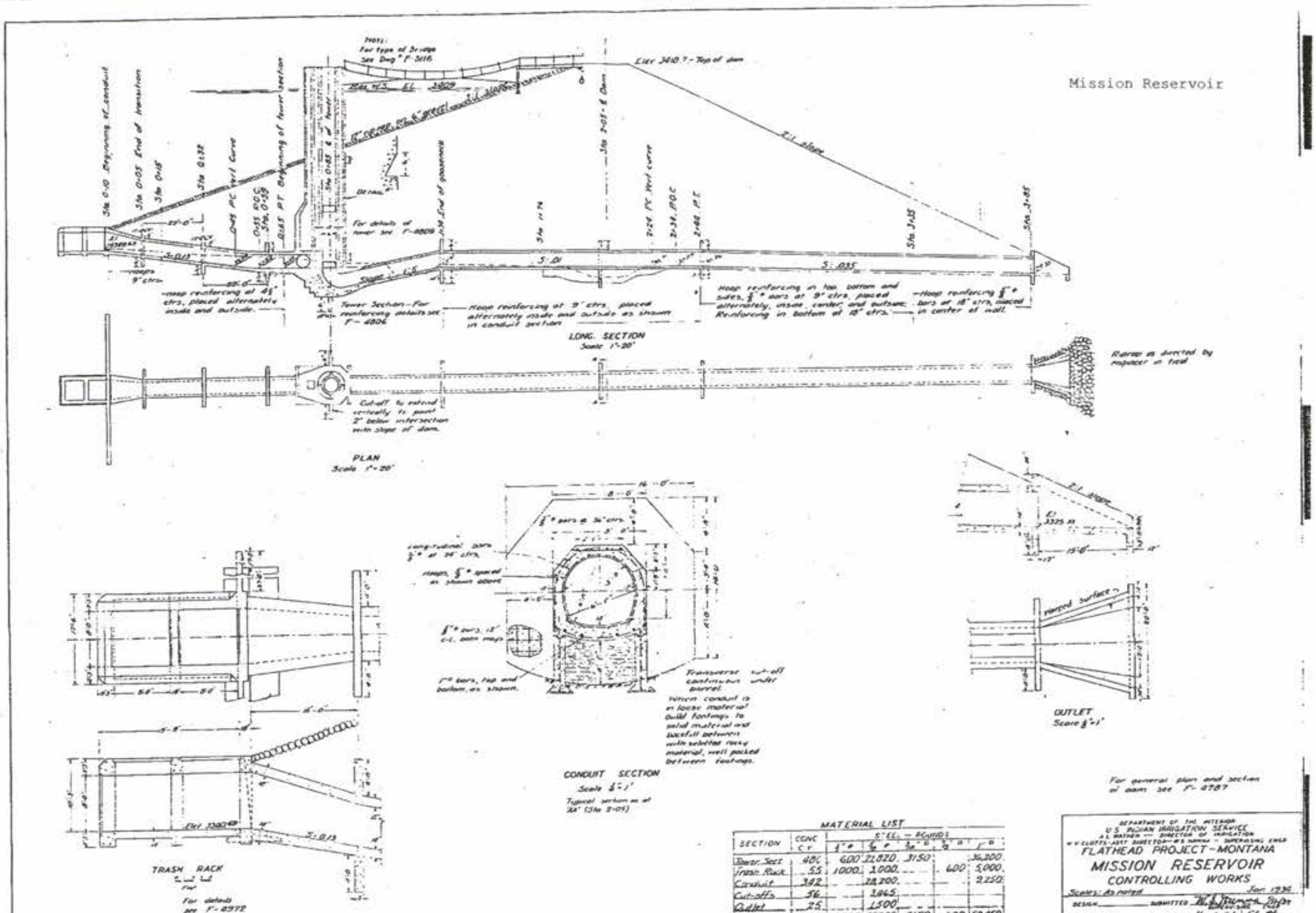
SECTION THRU CONTROLLING WORKS
Scale 1" = 40'

TYPICAL SECTION
Scale 1" = 40'

DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVI
FLATHEAD PROJECT - MO
MISSION RESERVO
PLAN AND SECTIONS OF
Scale: As Noted
DRAWN ——— SUBMITTED ———
TRACED ——— APPROVED ———

F-

Mission Reservoir


Note: For type of bridge see Dwg. F-3116
Elev 3410.7 - Top of dam
Max W.S. El. 3409
2:1 slope
Sta 0+10 Beginning of conduit
Sta 0+05 End of transition
Sta 0+15
Sta 0+32
Sta 1+74
Sta 2+05.8 Dam
2+24 PC Vert curve
Sta 3+35
Sta 3+85
S: 01
S: 035
Hoop reinforcing at 4½" ctrs. placed alternately inside and outside.
Tower Section - For reinforcing details see F-4806
Hoop reinforcing at 9" ctrs. placed alternately inside and outside as shown in conduit section
Hoop reinforcing in top, bottom and sides, ⅝" bars at 9" ctrs. placed alternately, inside, center, and outside. Reinforcing in bottom at 18" ctrs.
Hoop reinforcing ⅝" bars at 18" ctrs. placed in center of wall.
For details of tower see F-4809
LONG. SECTION
Scale 1"=20'
Riprap as directed by engineer in field
Cut-off to extend vertically to point 2' below intersection with slope of dam.
PLAN
Scale 1"=20'
TRASH RACK
For details see F-4972
S: 013
CONDUIT SECTION
Scale ½"=1'
Typical section as at 3ft (Sta 2-05)
Transverse cut-off continuous under barrel.
When conduit is in loose material build footings to solid material and backfill between with selected rocky material, well packed between footings.
OUTLET
Scale ⅛"=1'
2:1 slope

For general plan and section of dam see F-4787

MATERIAL LIST

SECTION	CONC C.Y.	STEEL - POUNDS				
		1"ø	⅝"ø	¾"□	⅞"□	1"□
Tower Sect	480	600	21820	3150		36,200
Trash Rack	55	1000	1000	—	600	5,000
Conduit	342	—	28,200	—	—	9250
Cut-offs	56	—	3665	—	—	
Outlet	25	—	1500	—	—	
Totals	958	1600	57985	3150	600	50450

DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
A.L. WATHEN — DIRECTOR OF IRRIGATION
H.V. CLOTTS - ASST. DIRECTOR — W.S. HANNA — SUPERVISING ENGR.
FLATHEAD PROJECT - MONTANA

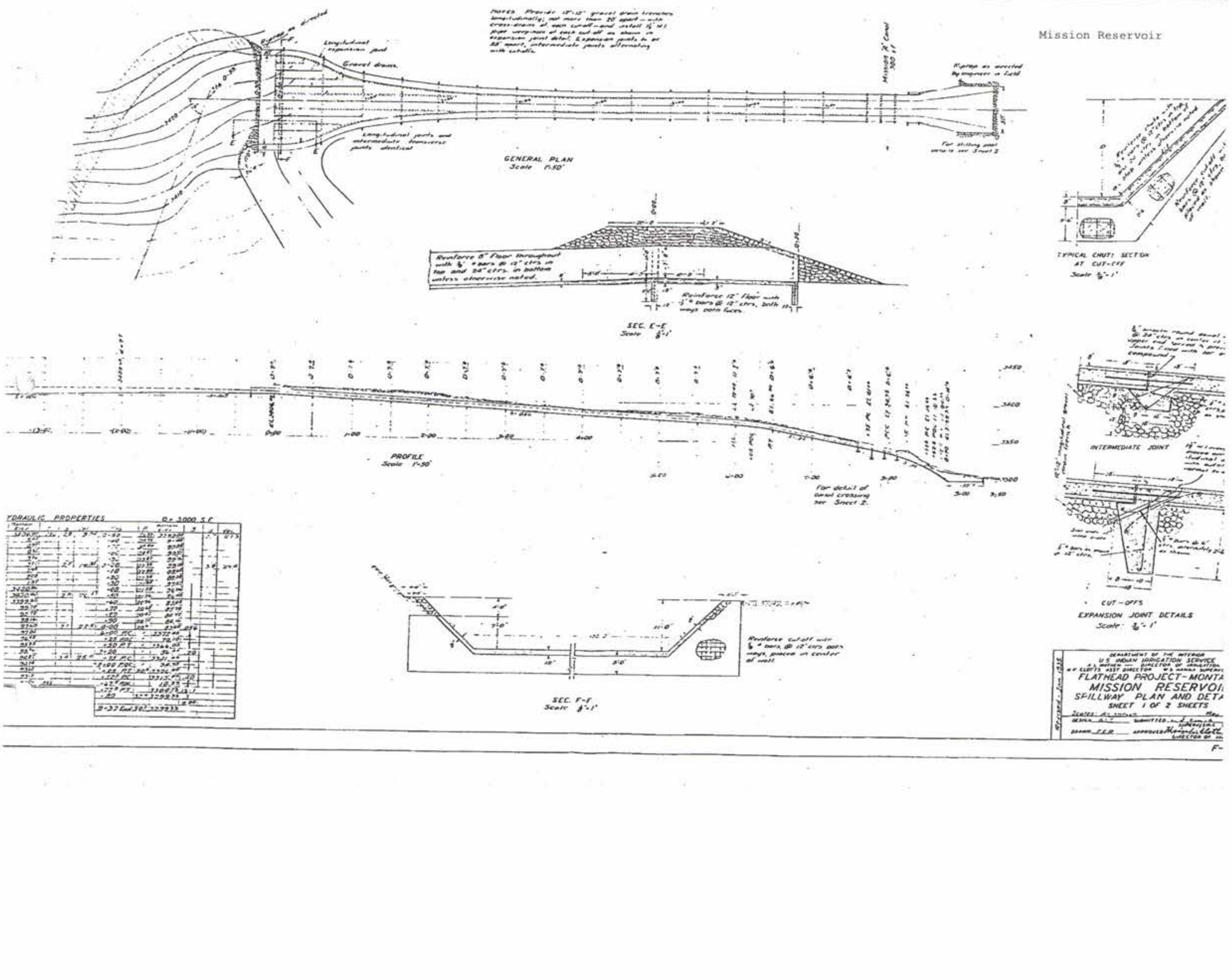
MISSION RESERVOIR

CONTROLLING WORKS

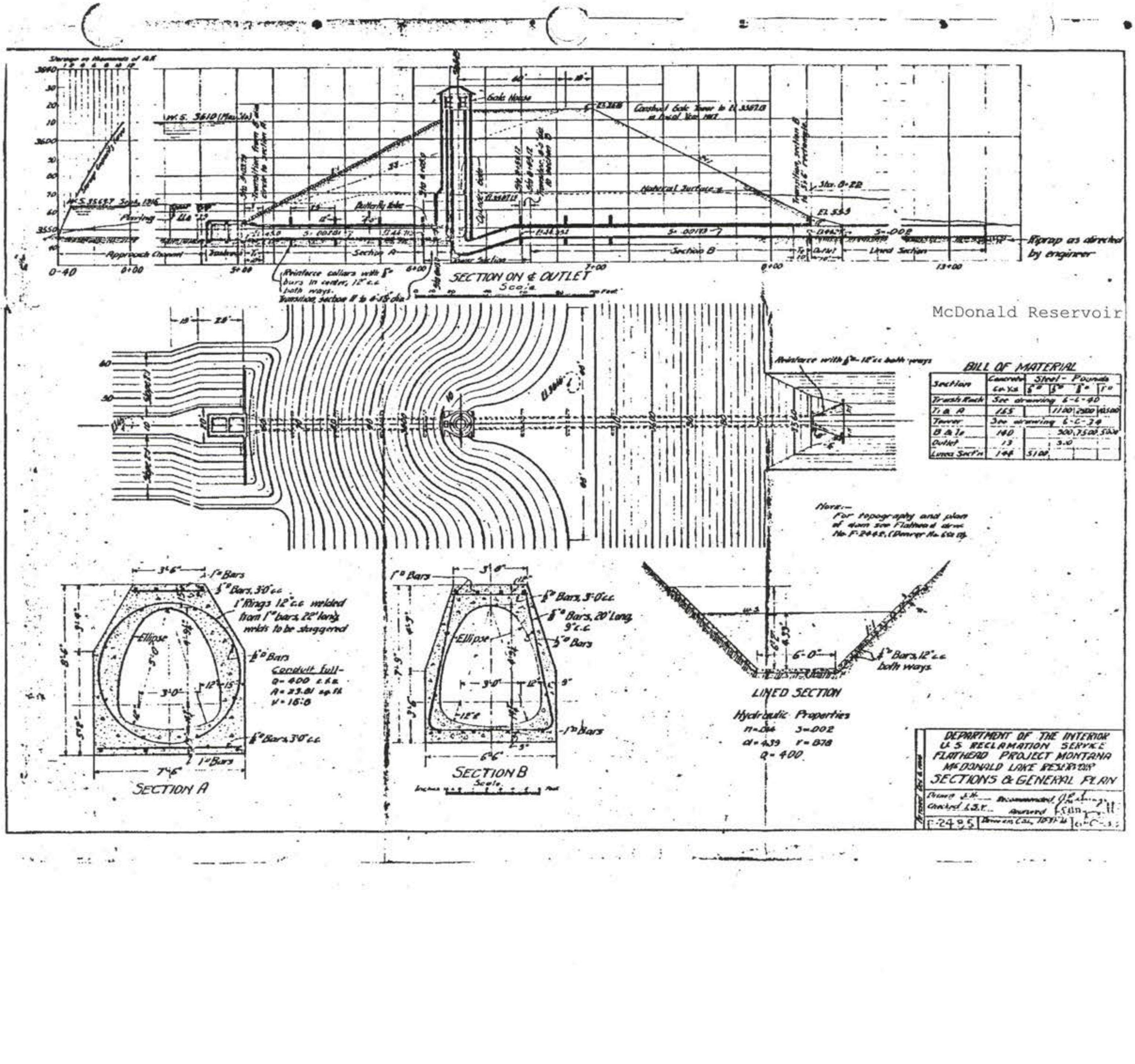
Scales: As noted Jan 1936
DESIGN ______ SUBMITTED W.S. Hanna Supervising Engr.
DRAWN ______ APPROVED Director of Irrigation

F-4795

Mission Reservoir


NOTES: Provide 12"x12" gravel drain trenches longitudinally, not more than 20' apart – with cross-drains at each cutoff – and install 1½" W.I. pipe weepholes at each cut-off as shown in expansion joint detail. Expansion joints to be 25' apart, intermediate joints alternating with cutoffs.
Riprap as directed
Longitudinal expansion joint
Gravel drains
Longitudinal joints and intermediate transverse joints identical
Mission "A" Canal
Riprap as directed by engineer in field
For stilling pool details see Sheet 2
GENERAL PLAN
Scale 1"=50'
Reinforce 8" floor throughout with ⅝" ∅ bars @ 12" ctrs. in top and 24" ctrs. in bottom unless otherwise noted.
Reinforce 12" floor with ⅝" ∅ bars @ 12" ctrs. both ways both faces.
SEC. E-E
Scale ⅛"=1'
TYPICAL CHUTE SECTION
AT CUT-OFF
Scale ⅛"=1'
PROFILE
Scale 1"=50'
For detail of canal crossing see Sheet 2.
HYDRAULIC PROPERTIES
Q = 3000 S.F.
Reinforce cutoff with ⅝" ∅ bars @ 12" ctrs. both ways, placed in center of wall.
SEC. F-F
Scale ⅛"=1'
INTERMEDIATE JOINT
compound
CUT-OFFS
EXPANSION JOINT DETAILS
Scale ⅜"=1'
DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT–MONTA
MISSION RESERVOI
SPILLWAY PLAN AND DETA
SHEET 1 OF 2 SHEETS
Revised – Jan. 1935
SUBMITTED
APPROVED
DIRECTOR OF
F-

McDonald Reservoir


Storage in thousands of A.F.
W.S. 3610 (Max. W.S.)
W.S. 3565.7 Sept. 1916
Area Capacity Curve
Paving
Gate House
El. 3618
Construct Gate Tower to El. 3587.8 as Initial Year 1917
Natural Surface
Sta. 8+22
El. 3553
Butterfly Valve
Approach Channel
Trashrack
Section A
Section B
Lined Section
Tower Section
Outlet
Riprap as directed by engineer
Reinforce collars with 5/8" bars in center, 12" c.c. both ways.
Transition, section B to 4'-3½" dia.
Transition, section B to 5'x6' rectangle
SECTION ON ℄ OUTLET
Scale
0-40
6+00
5+00
7+00
8+00
13+00
3650
3600
3550
Reinforce with 5/8" 12" c.c. both ways
Note:- For topography and plan of dam see Flathead drwg. No. F-2442, (Denver No. 60 - 19)
3'-6"
1" Bars
5/8" Bars, 3'0" c.c.
1" Rings 12" c.c. welded from 1" bars, 22" long, welds to be staggered
Ellipse
5/8" Bars
Conduit full-
Q = 400 c.f.s.
A = 23.81 sq. ft.
V = 16.8
8'-6"
7'-6"
5/8" Bars 3'0" c.c.
SECTION A
1" Bars
3'-6"
5/8" Bars, 3'-0" c.c.
5/8" Bars, 20' Long, 9" c.c.
1/2" Bars
6'-6"
SECTION B
Scale
W.S.
6'-0"
5/8" Bars, 12" c.c. both ways.
LINED SECTION
Hydraulic Properties
n = .014 s = .002
a = 4.39 r = 878
Q = 400

BILL OF MATERIAL

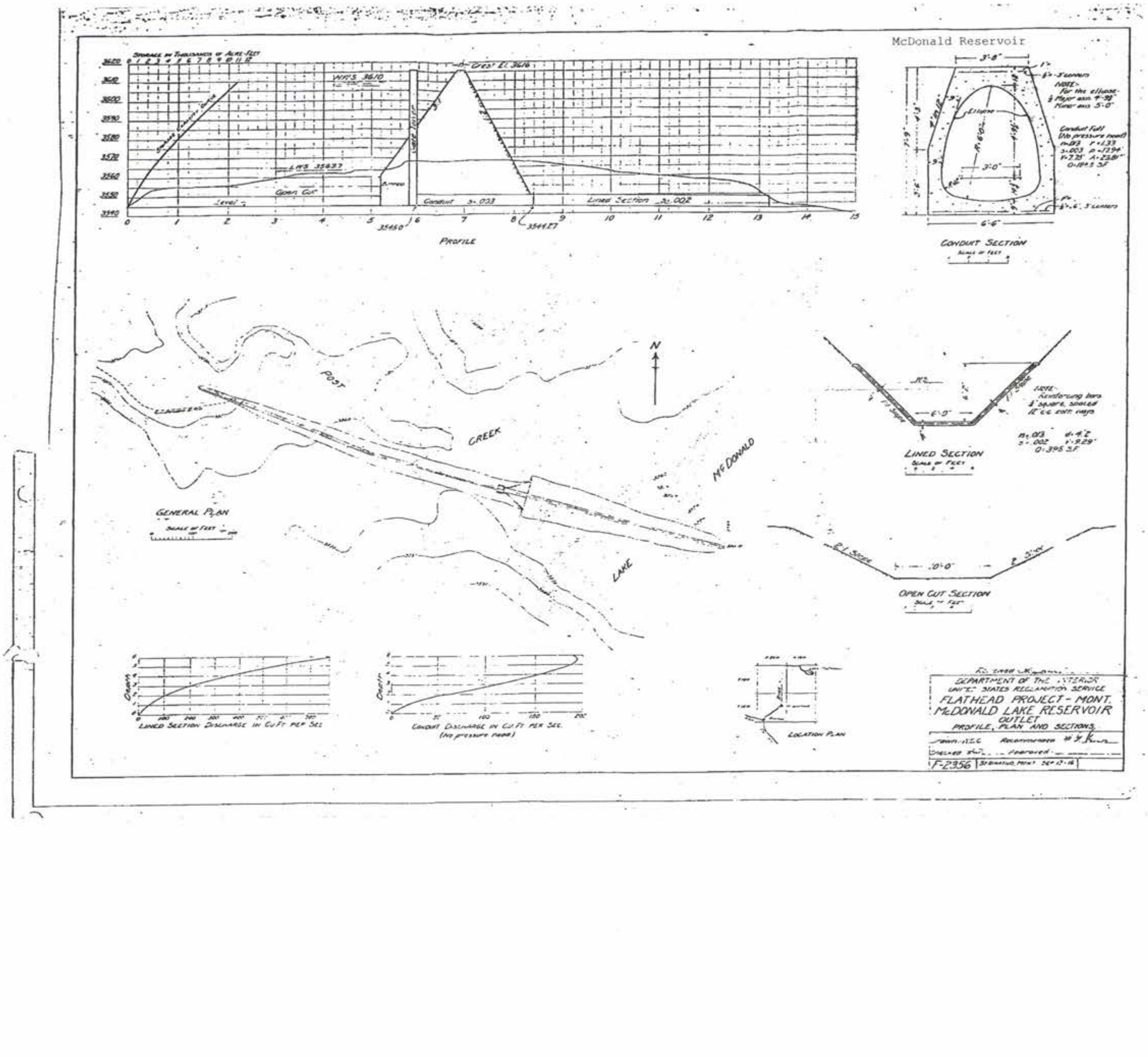
Section	Concrete Cu. Yds.	Steel - Pounds			
		5/8"	5/8"	7/8"	1"
Trash Rack	See drawing 6-C-40				
Tr. & A	165		1100	2500	10500
Tower	See drawing 6-C-34				
B & Tr	140		500	7500	5000
Outlet	13		3.0		
Lined Sect'n	144	5100			

DEPARTMENT OF THE INTERIOR
U.S. RECLAMATION SERVICE
FLATHEAD PROJECT MONTANA
McDONALD LAKE RESERVOIR
SECTIONS & GENERAL PLAN

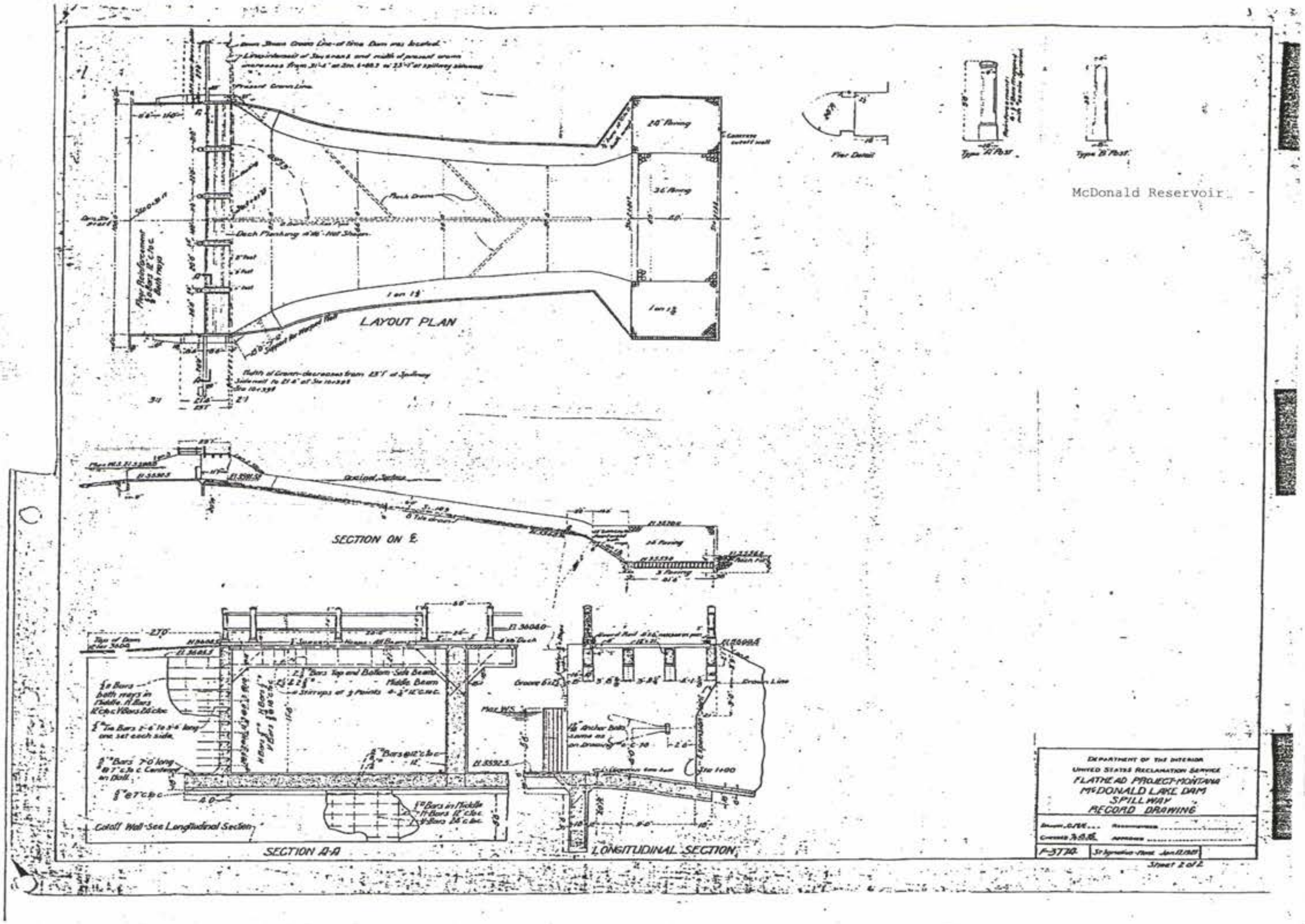
Drawn J.H. Recommended
Checked L.S.T. Approved

F-2495 Denver, Colo. 10-31-16

McDonald Reservoir


STORAGE IN THOUSANDS OF ACRE-FEET
3620
3610
3600
3590
3580
3570
3560
3550
3540
W.W.S. 3610
Crest El. 3616
L.W.S. 3563.7
Open Cut
Level
Conduit s=.003
Lined Section s=.002
3545.0
3544.27
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
PROFILE
3'-8"
1"
5/8" - 3' centers
NOTE:- For the ellipse. 1/2 Major axis 4'-3 3/8" Minor axis 5'-0"
Ellipse
R. 6'-0"
3'-0"
7'-9"
4'-3"
3'-6"
6'-6"
Conduit Full (No pressure head) n=.013 r=1.33 s=.003 p=17.94 V=7.75 A=23.81 Q=184.5 S.F.
5/8" - 6', 3' centers
CONDUIT SECTION
SCALE OF FEET
N
POST
CREEK
McDONALD
LAKE
GENERAL PLAN
SCALE OF FEET
6'-0"
NOTE:- Reinforcing bars 1/2" square, spaced 12" c.c. both ways
n=.013 d=4.2 s=.002 v=9.29 Q=395 S.F.
LINED SECTION
SCALE OF FEET
2:1 Slope
10'-0"
OPEN CUT SECTION
SCALE OF FEET
Depth
LINED SECTION DISCHARGE IN CU FT PER SEC
Depth
CONDUIT DISCHARGE IN CU FT PER SEC (No pressure head)
0 50 100 150 200
LOCATION PLAN
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT - MONT.
McDONALD LAKE RESERVOIR
OUTLET
PROFILE, PLAN AND SECTIONS
Recommended
Checked
Approved
F-2356
St. Ignatius, Mont. Sep 13-16

McDonald Reservoir


Present Ground Line
Deck Flashing
Pier Reinforcement
26' Paving
36' Paving
Concrete cutoff wall
1 on 1½
LAYOUT PLAN
Pier Detail
Type "A" Post
Type "B" Post
SECTION ON ℄
Original Surface
3' Paving
Ground Line
Groove
Anchor Bolts
Cutoff Wall-See Longitudinal Section
SECTION A-A
LONGITUDINAL SECTION

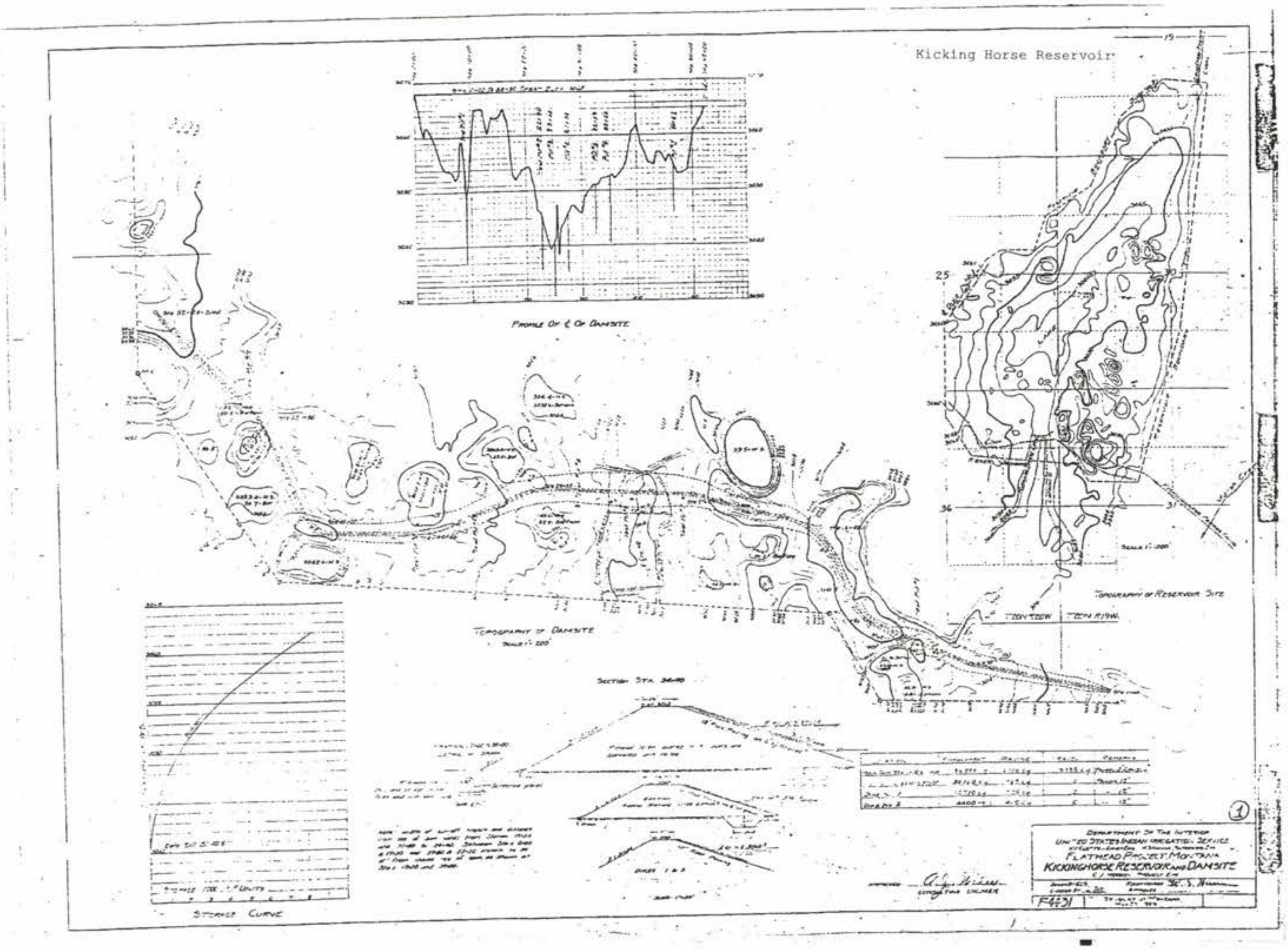
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT-MONTANA
McDONALD LAKE DAM
SPILLWAY
RECORD DRAWING

Drawn C.P.E.
Checked R.O.E.
Recommended
Approved

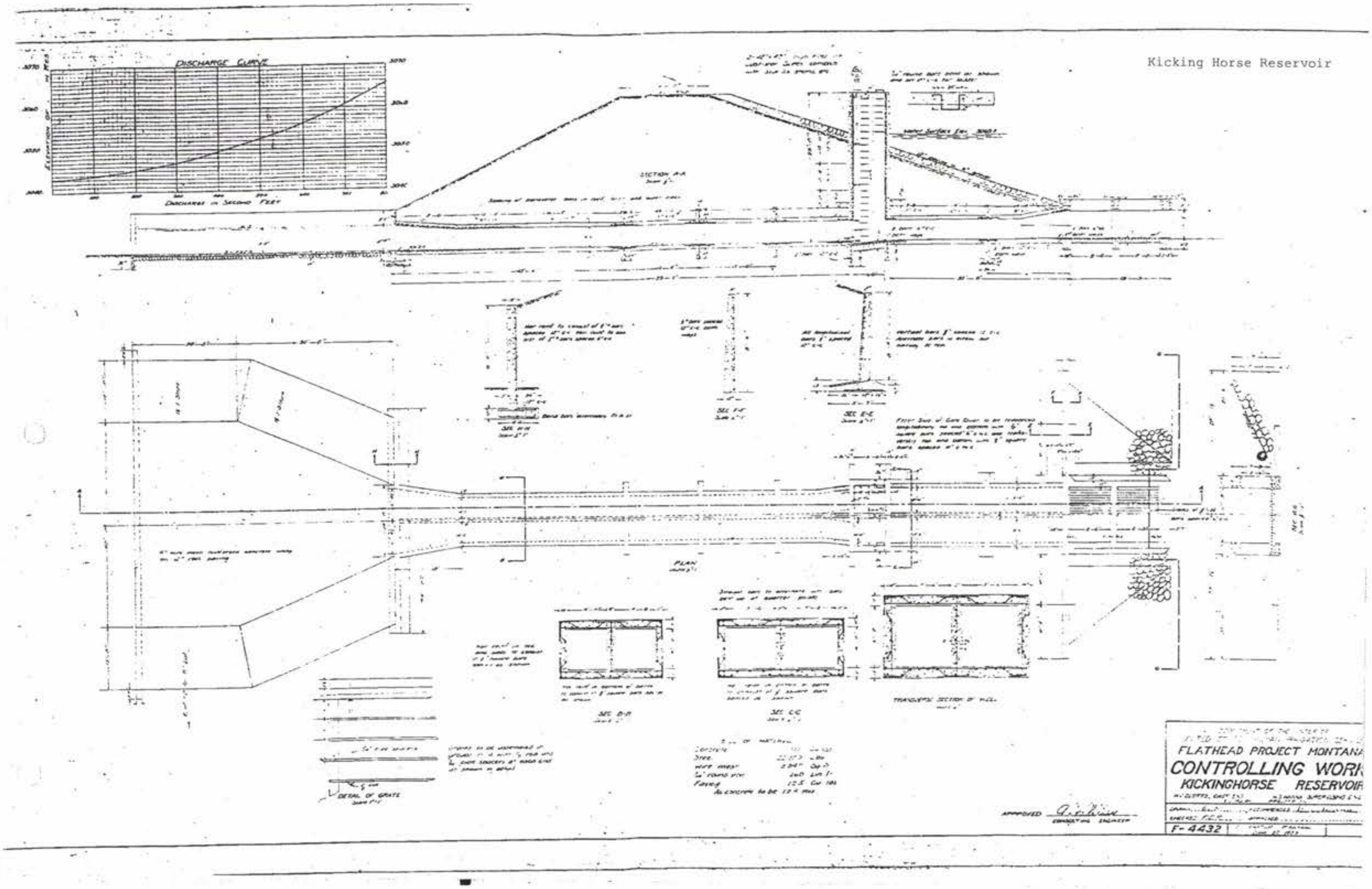
F-3720
St Ignatius Mont. Jan 12 1921

Sheet 2 of 2

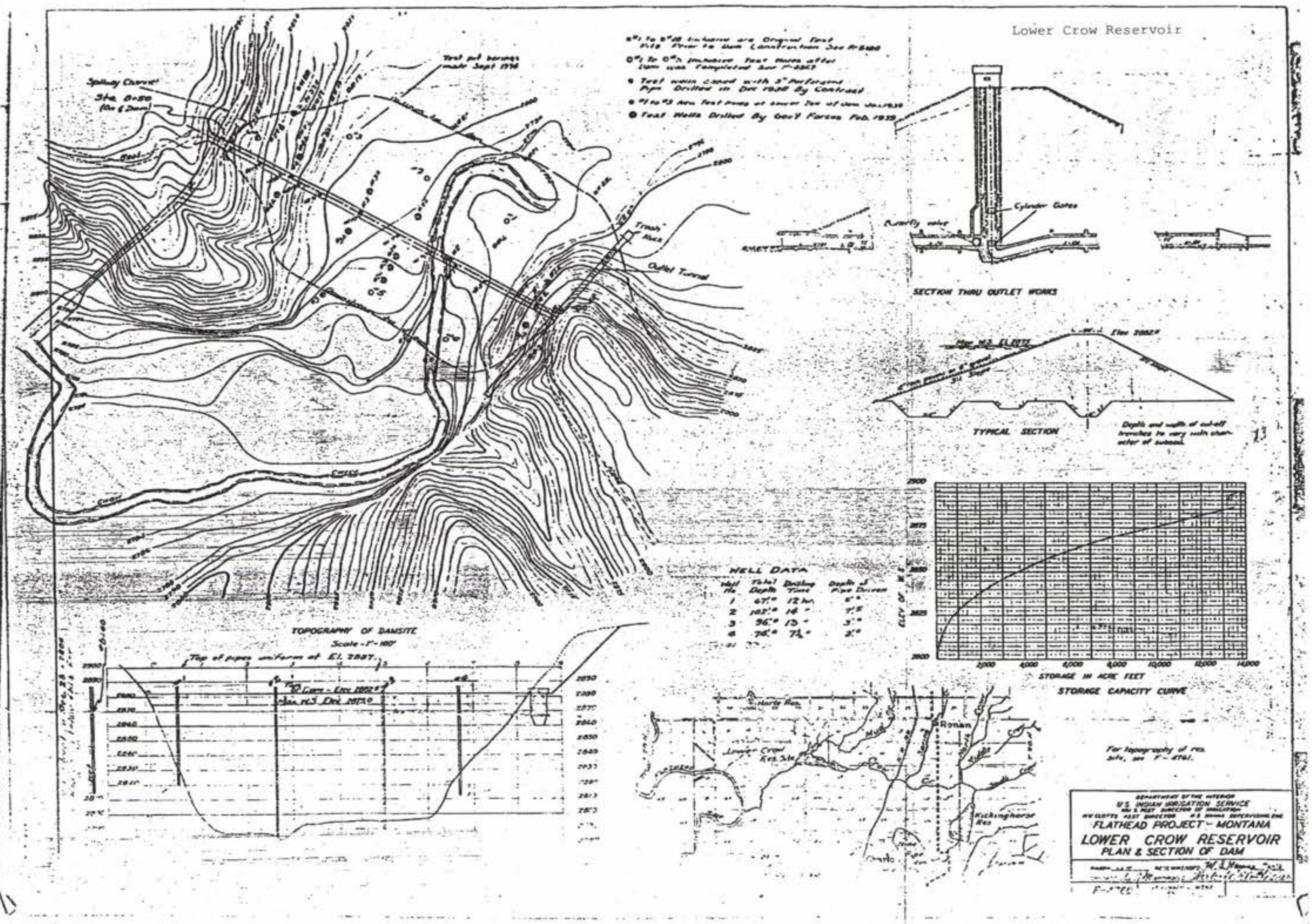
Kicking Horse Reservoir


19
Profile of ℄ of Damsite
25
30
36
31
Topography of Reservoir Site
Scale 1" = 1000'
T.20N R.20W
T.20N R.19W
Topography of Damsite
Scale 1" = 200'
Section Sta. 34+40
Dikes 1 & 2
Storage Curve
①
Department of the Interior
United States Indian Irrigation Service
Flathead Project Montana
Kickinghorse Reservoir and Damsite
Approved
Constructing Engineer
F4431

Kicking Horse Reservoir


DISCHARGE CURVE
Elevation of water surface
Discharge in second feet
3070
3060
3050
3040
SECTION A-A
Water Surface Elev. 3060
SEC H-H
SEC F-F
SEC E-E
PLAN
SEC B-B
SEC C-C
TRANSVERSE SECTION OF WELL
DETAIL OF GRATE
Concrete
Steel
Wire mesh
Paving
All concrete to be 1:2:4 mix
APPROVED
CONSULTING ENGINEER
FLATHEAD PROJECT MONTANA
CONTROLLING WORK
KICKINGHORSE RESERVOIR
F-4432

Lower Crow Reservoir

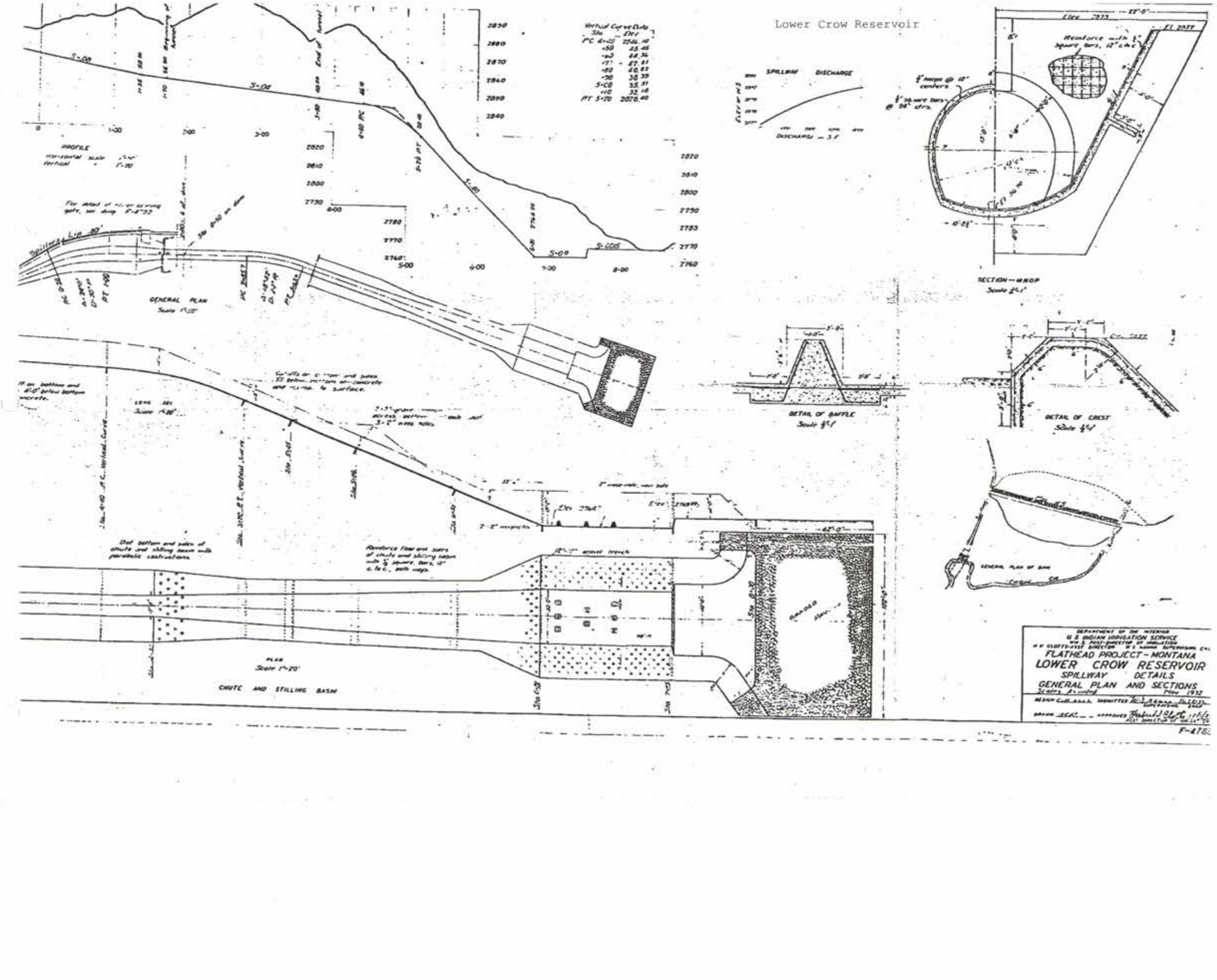

Spillway Channel
Sta. 0+50 (On ℄ Dam)
Test pit borings made Sept 1936
Trash Rack
Outlet Tunnel
Creek
TOPOGRAPHY OF DAMSITE
Scale - 1" - 100'
Top of pipes uniform at El. 2887.
Butterfly valve
Cylinder Gates
SECTION THRU OUTLET WORKS
Elev 2882
Max. W.S. El. 2877
TYPICAL SECTION
Depth and width of cut-off trenches to vary with character of subsoil.
STORAGE IN ACRE FEET
ELEV OF W.S.
STORAGE CAPACITY CURVE
Horte Res.
Lower Crow Res. Site
Ronan
Kicking horse Res.
For topography of res. site, see F-4761.
DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER CROW RESERVOIR
PLAN & SECTION OF DAM
W. S. Hanna

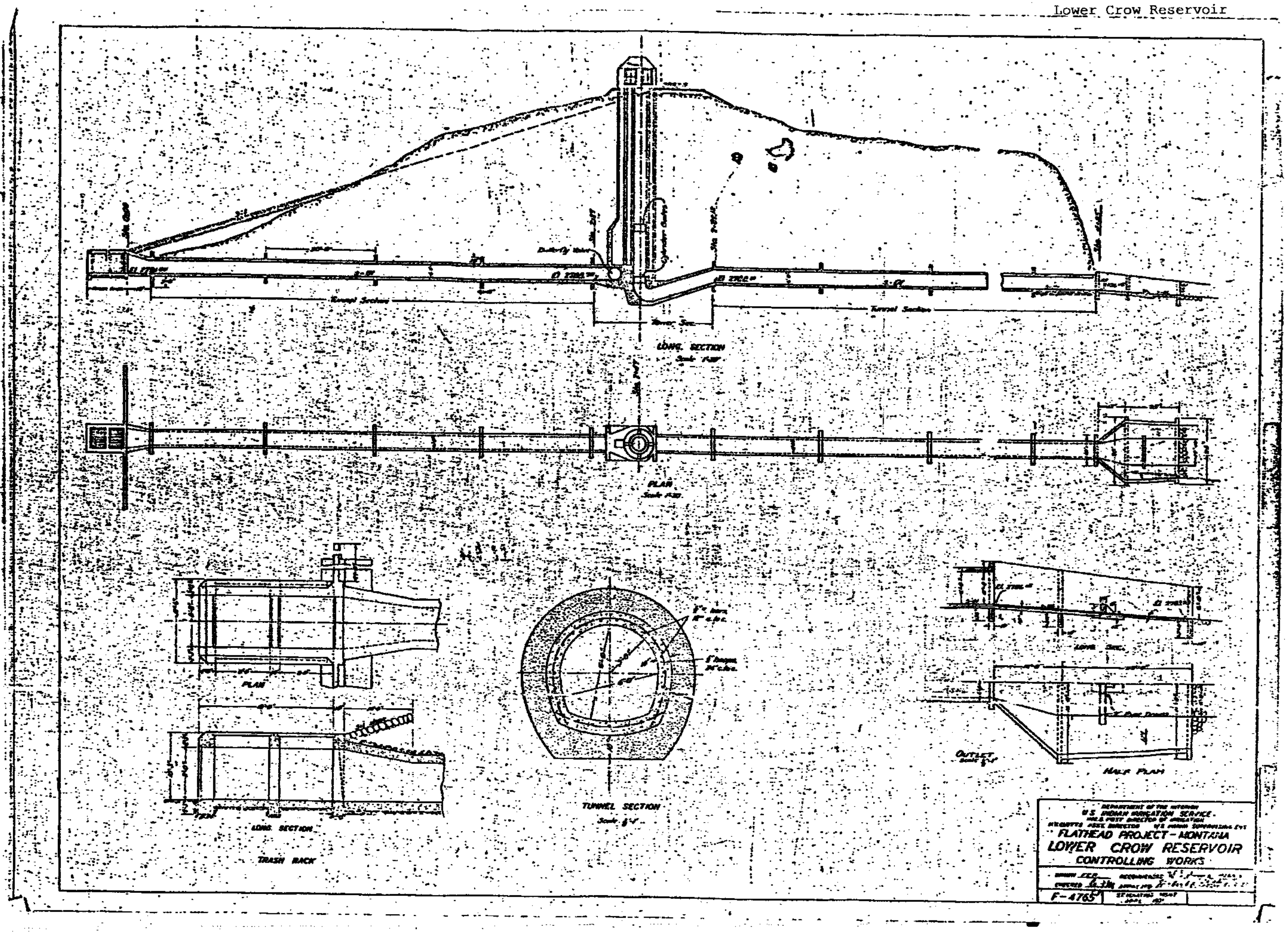
- Test wells cased with 3" Perforated Pipe Drilled in Dec 1938 By Contract
- Test Wells Drilled By Gov't Forces Feb. 1939

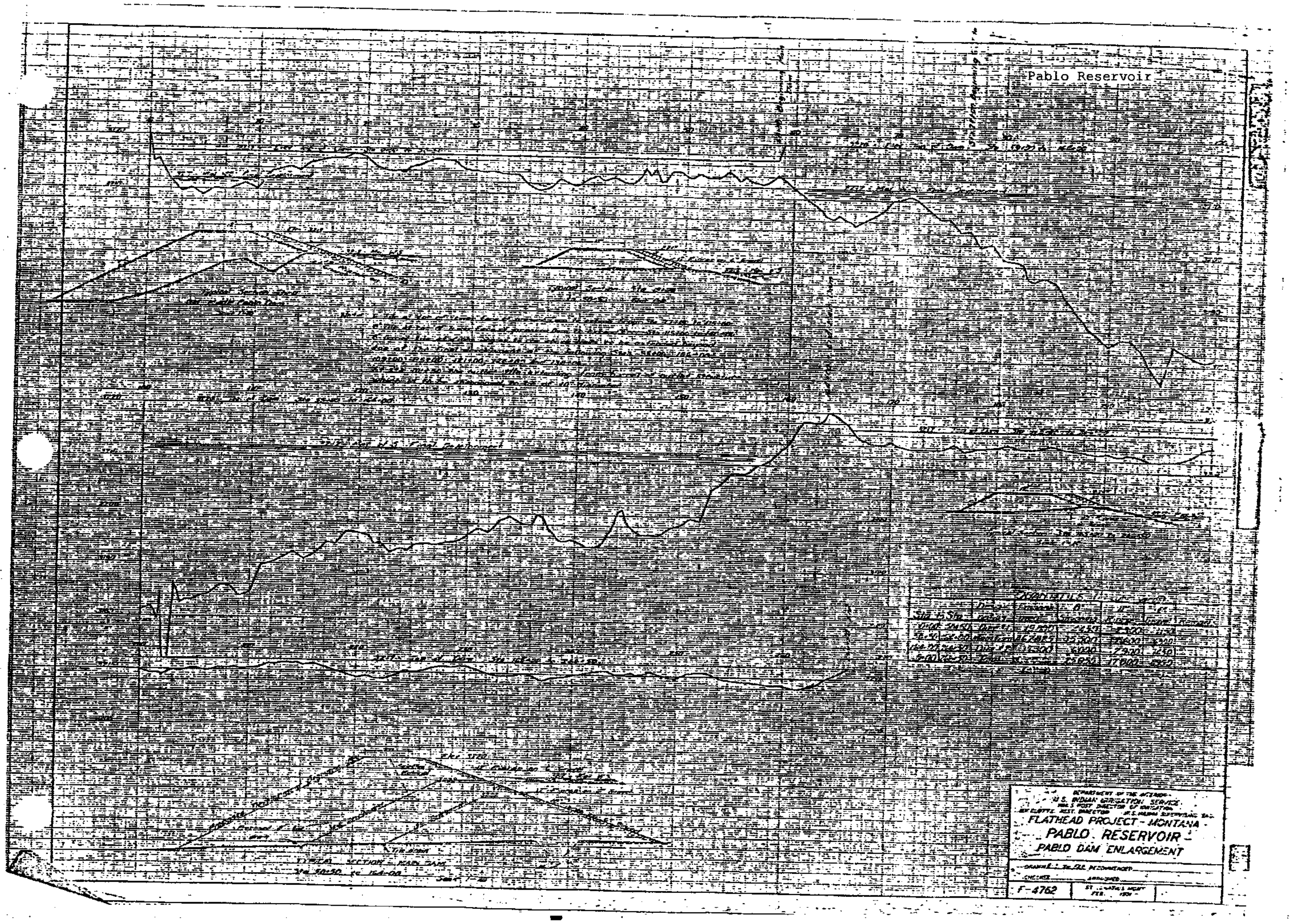
WELL DATA

Well No.	Total Depth	Drilling Time	Depth of Pipe Driven
1	67.'°	12 hr.	6'°
2	103.'°	14 "	7.'5
3	56.'°	13 "	3.'°
4	76.'°	7½ "	3.'°

Lower Crow Reservoir


PROFILE
GENERAL PLAN
Vertical Curve Data
SPILLWAY DISCHARGE
SECTION-MNOP
DETAIL OF BAFFLE
DETAIL OF CREST
GENERAL PLAN OF DAM
PLAN
CHUTE AND STILLING BASIN
DEPARTMENT OF THE INTERIOR
U S INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER CROW RESERVOIR
SPILLWAY DETAILS
GENERAL PLAN AND SECTIONS
Nov 1932
F-478


LONG. SECTION
Tunnel Section
Tower Sec.
PLAN
Tunnel Section
PLAN
LONG. SECTION
TRASH RACK
TUNNEL SECTION
LONG. SEC.
OUTLET
HALF PLAN
DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER CROW RESERVOIR
CONTROLLING WORKS
F-4765



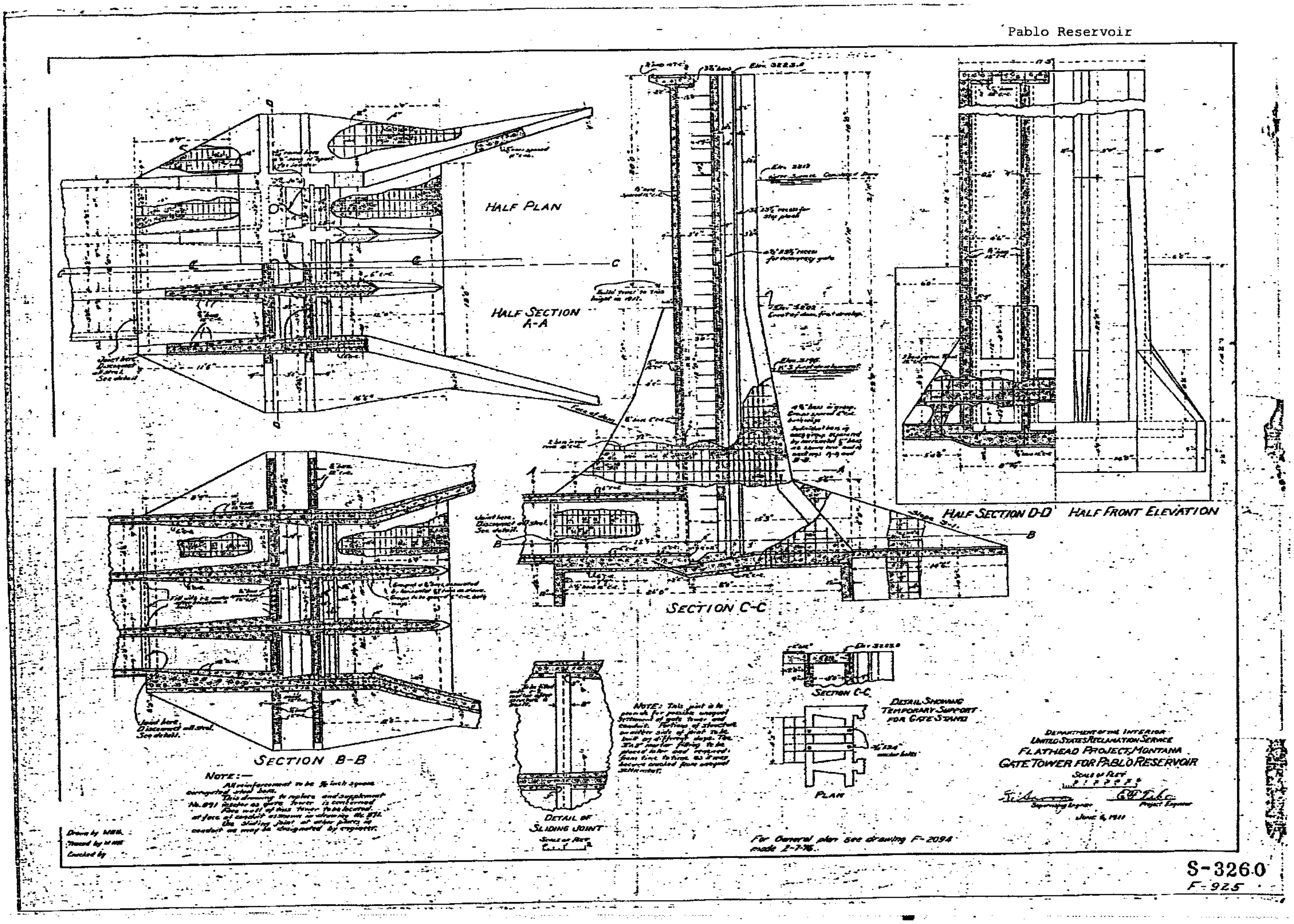
Pablo Reservoir

DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
PABLO RESERVOIR
PABLO DAM ENLARGEMENT

F-4762

TYPICAL SECTION
QUANTITIES

Pablo Reservoir



HALF PLAN
HALF SECTION A-A
SECTION B-B
SECTION C-C
HALF SECTION D-D
HALF FRONT ELEVATION
DETAIL OF SLIDING JOINT
SECTION C-C
DETAIL SHOWING TEMPORARY SUPPORT FOR GATE STAND
PLAN
Joint here. Disconnect all steel. See detail.
Scale of Feet

NOTE:— All reinforcement to be ⅝ inch square corrugated steel bars. This drawing to replace and supplement No. 891 insofar as gate tower is concerned. Face wall of this tower to be located at face of conduit as shown in drawing No. 891. Use sliding joint at other places in conduit as may be designated by engineer.

NOTE: This joint is to provide for possible unequal settlement of gate tower and conduit. Portions of structure on either side of joint to be built on different days. The 3"x3" mortar filling to be placed later and renewed from time to time as it may become cracked from unequal settlement.

For General plan see drawing F-2094 made 2-7-16.

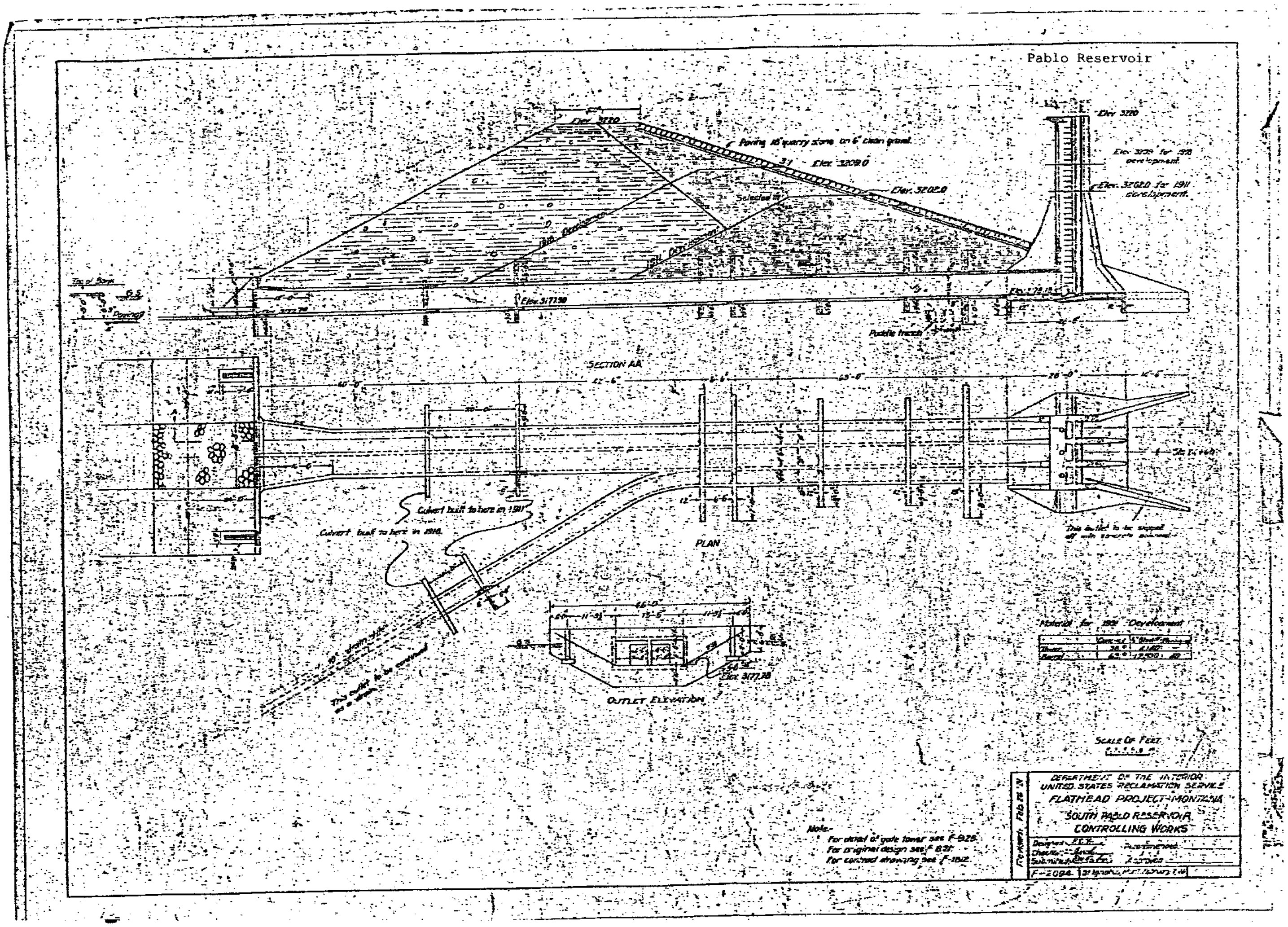
Drawn by W.B.B.
Traced by W.H.B.
Checked by

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT, MONTANA
GATE TOWER FOR PABLO RESERVOIR

Supervising Engineer
Project Engineer
June 6, 1911

S-3260
F-925

Pablo Reservoir


Elev. 3220
Paving 18" quarry stone on 6" clean gravel
3:1 - Elev. 3209.0
Elev. 3202.0
Selected fill
1918 development
1911 development
Elev. 3220
Elev. 3209 for 1918 development
Elev. 3202.0 for 1911 development
Top of Dam
Paving
Elev. 3177.38
Puddle trench
SECTION AA
42'-6"
65'-0"
26'-0"
30'-0"
Culvert built to here in 1911
Culvert built to here in 1918.
PLAN
This outlet to be stopped off with concrete bulkhead
18" drain tile
This outlet to be continued as a drain
46'-0"
11'-3½"
13'-5"
11'-3½"
Elev. 3177.38
OUTLET ELEVATION
SCALE OF FEET

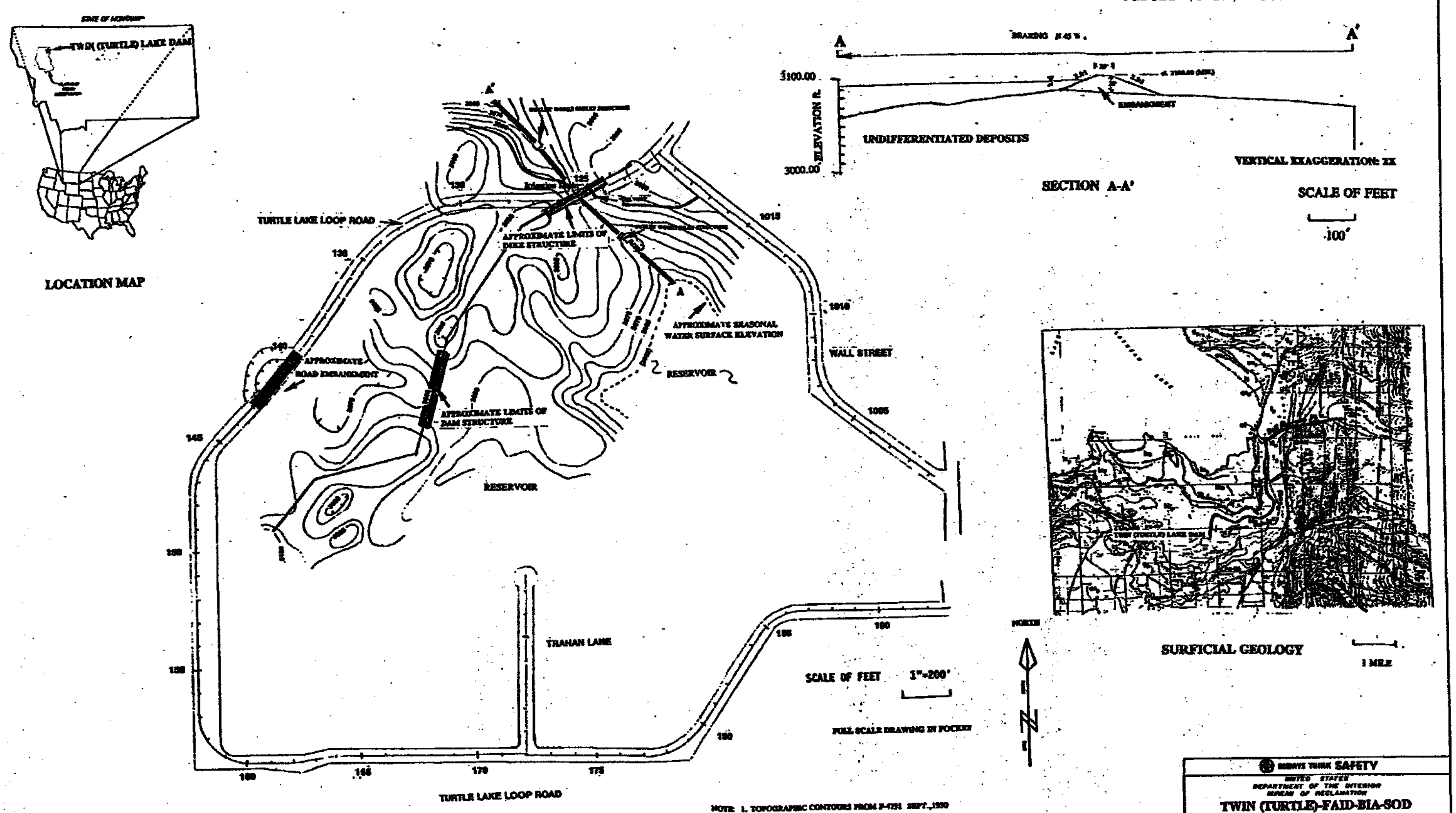
Material for 1918 Development

	Conc. c.y.	% Steel lbs.	Paving c.y.
Tower	38.0	4,160	—
Barrel	62.0	12,700	60

Note-
For detail of gate tower see F-925.
For original design see F 837.
For contract drawing see F-1812.

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT-MONTANA
SOUTH PABLO RESERVOIR.
CONTROLLING WORKS
Designed F.C.Y.
Checked
Submitted
Recommended
Approved
F-2094
Revised Feb 26 '19

Turtle (Twin) Reservoir


STATE OF MONTANA
TWIN (TURTLE) LAKE DAM
LOCATION MAP
A
A'
3100.00
3000.00
ELEVATION ft.
UNDIFFERENTIATED DEPOSITS
EMBANKMENT
VERTICAL EXAGGERATION: 2X
SECTION A-A'
SCALE OF FEET
100'
A'
A
125
130
135
140
145
150
155
160
165
170
175
180
185
190
1005
1010
1015
TURTLE LAKE LOOP ROAD
APPROXIMATE LIMITS OF DIKE STRUCTURE
APPROXIMATE SEASONAL WATER SURFACE ELEVATION
APPROXIMATE ROAD EMBANKMENT
APPROXIMATE LIMITS OF DAM STRUCTURE
RESERVOIR
RESERVOIR
WALL STREET
TRAHAN LANE
TURTLE LAKE LOOP ROAD
SCALE OF FEET 1"=200'
NORTH
FULL SCALE DRAWING IN POCKET
TWIN (TURTLE) LAKE DAM
SURFICIAL GEOLOGY
1 MILE

GENERAL PLAN AND TOPOGRAPHY

NOTE: 1. TOPOGRAPHIC CONTOURS FROM P-4751 SEPT., 1950

2. ROAD ALIGNMENT AND STATIONING FROM BIA ROADS DRAWINGS

3. STRUCTURE LOCATIONS ARE FROM P-4751 AND SHOULD BE CONSIDERED APPROXIMATE.

4. DWG P-4751 REFERENCED IS TITLED "TWIN RESERVOIR AND DAMSITE" AND IS LOCATED IN THE ST. IGNATIUS PROJECT OFFICE.

[illegible] SAFETY

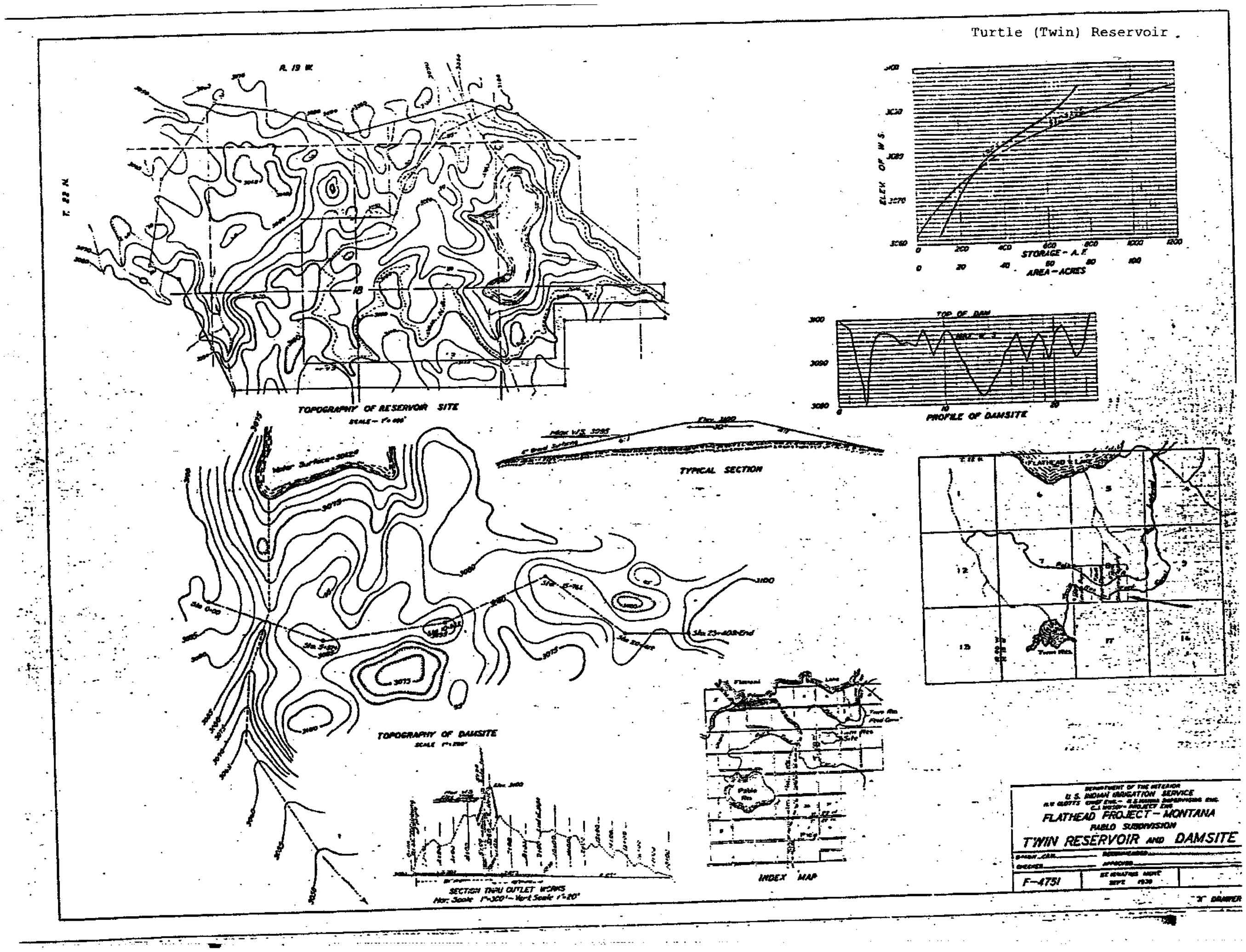
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

TWIN (TURTLE)-FAID-BIA-SOD

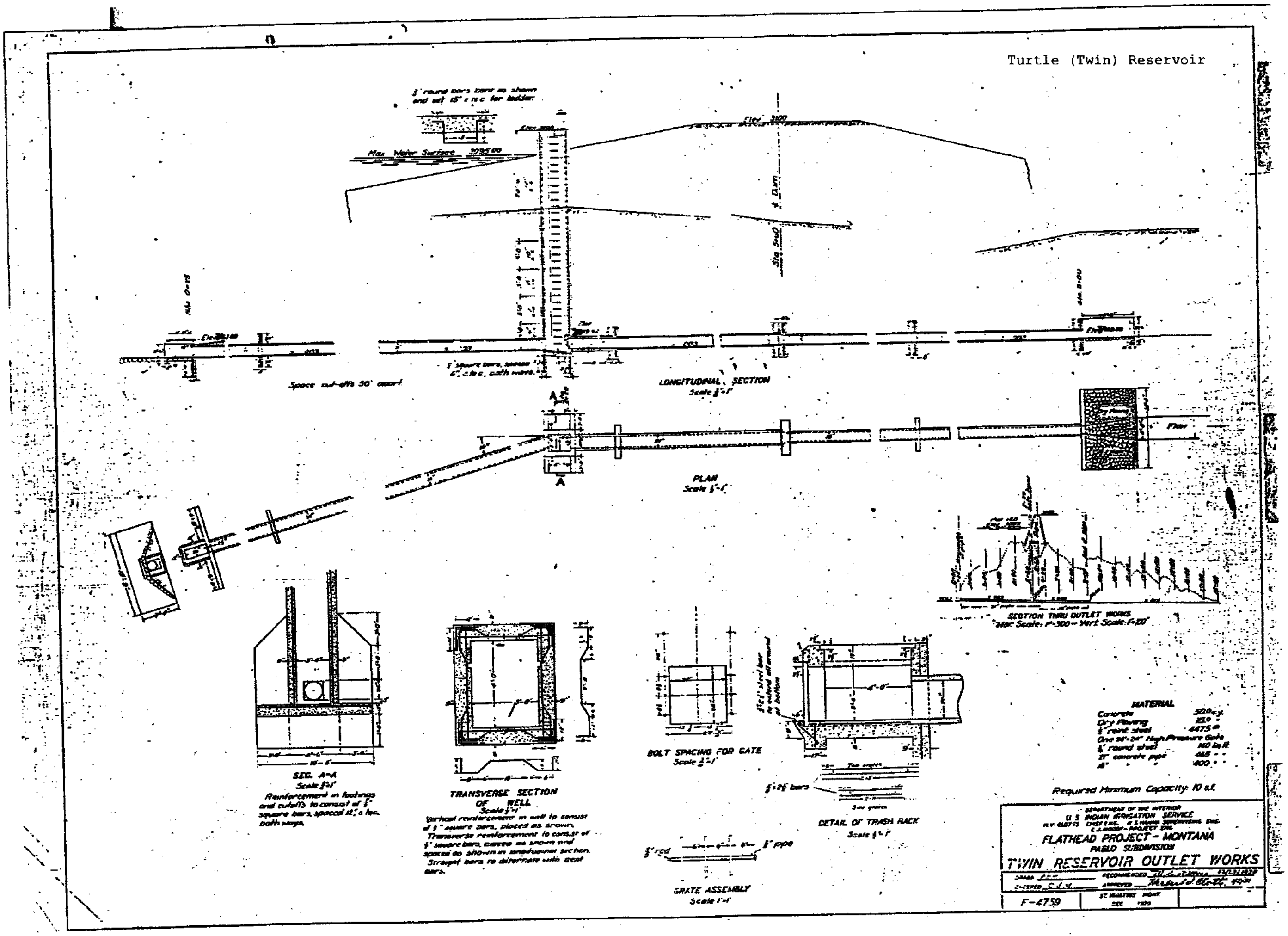
GENERAL PLAN, LOCATION, AND GEOLOGY MAP

DESIGNED ______ TECHNICAL APPROVAL ______
DRAWN [illegible] SUBMITTED ______
CHECKED [illegible] APPROVED ______
DENVER, COLORADO NOVEMBER 30, [illegible] 981-D-50

Turtle (Twin) Reservoir

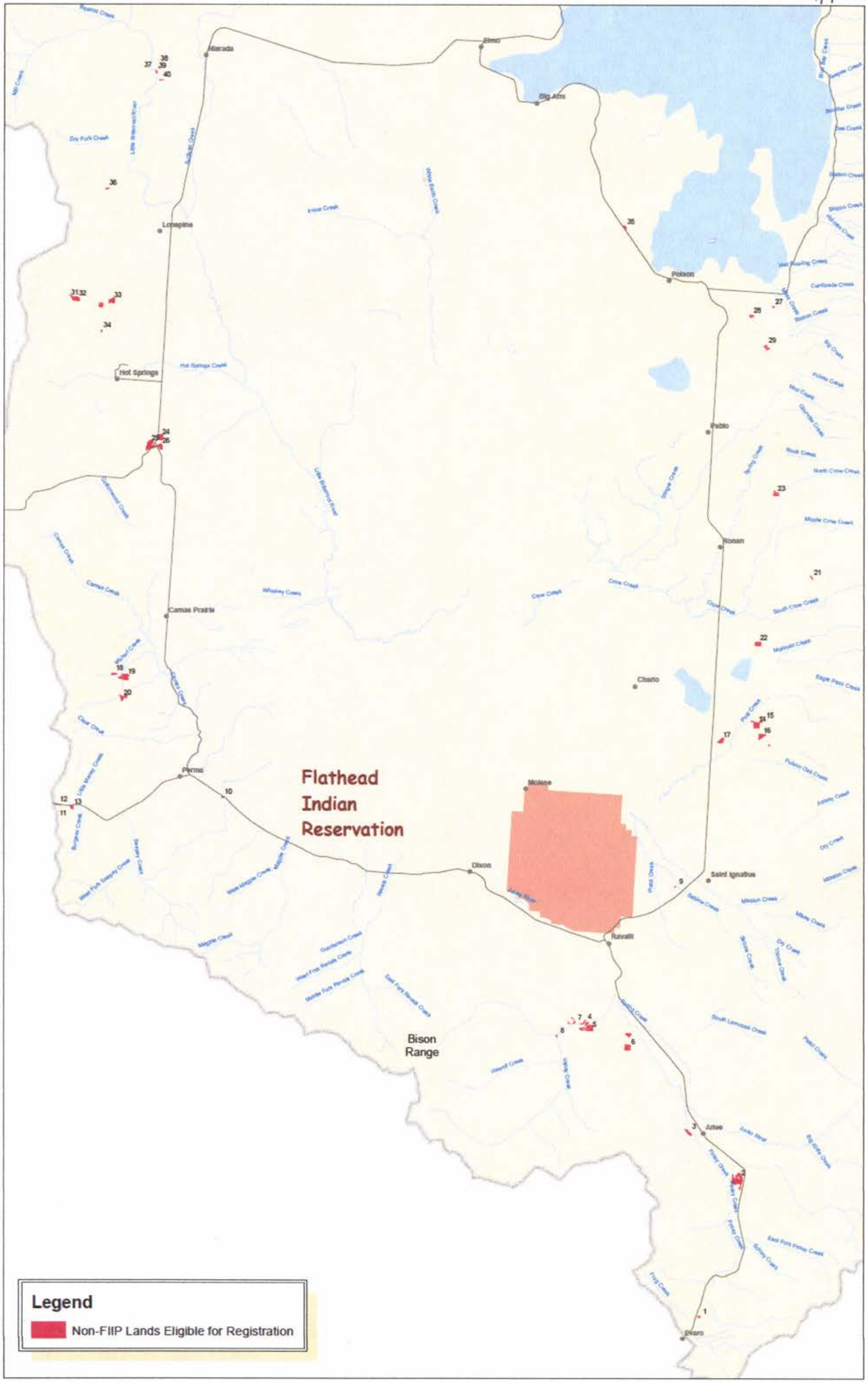

R. 19 W.
T. 22 N.
18
TOPOGRAPHY OF RESERVOIR SITE
ELEV. OF W. S.
STORAGE – A. F.
AREA – ACRES
TOP OF DAM
PROFILE OF DAMSITE
Max. W.S. 3095
Elev. 3100
TYPICAL SECTION
Water Surface
TOPOGRAPHY OF DAMSITE
SECTION THRU OUTLET WORKS
INDEX MAP
Pablo Res.
Twin Res.
DEPARTMENT OF THE INTERIOR
U. S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT – MONTANA
PABLO SUBDIVISION
TWIN RESERVOIR AND DAMSITE
CHECKED
APPROVED
F–4751
ST. IGNATIUS, MONT.
SEPT. 1930

Turtle (Twin) Reservoir



½" round bars bent as shown and set 15" c to c for ladder.
Max. Water Surface 3095.00
Elev. 3100
℄ Dam
Sta 5+40
Space cut-offs 50' apart
¾" square bars, spaced 6" c to c, both ways.
LONGITUDINAL SECTION
Scale ⅛"=1'
A
A
Flow
PLAN
Scale ⅛"=1'
SECTION THRU OUTLET WORKS
Hor. Scale: 1"=300 – Vert. Scale: 1"=20'
SEC. A-A
Scale ⅛"=1'
Reinforcement in footings and cutoffs to consist of ¾" square bars, spaced 12" c to c, both ways.
TRANSVERSE SECTION OF WELL
Scale ½"=1'
Vertical reinforcement in well to consist of ¾" square bars, placed as shown. Transverse reinforcement to consist of ¾" square bars, placed as shown and spaced as shown in longitudinal section. Straight bars to alternate with bent bars.
BOLT SPACING FOR GATE
Scale ½"=1'
½"x2⅝" bars
Top grating
Side grating
DETAIL OF TRASH RACK
Scale ½"=1'
½" rod
½" pipe
GRATE ASSEMBLY
Scale 1"=1'
MATERIAL
Concrete 50.0 c.y.
Dry Paving 15.0 "
½" reinf. steel 4475 #
One 24"-24" High Pressure Gate
⅝" round steel 140 lin ft
21" concrete pipe 465 " "
18" " " 400 " "
Required Minimum Capacity: 10 s.f.
DEPARTMENT OF THE INTERIOR
U. S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT – MONTANA
PABLO SUBDIVISION
TWIN RESERVOIR OUTLET WORKS
DRAWN
CHECKED C. A. M.
RECOMMENDED
APPROVED
F-4759

Appendix 6


Niarada
Elmo
Big Arm
Lonepine
Hot Springs
Polson
Pablo
Ronan
Camas Prairie
Charlo
Perma
Dixon
Moiese
Saint Ignatius
Ravalli
Arlee
Evaro
Flathead Indian Reservation
Bison Range
Legend
Non-FIIP Lands Eligible for Registration

Non-FIIP HIA Lands Eligible for Registration

Tract	Legal Land Description	Acres
1	T15NR20W24	5.10
2	T16NR19W19	99.44
3	T16NR20W11	18.46
4	T17NR20W18	16.47
5	T17NR20W19	54.37
6	T17NR20W21	56.74
7	T17NR21W13	8.06
8	T17NR21W24	2.80
9	T18NR20W15	1.27
10	T18NR23W05	3.66
11	T18NR24W06	0.07
12	T18NR24W07	6.03
13	T18NR24W08	10.34
14	T19NR19W07	41.52
15	T19NR19W08	7.22
16	T19NR19W17	28.56
17	T19NR20W13	22.73
18	T19NR24W09	9.33
19	T19NR24W10	47.59
20	T19NR24W15	25.44
21	T20NR19W09	3.26
22	T20NR19W30	26.62
23	T21NR19W20	21.57
24	T21NR24W13	35.57
25	T21NR24W23	62.08
26	T21NR24W24	23.13
27	T22NR19W08	3.25
28	T22NR19W18	10.65
29	T22NR19W20	14.40
31	T22NR24W19	11.21
32	T22NR24W20	25.31
33	T22NR24W21	47.27
34	T22NR24W28	2.68
35	T23NR20W30	9.17
36	T23NR24W28	4.95
37	T24NR24W26	0.03
38	T24NR24W27	0.38
39	T24NR24W34	4.18
40	T24NR24W35	4.12

Appendix 7

RECLAMATION
Managing Water in the West

FLATHEAD BASIN TRIBAL DEPLETIONS STUDY

U.S. Department of the Interior

Bureau of Reclamation
Pacific Northwest Region
Boise, Idaho

September 2012

Mission Statements

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Cover photo: Part of the western slope of the Rocky Mountains that form a major portion of the Flathead River watershed, a major tributary to the Columbia River Basin.

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Executive Summary

The Bureau of Reclamation analyzed the potential use of storage water from Hungry Horse Reservoir to augment water supplies for the Confederated Salish and Kootenai Tribes of the Flathead Nation (CSKT). The information revealed by the analysis will be used to determine the best way to meet supplemental water requirements sought by the CSKT through their water rights settlement effort. In the analysis, the Tribes' 1855 Hellgate Treaty priority date was held senior to the 1920 water rights on Flathead Lake and the junior water rights on Hungry Horse Reservoir. Additionally, Hungry Horse Reservoir was drafted for flow augmentation as required under the 2008/2010 NOAA Fisheries Service Federal Columbia River Power System Biological Opinion (2008/2010 FCRPS BiOp), in each modeled scenario.

Three scenarios were modeled: 1) the Base Case which featured current diversions along with flow augmentation required by the 2008/2010 FCRPS BiOp; 2) the Natural Q scenario which is the Base Case with new CSKT diversions met with the natural Flathead River flows as much as possible; 3) the Natural Q plus 90K scenario which is the Base Case plus natural flows for the new CSKT diversions and a fixed amount of 90,000 acre-feet of water released from Hungry Horse Dam to help meet the new Tribal diversions.

Analysis of the model simulations between the Base case and the Natural Q and the Natural Q plus 90K scenarios depicted the effects the new CSKT diversions would have on Hungry Horse Reservoir, the Flathead River downstream of Hungry Horse Reservoir, Flathead Lake, and the lower Flathead River.

The modeled results showed that for Hungry Horse Reservoir there were no differences in the storage and discharges between the Base Case and the Natural Q scenario. The natural flow downstream of Hungry Horse Reservoir and normal Hungry Horse Dam discharges were able to meet the new diversions and additional discharges from Hungry Horse Dam were not required. For the Natural Q plus 90K scenario, the increased discharges from Hungry Horse Dam during the summer caused the elevation of the reservoir to be approximately 4 feet lower at the end of the summer. The increased fall drawdown affected the ability of Hungry Horse Reservoir to fill the following spring during dry years. An analysis of annual maximum elevations of Hungry Horse Reservoir showed a difference of one foot or less in 86 percent of the water years when comparing the Base Case and the Natural Q plus 90K scenarios.

A comparison of the amount of spring and summer discharges from Hungry Horse Reservoir between the Base Case and the Natural Q plus 90K scenarios showed that in above average water years, flood control releases would be made before April 10, the start of the spring flow augmentation period, and the rest of the discharges over the spring and summer would not be changed. In near average water years, Hungry Horse Dam discharges would be decreased in the spring because the reservoir would be entering the flood control at a lower elevation and less water would need to be released in the April 10 through June 30 period. In below average water years, the flow augmentation volume in the summer would be decreased because of the inability to fill to as high a level in the Natural Q plus 90K scenario as in the Base Case.

New Tribal diversions were not fully met with the Natural Q scenario in most of the water years. Shortages of 20,000 acre-feet or greater occur 20 percent of the time with the maximum shortages being 120,000 acre-feet in the March through September period. In the Natural Q plus 90K scenario, most of the Tribal diversions are met with the extra 90,000 acre-feet released from Hungry Horse Reservoir. There were less than 20,000 acre-feet of diversion shortages for all of the years, with over 80 percent of the years having no shortages in the Natural Q plus 90K scenario. The shortages that did occur in this scenario occurred in the March through June period and in October.

Modeled Tribal diversions impacted the summer elevation of Flathead Lake in some years. In the modeling, no adjustments were made to the 4(e) outflows for drought management. A comparison of summer Flathead Lake elevations showed that in 83 percent of the time over the 70-year modeled period that there was no difference in summer elevations between the Base Case, the Natural Q scenario, and Natural Q plus 90K scenario. The greatest differences in elevation between the Base Case and the Natural Q plus 90K scenario was 0.4 feet which occurred less than 3 percent of the time over the 70-year modeled period. The differences in Flathead Lake summer elevations were due to the natural flow in excess of the Flathead Lake storage right being used for the new Tribal diversions rather than storage in Flathead Lake.

River flows at the Flathead River at Perma were decreased for the Natural Q and the Natural Q plus 90K scenarios when compared to the Base Case. The total volume decrease on an annual basis ranged from 104,000 to 120,000 acre-feet for both scenarios. The decreases in flows at the Perma gage were the greatest during the summer flow augmentation period of July through September with the differences being 9 percent of the total flow (619 cfs) for the Natural Q scenario and 13 percent of the flow (761 cfs) for the Natural Q plus 90K scenario.

This modeling analysis is not a proposal for current or future operations; it only gives results of possible effects that the new Tribal diversions could have on the Flathead basin given some predefined modeling assumptions. The results are intended to provide a starting point for further analysis of what effects new Tribal diversions could have in the Flathead basin.

Introduction

The Confederated Salish and Kootenai Tribes of the Flathead Nation (CSKT) are negotiating with the State of Montana and the United States regarding reserved and aboriginal water right claims that fall under the 1855 Hellgate Treaty and subsequent guidance. The treaty established the Reservation and guaranteed the Tribes the right to hunt and fish in common with non-Indians off the Reservation. The treaty also laid the framework for claims for future Tribal uses, including irrigation and other uses necessary to satisfy the purposes of the Tribal homeland. The Dawes Act and subsequent Flathead Allotment Act of 1904 opened up reservation lands to non-Indians resulting in a checkerboard land ownership pattern. This has increased the complexity of current water use patterns and the issues surrounding water rights settlement efforts.

The parties to the CSKT negotiations agreed to evaluate whether part of the Tribal water right could be met by augmenting water supplies with water from Reclamation's Hungry Horse Reservoir. The Pacific Northwest Regional Office of the Bureau of Reclamation (Reclamation) administers the reservoir which is upstream of the Reservation. The reservoir impounds over 3 million acre-feet of water which is used for flood control and power generation. Releases are also made to maintain minimum flows on the Flathead River in compliance with the 2000 U.S. Fish and Wildlife Service Biological Opinion (2000 USFWS BiOp), and to augment flows for downstream fisheries in compliance with the 2008/2010 NOAA Fisheries Service Federal Columbia River Power System Biological Opinion (2008/2010 FCRPS BiOp).

In late 2007, Reclamation was asked to model the potential use of storage water from Hungry Horse Reservoir to augment water supplies for the CSKT. Simulation studies were performed by Reclamation to investigate the effects of CSKT depletions (defined as the quantity of water diverted minus the quantity of water which returns to the river as a result of the diversion) on the entire Flathead River system. The estimated CSKT upper limit depletions for future use are about 128,000 acre-feet annually.

The results of the preliminary modeling studies, presented by Reclamation at a public meeting (CSKT, State of Montana Reserved Water Rights Compact Commission, and United States Water Rights Negotiation Session) on October 22, 2008, showed that only taking storage from Hungry Horse Reservoir to meet additional CSKT depletions drafted Hungry Horse Reservoir up to 6 additional feet in some years, causing reservoir releases to be reduced substantially in the following spring and summer and impacting the ability to comply with the 2008/2010 FCRPS BiOp. Based on this observation, additional modeling assumptions were developed to model the Tribal diversions by meeting the targets first with natural flow and subsequently with storage from Hungry Horse Reservoir.

Description of the Project Area

The headwaters of the Flathead River comprised of the North, Middle, and South Forks, flow on the western slope of the Rocky Mountains in Montana (Figure 1). The Middle Fork and South Fork originate near the Continental Divide in the United States; the North Fork originates in British Columbia, Canada. The South Fork joins the Middle and North Forks a few miles upstream of Columbia Falls, Montana. From Columbia Falls, the Flathead River flows in a southerly direction through a meandering channel in a wide floodplain before entering Flathead Lake about 20 miles downstream of Kalispell, Montana. The Flathead River continues southward from the lake until it joins the Clark Fork near Plains, Montana. The Clark Fork flows northwesterly into Lake Pend Oreille in Idaho.

The Flathead River passes through two dams: Hungry Horse Dam, located in western Montana at river mile 5 of the South Fork Flathead River, and Kerr Dam, located at the outlet of Flathead Lake. The Flathead River basin above Kerr Dam covers about 7,100 square miles and produces an average annual runoff of about 2.5 million acre-feet at Hungry Horse Dam and 8.3 million acre-feet at Flathead Lake. The average annual runoff is about 8.6 million acre-feet at Perma, Montana which is located on the Flathead River, 14 miles downstream from Kerr Dam and 11.2 miles upstream of the confluence with the Clark Fork.

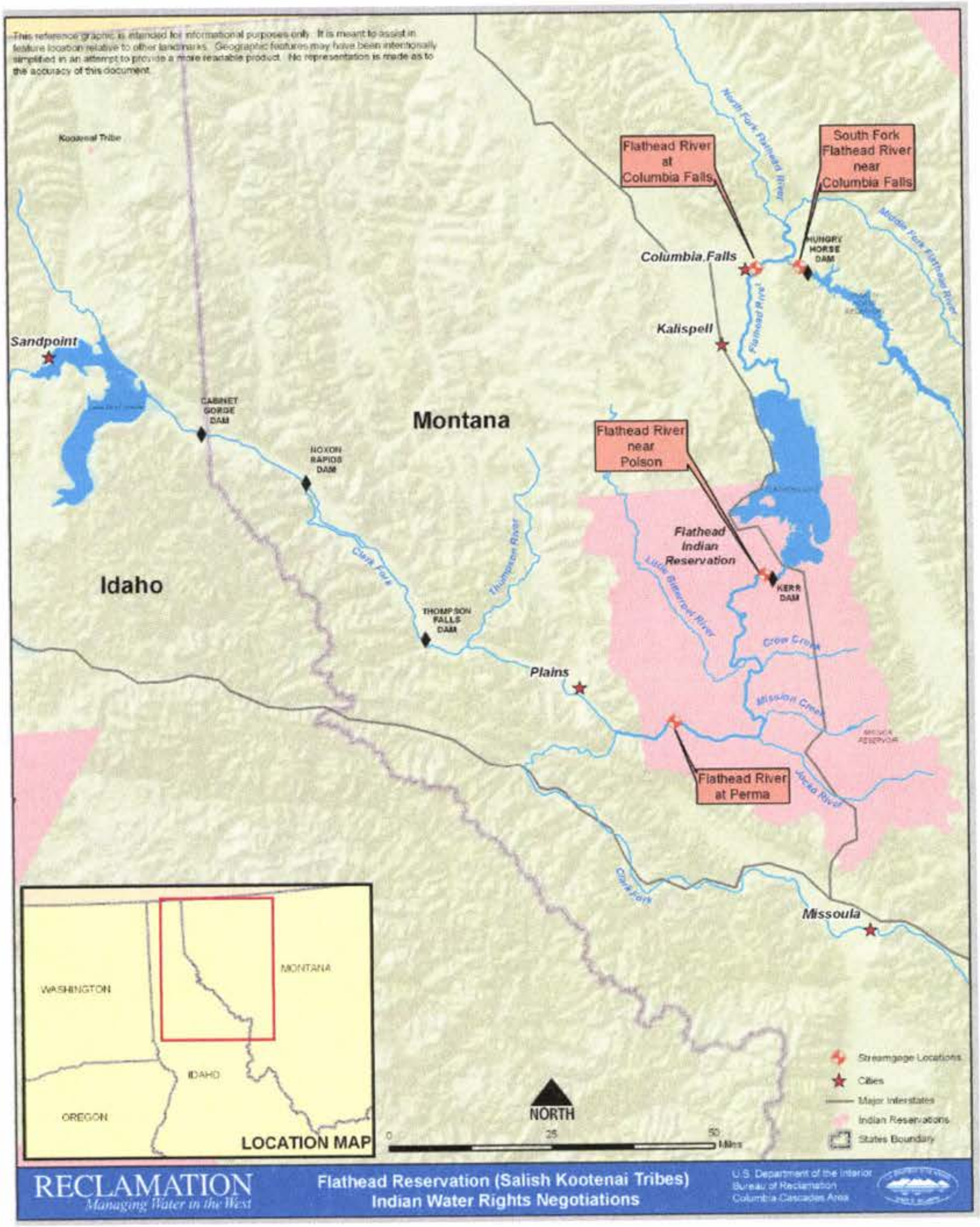
This reference graphic is intended for informational purposes only. It is meant to assist in feature location relative to other landmarks. Geographic features may have been intentionally simplified in an attempt to provide a more readable product. No representation is made as to the accuracy of this document.
Kootenai Tribe
Flathead River at Columbia Falls
South Fork Flathead River near Columbia Falls
North Fork Flathead River
Middle Fork Flathead River
Columbia Falls
HUNGRY HORSE DAM
Flathead River
Kalispell
Sandpoint
CABINET GORGE DAM
NOXON RAPIDS DAM
Montana
Flathead River near Polson
Flathead Indian Reservation
Clark Fork
Thompson River
Little Bitterroot River
KERR DAM
Idaho
THOMPSON FALLS DAM
Crow Creek
Plains
Mission Creek
Flathead River at Perma
Jocko River
Clark Fork
Missoula
WASHINGTON
MONTANA
IDAHO
OREGON
LOCATION MAP
NORTH
0
25
50
Miles
Streamgage Locations
Cities
Major Interstates
Indian Reservations
States Boundary
RECLAMATION
Managing Water in the West
Flathead Reservation (Salish Kootenai Tribes)
Indian Water Rights Negotiations
U.S. Department of the Interior
Bureau of Reclamation
Columbia-Cascades Area

Figure 1. Map of Study Area

Hungry Horse Dam, owned and administered by Reclamation, is primarily operated for hydroelectric generation, flood control, fish and wildlife conservation, in-stream flow regulation, and recreation. It is part of the Federal Columbia River Power System and is utilized for Columbia River system flood control under VARQ Flood Control Operations. These operations are documented in "Final Environmental Impact Statement for the Upper Columbia Alternative Flood Control and Fish Operations" (US Army Corps of Engineers 2006) and the "Bureau of Reclamation Record of Decision for Upper Columbia Alternative Flood Control and Fish Operations Final Environmental Impact Statement" (Reclamation 2009). The reservoir is usually drafted during the winter and early spring for flood control and refilled by late June or early July. Although Hungry Horse Reservoir was not specifically authorized for fish and wildlife conservation, regulating streamflow to support endangered species locally and downstream in the Columbia River is mandated by the Endangered Species Act (ESA). Hungry Horse Dam water discharges provide flow augmentation for ESA-listed salmon and steelhead in the Columbia River during the spring and summer months and minimum flows for ESA-listed bull trout year-round in the Flathead River.

Flathead Lake is located about 51 miles downstream of Hungry Horse Reservoir on the mainstem Flathead River. The southern half of Flathead Lake is within the 1,244,000-acre Flathead Reservation. The Kerr Dam and Powerplant, components of the Kerr Project, regulate the top ten feet of Flathead Lake and are currently owned and operated by Pennsylvania Power and Light (PPLM). The facility is located within the Reservation approximately four miles downstream of the natural outlet of Flathead Lake and about five miles southwest of Polson, Montana. The Kerr Project operations address multiple purposes including hydroelectric generation, flood control, recreation, irrigation, and conservation of fish and wildlife resources. The CSKT has the option of purchasing and taking over the operation of Kerr Dam in 2015 (PPLM 2009).

Kerr Dam operates under a joint Federal Energy Regulatory Commission (FERC) license between PPLM and the CSKT with conditions that include minimum flow requirements (4[e] flows) to protect Tribal resources on the lower Flathead River and its tributaries. During the summer and early fall, Kerr Dam is operated to maintain Flathead Lake at a nearly full pool elevation as much as possible to benefit recreation interests. Flathead Lake also provides flood control protection locally, both upstream and downstream of the lake and for the Columbia River system. The lake is drawn down in winter and early spring and allowed to refill in mid-June when the threat of flooding is past.

Methodology and Assumptions

The purpose of this study was to evaluate the effects of supplementing water supplies by diverting water from the Flathead basin for uses that would be identified in the Tribes water right compact. With current operations, water is pumped from the forebay of Kerr Dam to provide water to users within the Flathead Indian Irrigation Project (FIIP). Potential new pumping locations and monthly diversion and return flow schedules were provided to Reclamation by the Tribes to support the modeling scenarios.

Under modeled conditions, new diversions are delivered by the existing FIIP pumping plant in the forebay of Kerr Dam, a new pumping plant on Flathead Lake, and a new pumping plant downstream at the confluence of Crow Creek and the Flathead River (Figure 2). The proposed maximum annual diversions from the Flathead basin are 229,383 acre-feet, with 144,397 acre-feet coming from Flathead Lake at the existing pump location and the new Flathead Lake pump site, and 84,987 acre-feet being pumped at the confluence of Crow Creek and the Flathead River (Table 1). When the proposed new diversions are fully met, maximum annual return flow total is estimated to be 101,225 acre-feet, with 3,796 returning to Flathead Lake; 37,309 acre-feet returning at the Crow Creek and Flathead River confluence; and 60,119 acre-feet returning from Mission Creek and the Jocko River back to the Flathead River (Table 2).

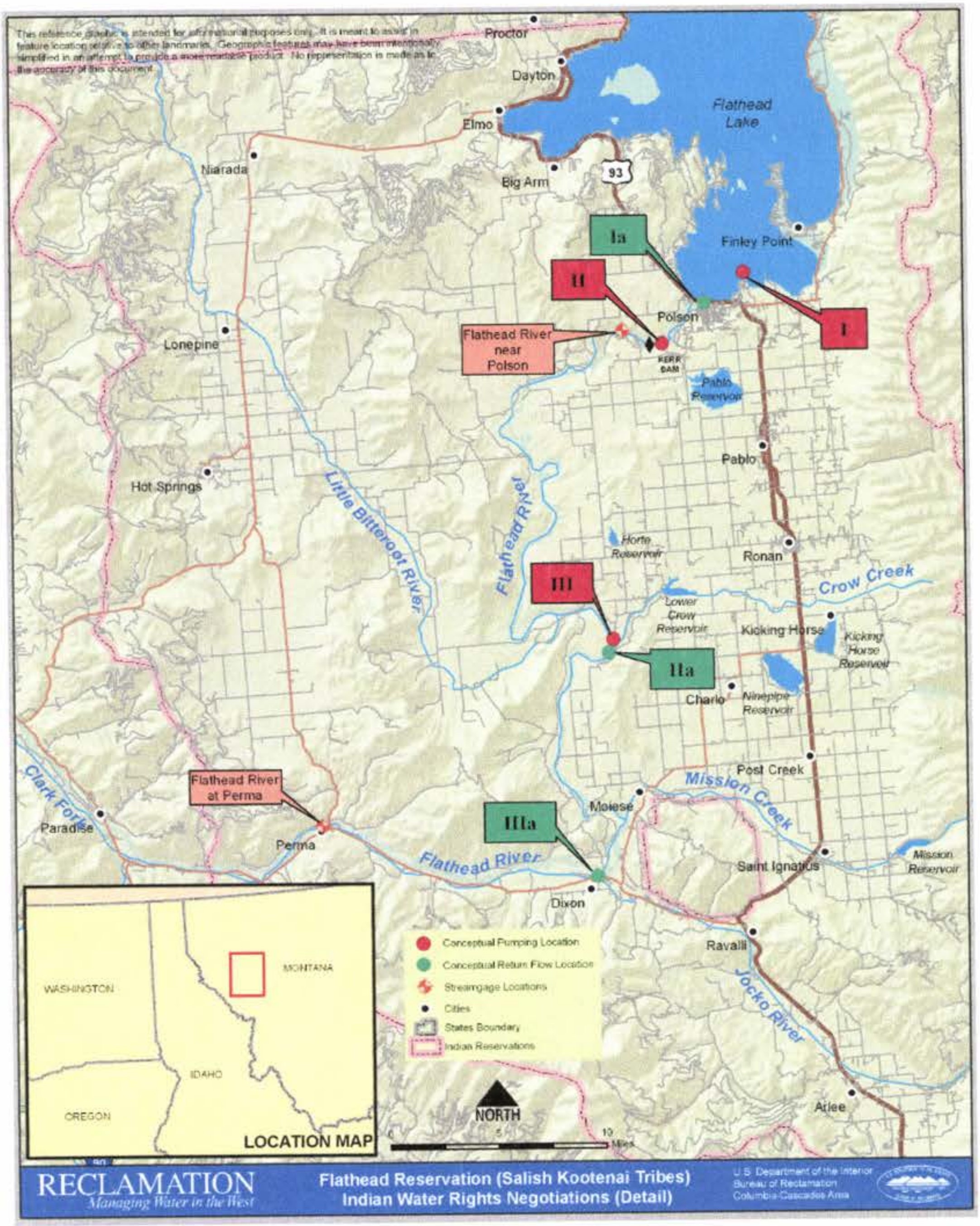
This reference graphic is intended for informational purposes only. It is meant to assist in feature location relative to other landmarks. Geographic features may have been intentionally simplified in an attempt to provide a more readable product. No representation is made as to the accuracy of this document.
Proctor
Dayton
Flathead Lake
Elmo
Niarada
Big Arm
93
Ia
Finley Point
II
I
Polson
Flathead River near Polson
KERR DAM
Lonepine
Pablo Reservoir
Pablo
Hot Springs
Little Bitterroot River
Flathead River
Horte Reservoir
Ronan
III
Crow Creek
Lower Crow Reservoir
Kicking Horse
Kicking Horse Reservoir
IIa
Charlo
Ninepipe Reservoir
Post Creek
Mission Creek
Clark Fork
Flathead River at Perma
Moiese
IIIa
Paradise
Perma
Flathead River
Saint Ignatius
Mission Reservoir
Dixon
Ravalli
Jocko River
Arlee
WASHINGTON
MONTANA
IDAHO
OREGON
LOCATION MAP
Conceptual Pumping Location
Conceptual Return Flow Location
Streamgage Locations
Cities
States Boundary
Indian Reservations
NORTH
0
5
10
Miles
RECLAMATION
Managing Water in the West
Flathead Reservation (Salish Kootenai Tribes)
Indian Water Rights Negotiations (Detail)
U.S. Department of the Interior
Bureau of Reclamation
Columbia-Cascades Area

Figure 2 – Detailed Map of Study Area. Red dots show the points of pumping for the new Tribal diversions as given in Table 1. The green boxes show the points of estimated return flows as given in Table 2.

Table 1 - Estimated Upper Limit Diversions for Natural Q and Natural Q plus 90K scenarios. These values represent additional total diversion from the Flathead system (source HKM, file Flathead Depletions.xls, 12/28/2007).

ESTIMATED MAXIMUM AMOUNT

I. -New Pumping from Flathead Lake (Acre-Feet)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
1,266	1,085	1,266	1,085	4,544	9,590	16,458	16,975	12,753	2,953	1,085	1,085	70,145

II. - Increased Pumping from Flathead River at existing Pumping Plant (Acre-Feet)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
0	0	0	200	8,001	18,069	16,442	16,994	12,241	2,306	0	0	74,252

III. - New Pumping from Flathead River upstream from mouth of Crow Creek (Acre-Feet)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
53	190	203	666	6,426	26,564	24,488	14,248	9,890	2,131	72	58	84,987

Total Increased Pumping from Flathead Lake and River (Acre-Feet)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
1,319	1,274	1,469	1,951	18,972	54,223	57,388	48,217	34,883	7,390	1,157	1,142	229,383

Table 2 - Estimated Return Flows due to Upper Limit Diversions for Natural Q and Natural Q plus 90K scenarios. These values represent total additional local gains to the Flathead system (source HKM, file *Flathead Depletions.xls*, 12/28/2007).

ESTIMATED MAXIMUM AMOUNT

I a. - Return Flows back to Flathead Lake (Acre-Feet)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
296	275	272	255	264	280	418	417	374	332	314	299	3,796

II a. - Return Flows in Crow Creek back to Flathead River (Acre-Feet)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
1,289	1,020	823	831	5,502	10,372	5,389	3,045	2,948	2,688	1,843	1,560	37,309

III a. - Return Flows in Mission Creek and Jocko River back to Flathead River (Acre-Feet)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
812	803	683	1,052	4,513	21,957	15,362	6,731	4,040	2,023	1,162	980	60,119

Total Return Flows to Flathead Lake and River (Acre-Feet)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2,397	2,098	1,779	2,138	10,279	32,610	21,168	10,192	7,362	5,042	3,320	2,839	101,225

A simulation model was constructed to identify the effects of additional Tribal diversions on the Flathead basin. The Modsim[1] model was used to perform a daily time-step simulation using hydrologic inputs from water years 1929 through 2008. This approach assumes that future hydrologic conditions will be similar to past hydrologic conditions.

The modeling of natural flows was based on the following priority date scheme. Based on the Hellgate Treaty, the earliest priority is given to the new Tribal diversions that are withdrawn from Flathead Lake and the lower river. The next priority is given to the 1920 Flathead Lake flow rate water right held by PPLM which is 14,540 cfs to generate power at Kerr Dam. This water right is a flow rate into Flathead Lake until the full volume of the Lake is met. This flow right also includes the required 4(e) flows so the lake may not fill because part of the water right is used to meet these flows. The model keeps track of the total volume being accrued to this water right and when that volume equals the full volume of the lake, the water right is met in the model.

A second 1920 water right held by PPLM is a storage right for Flathead Lake and the volume claimed is "the amount necessary to fill (the) storage reservoir at any time". There was much discussion between Reclamation, the State of Montana Department of Natural Resources and Conservation (MT DNRC), PPLM and CSKT regarding how to interpret this storage water right for Flathead Lake and how it should be handled in the model. There was no indication that Hungry Horse Reservoir or Flathead Lake had been operated historically to fulfill this 1920 storage right or how this right relates to the flow right held by PPLM that was mentioned above. There was also confusion on how to interpret the original storage water right since it was not clear what the intent was. As far as the agencies listed know, the Flathead basin has not been operated historically with this storage right. The decision was made to model the basin based on the historic operations using the 1920 flow right of 14,540 cfs until Flathead Lake fills and not model the 1920 storage right[2]. The last priority is given to Hungry Horse Reservoir storage which is a 1947 water right and is the most junior water right for these two locations.

Three scenarios were modeled:

1. The Base Case simulates the 2008/2010 FCRPS BiOp. It includes the current level of diversions for irrigation in the Flathead basin and Hungry Horse Dam flow augmentation releases which are discussed later.

2. The Natural Q scenario includes the 2008/2010 FCRPS BiOp draft requirements

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[1] Colorado State University 2009. MODSIM-DSS is a generalized river basin Decision Support System and network flow model developed at Colorado State University specifically for river basin managers.

[2] Discussion and decision on this point was made at a meeting between Reclamation, MT DNRC and CSKT held on February 11, 2010 in Missoula, MT.

and the new Tribal diversions that are met as much as possible with the natural flow in the Flathead River.

3. The Natural Q plus 90K scenario includes the 2008/2010 FCRPS BiOp draft requirements and the new Tribal diversions that are met first with natural flow water plus an additional fixed 90,000 acre-feet of storage water released from Hungry Horse Reservoir. For the months of July, August and September, new Tribal depletions from Flathead Lake are approximately 90,000 acre-feet (July – September diversions from the lake minus return flows to the lake; see Table 1). This amount of storage is taken from Hungry Horse Reservoir during these summer months to eliminate the shortages to the new diversions and to minimize the impact of the additional diversions on Flathead Lake elevations and downstream flows.

In the modeling for all the scenarios, Hungry Horse Dam provides minimum flows and follows ramping rates for flows in the South Fork of the Flathead River downstream of Hungry Horse Dam and in the Flathead River at Columbia Falls for ESA species protection (Tables 3 and 4). Water is released for flow augmentation for the lower Columbia River during the months of July through September. For flow augmentation the reservoir is drawn down to an elevation of 3550 feet (10 feet from full) by September 30, except in the driest 20 percentile of water years when the reservoir is drawn down to 3540 feet (20 feet from full). The driest 20 percentile water years, based on data from 1971 through 2000, are operationally defined as years in which the April through August volume forecast at The Dalles Dam on the lower Columbia River is less than 71,841,000 acre-feet. This flow augmentation water is released after Hungry Horse Reservoir reaches its maximum fill, which is usually around the first week of July, and continues through the end of September. These releases improve flow conditions for endangered species in the Columbia River.

Table 3: Flathead Flow Minimums below Hungry Horse Dam (USGS gage 12362500) and Columbia Falls (USGS gage 12363000)

If the April-August forecast is:	below Hungry Horse Dam	below Columbia Falls
greater than 1,790 KAF	900 cfs	3,500 cfs
1,190-1,790 KAF	400-900 cfs	3,200-3,500 cfs
less than 1,190 KAF	400 cfs	3,200 cfs

Table 4: Hungry Horse Dam Ramping Rates

If the discharge below Columbia Falls is:	Ramping UP may not exceed:
greater than 10,000 cfs	12,000 cfs /day
8,000 – 10,000 cfs	3,600 cfs / day
below 8,000 cfs	1,800 cfs / day

If the discharge below Columbia Falls is:	Ramping DOWN may not exceed:
greater than 12,000 cfs	5,000 cfs /day
8,000 – 12,000 cfs	2,000 cfs / day
6,000 – 8,000 cfs	1,000 cfs / day
below 6,000 cfs	600 cfs / day

In the modeling for all scenarios, the flow augmentation water from Hungry Horse is passed through Flathead Lake during the summer months. Kerr Dam also releases minimum downstream flows (4[e]) (Table 5) and follows ramping rates as required by its FERC licensing which provide flows for local fisheries (Table 6). The flow augmentation water from Hungry Horse is in excess of the Kerr Dam minimum flow requirements. The model also followed Flathead Lake filling criteria of raising the elevation of the Lake to elevation 2890 feet by Memorial Day (May 30th). The lake was then raised as rapidly and early thereafter as possible to elevation 2893 feet while taking into account the flood potential still existing in the river basin above and below the lake as determined by the US Army Corps of Engineers. When the flood potential is past, then the filling of the Lake is accelerated to reach elevation 2893 feet by June 15.

Table 5: Minimum Flathead River Flows Below Kerr Dam (U.S. Geological Survey gage 12372000)

Flathead River Mainstem Minimum Flow Daily Values
As Measured at USGS Gage #12372000 Below Kerr Dam

	Month											
Day	**Jan**	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**Jul**	**Aug**	**Sep**	**Oct**	**Nov**	**Dec**
1	3200	3200	3200	3200	5510	12700	12280	3200	3200	3200	3200	3200
2	3200	3200	3200	3200	6020	12700	11860	3200	3200	3200	3200	3200
3	3200	3200	3200	3200	6530	12700	11440	3200	3200	3200	3200	3200
4	3200	3200	3200	3200	7040	12700	11020	3200	3200	3200	3200	3200
5	3200	3200	3200	3200	7550	12700	10600	3200	3200	3200	3200	3200
6	3200	3200	3200	3200	8060	12700	10180	3200	3200	3200	3200	3200
7	3200	3200	3200	3200	8570	12700	9760	3200	3200	3200	3200	3200
8	3200	3200	3200	3200	9080	12700	9340	3200	3200	3200	3200	3200
9	3200	3200	3200	3200	9590	12700	8920	3200	3200	3200	3200	3200
10	3200	3200	3200	3200	10100	12700	8500	3200	3200	3200	3200	3200
11	3200	3200	3200	3200	10610	12700	8080	3200	3200	3200	3200	3200
12	3200	3200	3200	3200	11120	12700	7660	3200	3200	3200	3200	3200
13	3200	3200	3200	3200	11630	12700	7240	3200	3200	3200	3200	3200
14	3200	3200	3200	3200	12140	12700	6820	3200	3200	3200	3200	3200
15	3200	3200	3200	3200	12650	12700	6400	3200	3200	3200	3200	3200
16	3200	3200	3200	3320	12700	12700	6200	3200	3200	3200	3200	3200
17	3200	3200	3200	3440	12700	12700	6000	3200	3200	3200	3200	3200
18	3200	3200	3200	3560	12700	12700	5800	3200	3200	3200	3200	3200
19	3200	3200	3200	3680	12700	12700	5600	3200	3200	3200	3200	3200
20	3200	3200	3200	3800	12700	12700	5400	3200	3200	3200	3200	3200
21	3200	3200	3200	3920	12700	12700	5200	3200	3200	3200	3200	3200
22	3200	3200	3200	4040	12700	12700	5000	3200	3200	3200	3200	3200
23	3200	3200	3200	4160	12700	12700	4800	3200	3200	3200	3200	3200
24	3200	3200	3200	4280	12700	12700	4600	3200	3200	3200	3200	3200
25	3200	3200	3200	4400	12700	12700	4400	3200	3200	3200	3200	3200
26	3200	3200	3200	4520	12700	12700	4200	3200	3200	3200	3200	3200
27	3200	3200	3200	4640	12700	12700	4000	3200	3200	3200	3200	3200
28	3200	3200	3200	4760	12700	12700	3800	3200	3200	3200	3200	3200
29	3200	3200	3200	4880	12700	12700	3600	3200	3200	3200	3200	3200
30	3200		3200	5000	12700	12700	3400	3200	3200	3200	3200	3200
31	3200		3200		12700	12700	3200	3200		3200		3200

Table 6. Flathead River Ramping Below Kerr Dam at U.S. Geological Survey gage 12372000

If the required release from Flathead Lake is:	Ramping may not exceed:
greater than 40,000 cfs	10,000 cfs / day
20,000 – 40,000 cfs	5,000 cfs / day
10,000 – 20,000 cfs	2,500 cfs / day
5,000 – 10,000 cfs	1,000 cfs / day
below 5,000 cfs	500 cfs /day

The order that water rights are prioritized in the model simulation, meeting 4(e) flows and the USFWS minimum flow requirements at Columbia Falls affect the ability of Flathead Lake and Hungry Horse Reservoir to fill during dry years. The model results therefore differ from historic records in the Flathead basin. In 2001, the only dry water year since flow augmentation water has been required from Hungry Horse; Flathead Lake was allowed to temporarily store some of the Hungry Horse flow augmentation water in early July and then released the volume later in August. This temporary reshaping of the flow augmentation water by Flathead Lake meant the Lake remained at a higher elevation longer in July and early August. The modeled Base Case and the other scenarios do not allow the temporary storage of the flow augmentation water in Flathead Lake; therefore, Flathead Lake elevations are lower in the model than what has historically occurred.

Results

Model simulations were performed and comparisons were made between the Base Case, the Natural Q scenario, and the Natural Q plus 90K scenario.

Hungry Horse Reservoir

In the Base Case scenario, Hungry Horse Reservoir is operated in accordance with the 2008/2010 FCRPS BiOp and the 2000 USFWS BiOp. The reservoir is drafted for flood control during the spring depending on the local forecasted inflow volumes and Variable Flow flood control (VARQ) needed for the Federal Columbia River Power System. Hungry Horse fills to a maximum level usually during the first week of July, and releases flow augmentation water during the July through September period.

In the Natural Q scenario, there is no change to the storage at Hungry Horse Reservoir or the discharges from Hungry Horse Dam when compared to the Base Case. Under the order of water rights priorities that were previously discussed, the natural flows upstream of Hungry Horse Reservoir would be passed through the reservoir for use in the Tribal diversions and Flathead inflow water rights only if there was not enough natural flow downstream of Hungry Horse to meet the senior rights. In all years modeled, the water rights of the Tribal diversions and Flathead Lake inflow are filled by the natural flows in the Flathead basin downstream of Hungry Horse Reservoir and the normal water releases from Hungry Horse Dam. As a result, there is no change to the storage at Hungry Horse Reservoir or the discharges from the dam when comparing the Natural Q to the Base Case.

In the Natural Q plus 90K scenario, 90,000 acre-feet of storage (493 cfs average) is released from Hungry Horse Reservoir during July through September in every water year and is not dependent on whether it is a wet or a dry year. Figures 3 and 4 show that during wet and average water years, there is no change in the refill of Hungry Horse Reservoir when comparing the Base Case/Natural Q plot to the Natural Q plus 90K plot. In these figures, the Natural Q scenario exactly matches the Base Case so that the Base Case line is hidden underneath the Natural Q line. In dry years, releasing the extra 90,000 acre-feet of water in the summer can impact the ability of Hungry Horse Reservoir to fill the following year, the reservoir will not fill as high as the Base Case under these dry conditions. In addition, the Natural Q plus 90K scenario causes Hungry Horse Reservoir to be 4 feet lower than the Base Case at the end of the summer draft period for the listed species downstream. This results in a lower elevation in the fall and winter for the resident ESA listed species.

Figure 5 shows an exceedance plot of annual maximum elevations for Hungry Horse Reservoir. This plot shows that the maximum elevation of Hungry Horse Reservoir is not changed for the Natural Q plus 90K scenario in slightly more than 50 percent of the water years when compared to the Base Case and Natural Q scenarios (the Base Case and Natural Q scenarios plot on top of each other). There is a 1-foot or less difference in elevation between the Natural Q plus 90K and the Base Case/Natural Q scenarios about 86 percent of the time. The greatest difference in maximum elevations is about 4.5 feet.

Specific examples of Hungry Horse Reservoir elevations are shown in Figures 6, 7, and 8. In Figure 6, the differences in maximum elevations range from less than a foot in 1940 to approximately 4.5 feet in 1941. Less extreme differences in the reservoir maximum elevations are shown in Figures 7 and 8.

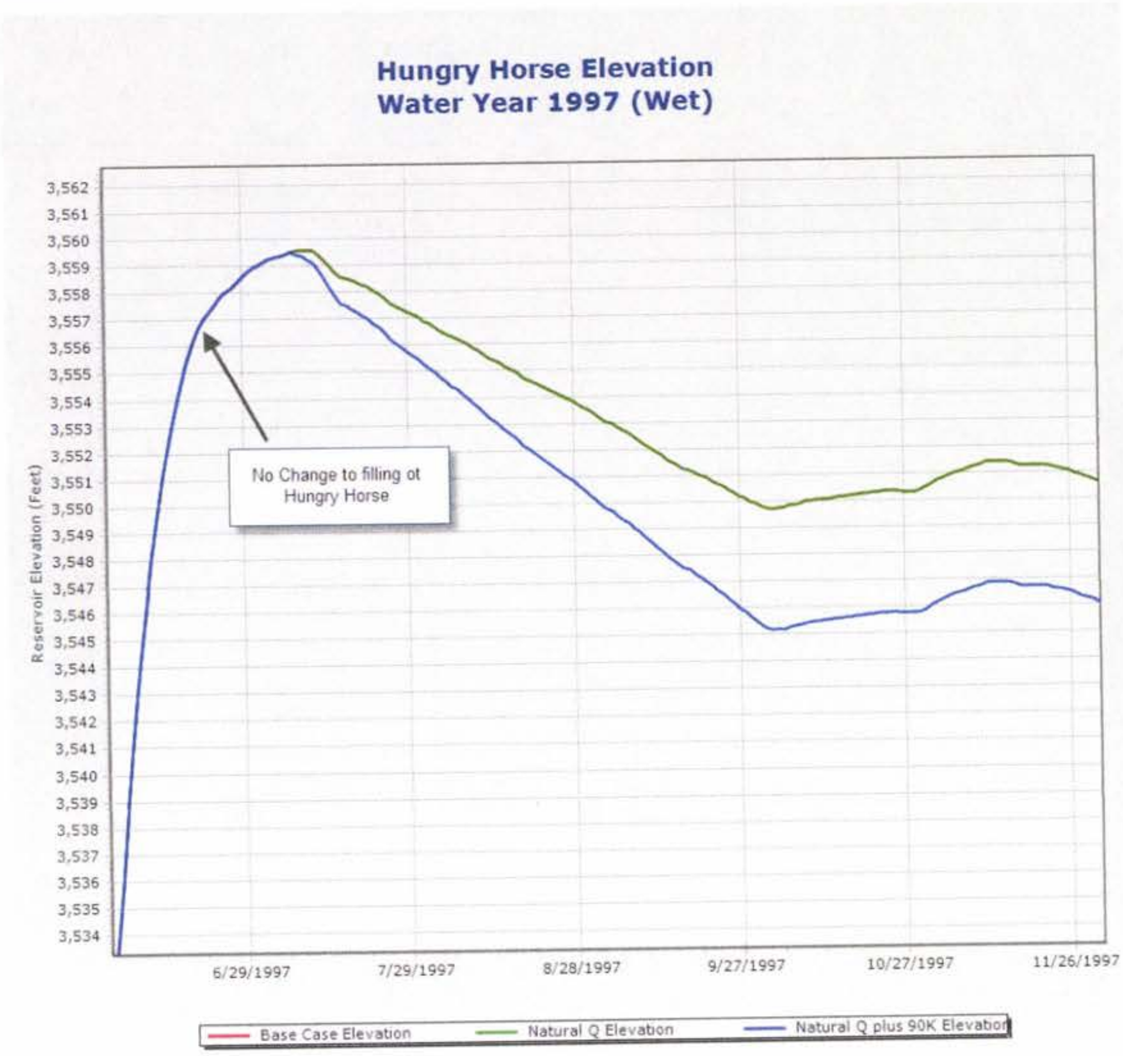


Figure 3. Modeled Hungry Horse Reservoir Elevations for Water Year 1997 which was an above average water year. The Base Case line is hidden under the Natural Q line.

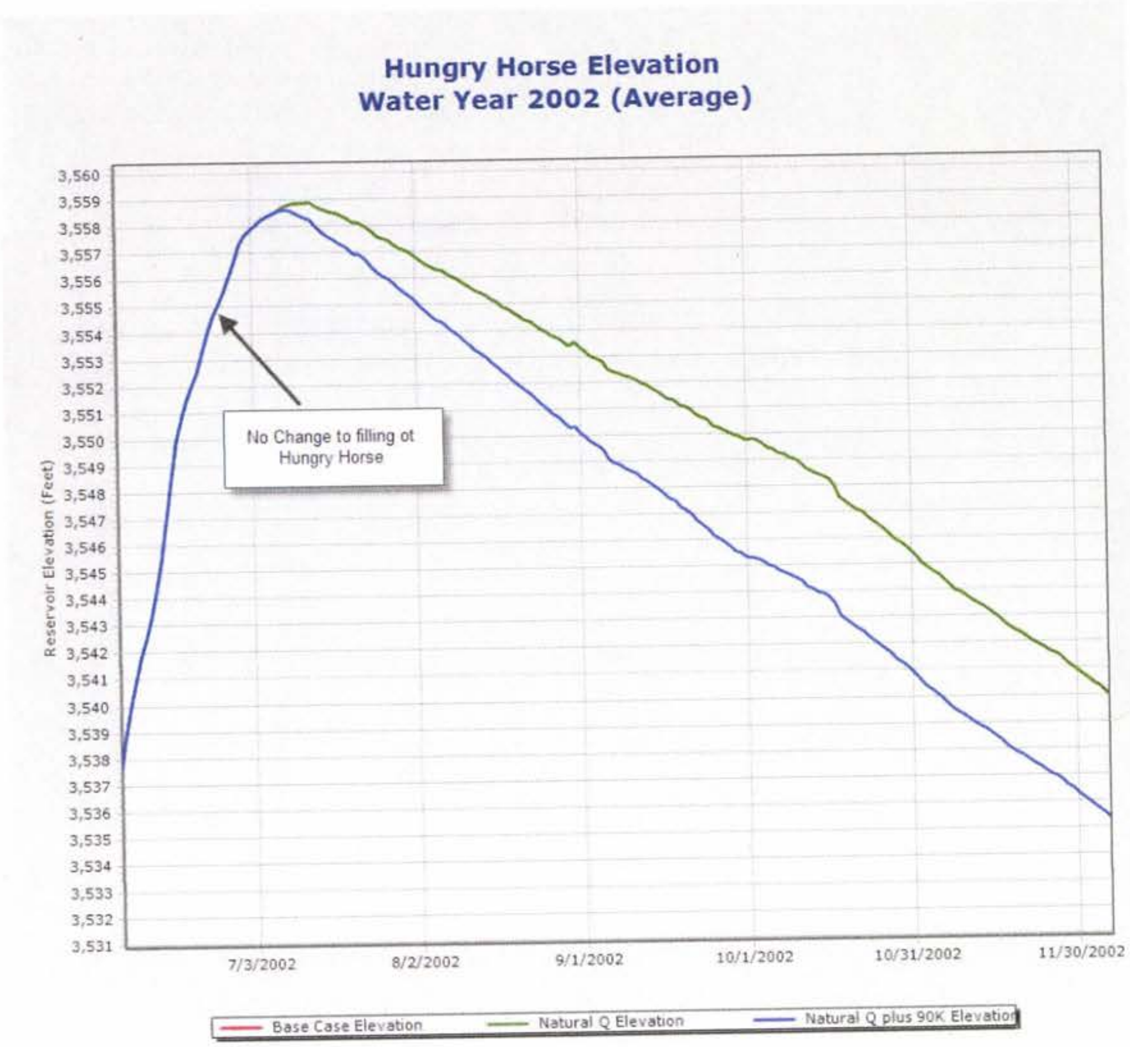


Figure 4. Hungry Horse Reservoir Elevations for Water Year 2002 which is a near average water year. The Base Case line is hidden under the Natural Q line.

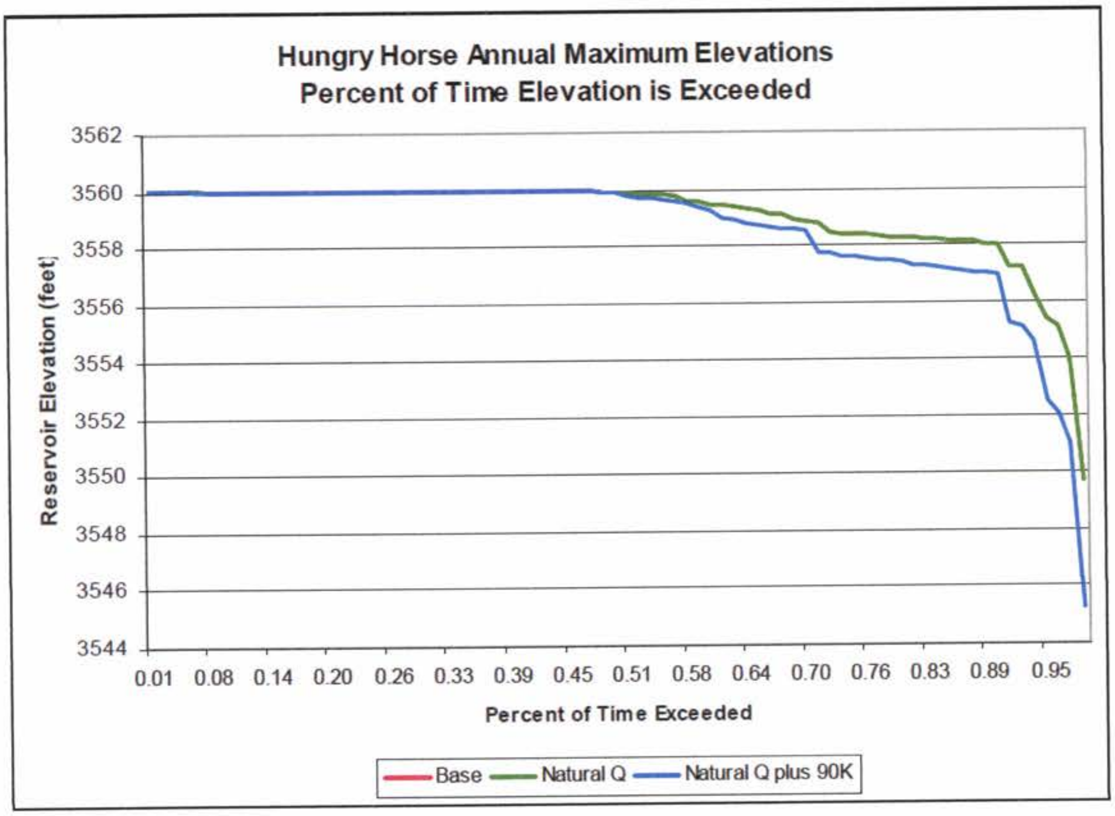


Figure 5. Annual Maximum Elevations of Hungry Horse Reservoir Exceedance Plot. The Base Case line is hidden under the Natural Q line.

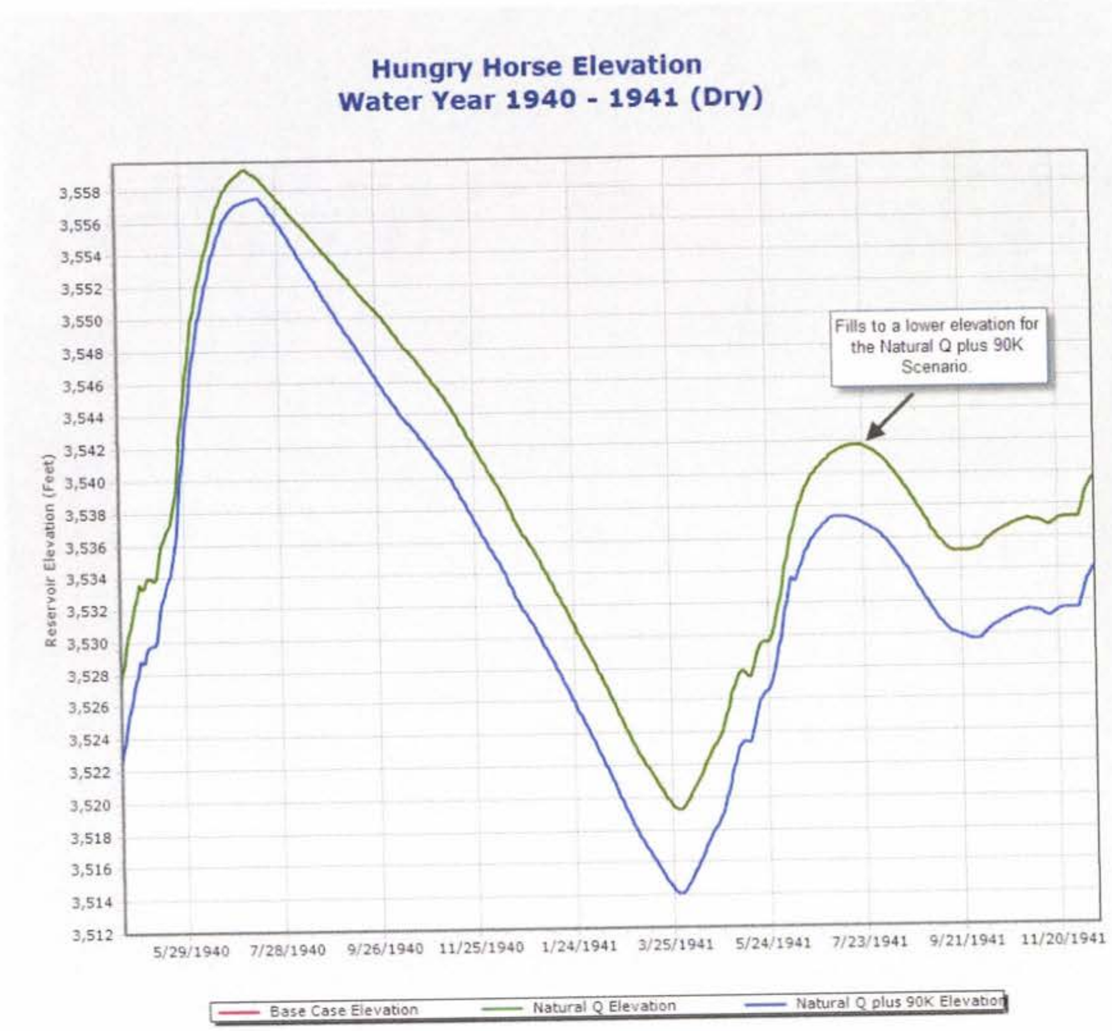


Figure 6. Hungry Horse Reservoir Elevations Base Case and Natural Q compared to the Natural Q Plus 90K. 1940-1941. The Base Case line is hidden under the Natural Q line.

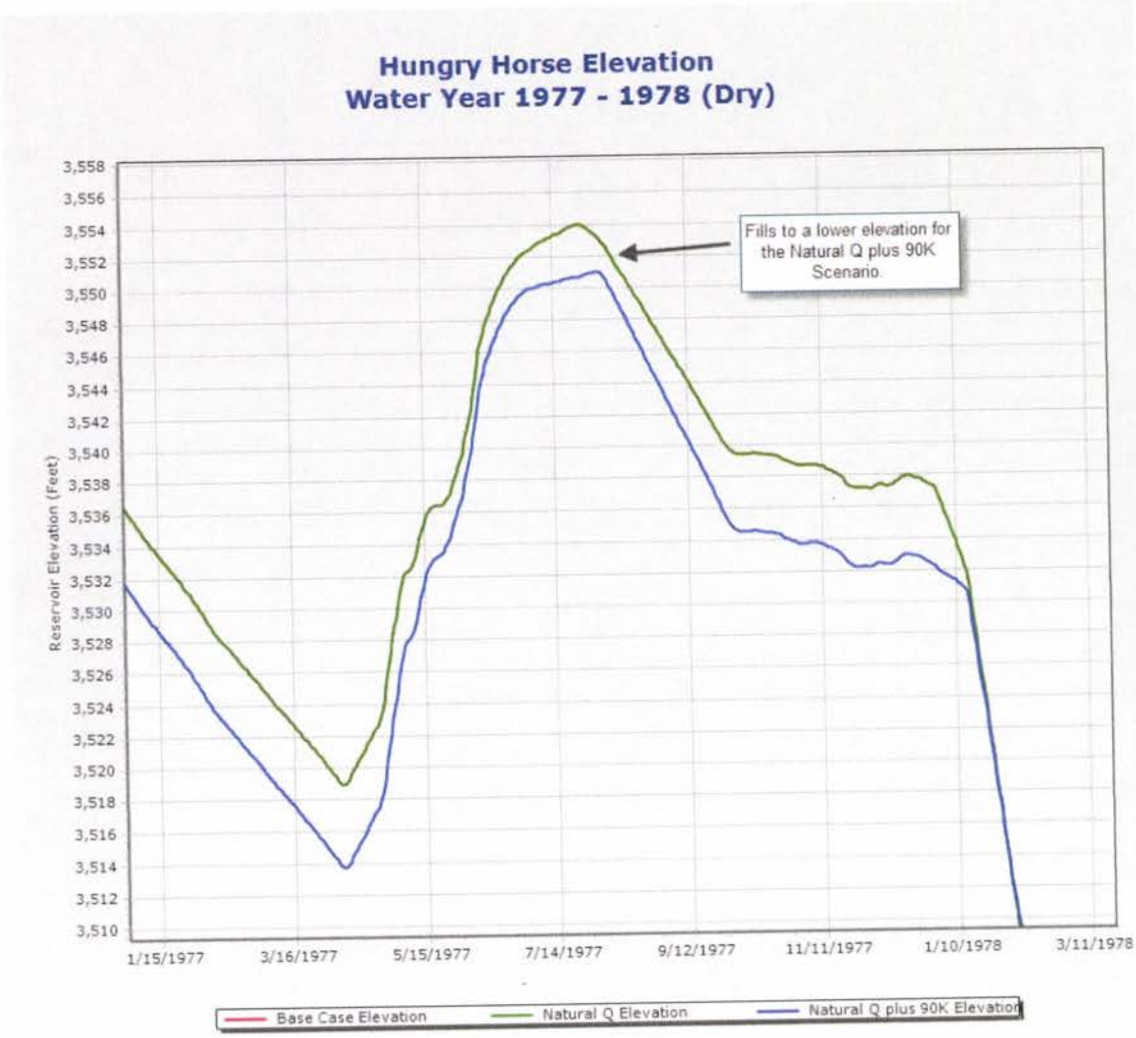


Figure 7. Hungry Horse Reservoir Elevations comparing Natural Q to Natural Q Plus 90K Scenarios. 1977 - 1978. The Base Case line is hidden under the Natural Q line.

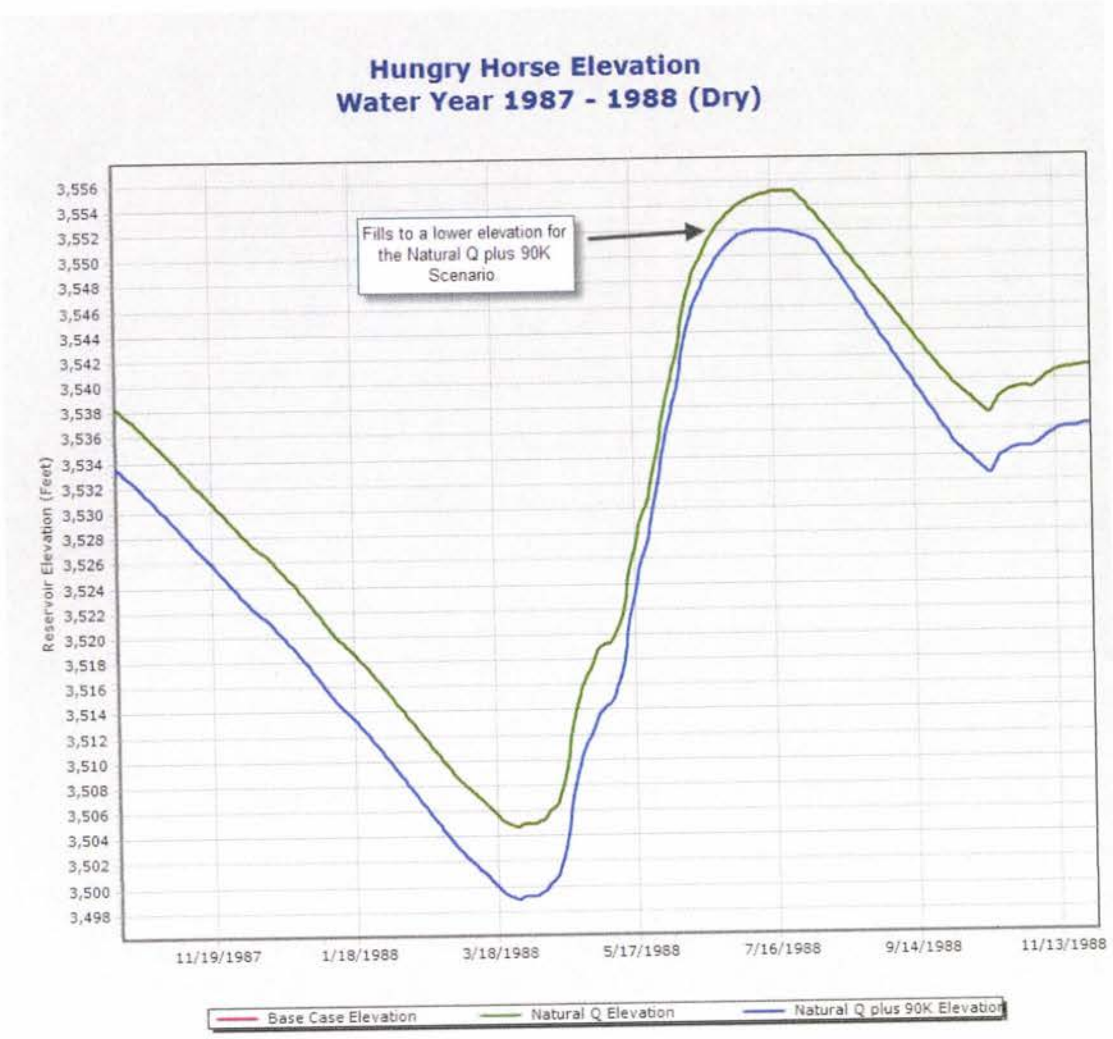


Figure 8. Hungry Horse Reservoir Elevations comparing Natural Q to Natural Q Plus 90K scenarios 1987 – 1988. The Base Case line is hidden under the Natural Q line.

Minimum flows on the Flathead River in compliance with the 2000 USFWS BiOp were met in all the scenarios. Discharges from Hungry Horse Dam in the spring and summer were not reduced in above average water years the in the Natural Q plus 90K scenario when compared to the Base Case. Even though the extra 90,000 acre-feet was released the previous summer, Hungry Horse Reservoir would start drafting for flood control in these above average water years prior to April 10 so the reservoir would release the same amount of water during the spring and summer (plus the additional 90,000 acre-feet) migration periods when compared to the Base Case. An exceedance plot of the April 10 through June 30 volumes for all three scenarios are shown in Figure 9. The Base Case and the Natural Q plots are exactly the same and plot on top of each other. The greatest decrease in discharge in the spring with the Natural Q plus 90K scenario was around 103,000 acre-feet (641 cfs average); there were 26 years where the differences were less than 100 acre-feet (less than 1 cfs average). Specific examples include 1945, which was an 83 percent of average year (Figure 10), and 1936, which was a 95 percent of average year (Figure 11). The April 10 through June 30 flows were decreased by about 84,000 acre-feet (522 cfs average) in 1945 and decreased by about 99,000 acre-feet (616 cfs average) in 1936. The decreases in spring discharges from Hungry Horse Dam will decrease the amount of water coming from the Flathead basin which will decrease flows in the Columbia River during the spring migration of endangered species.

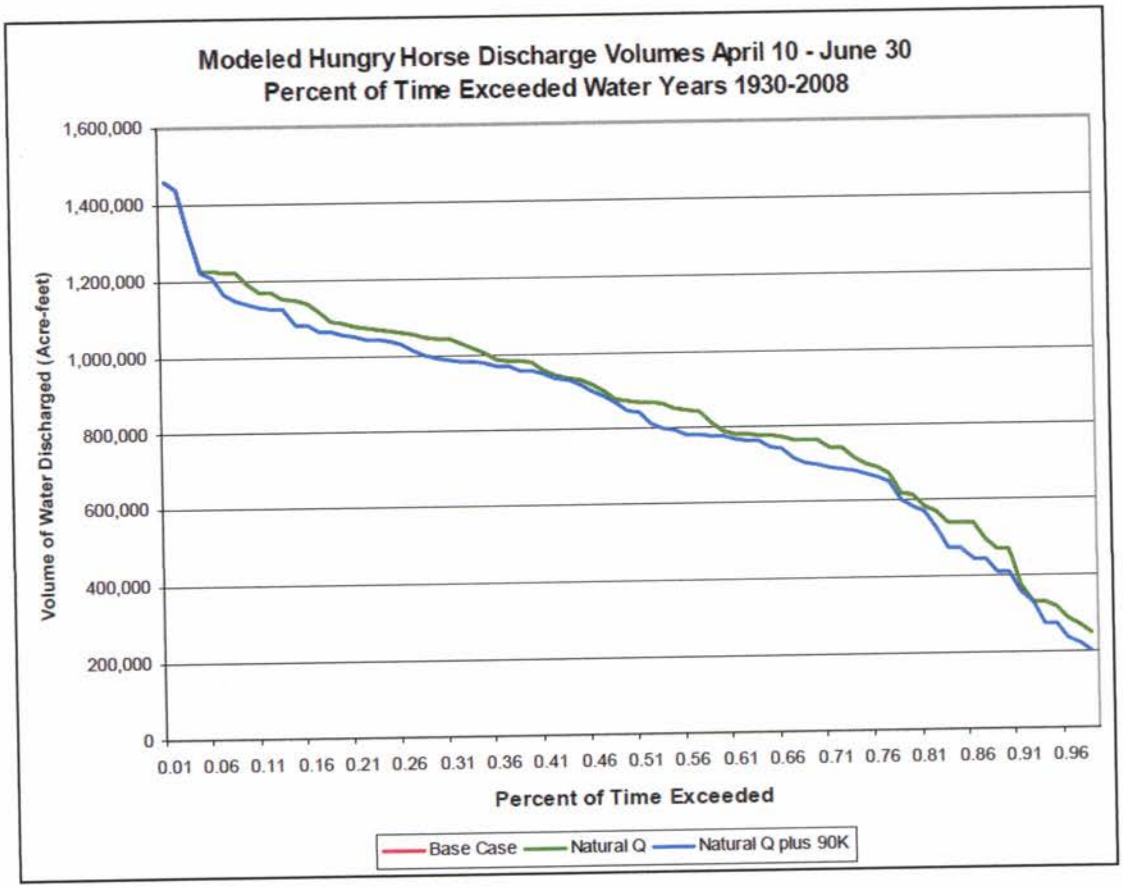


Figure 9. Modeled Hungry Horse Dam April 10 through June 30 Discharge Volumes Exceedance Plot.

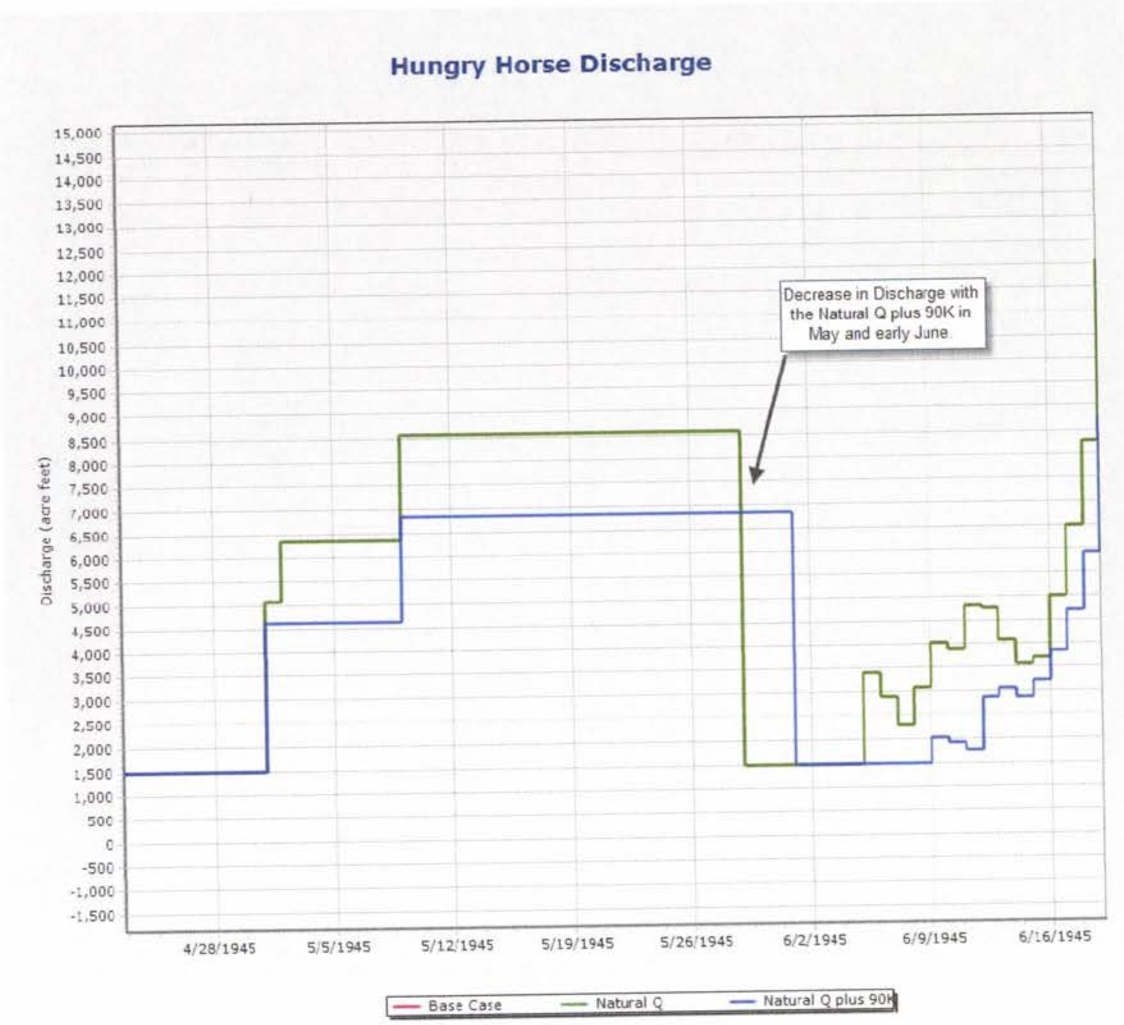


Figure 10. Hungry Horse Dam Discharges in spring of 1945 (83 percent of average year), showing a decrease in discharge with Natural Q plus 90K Scenario.

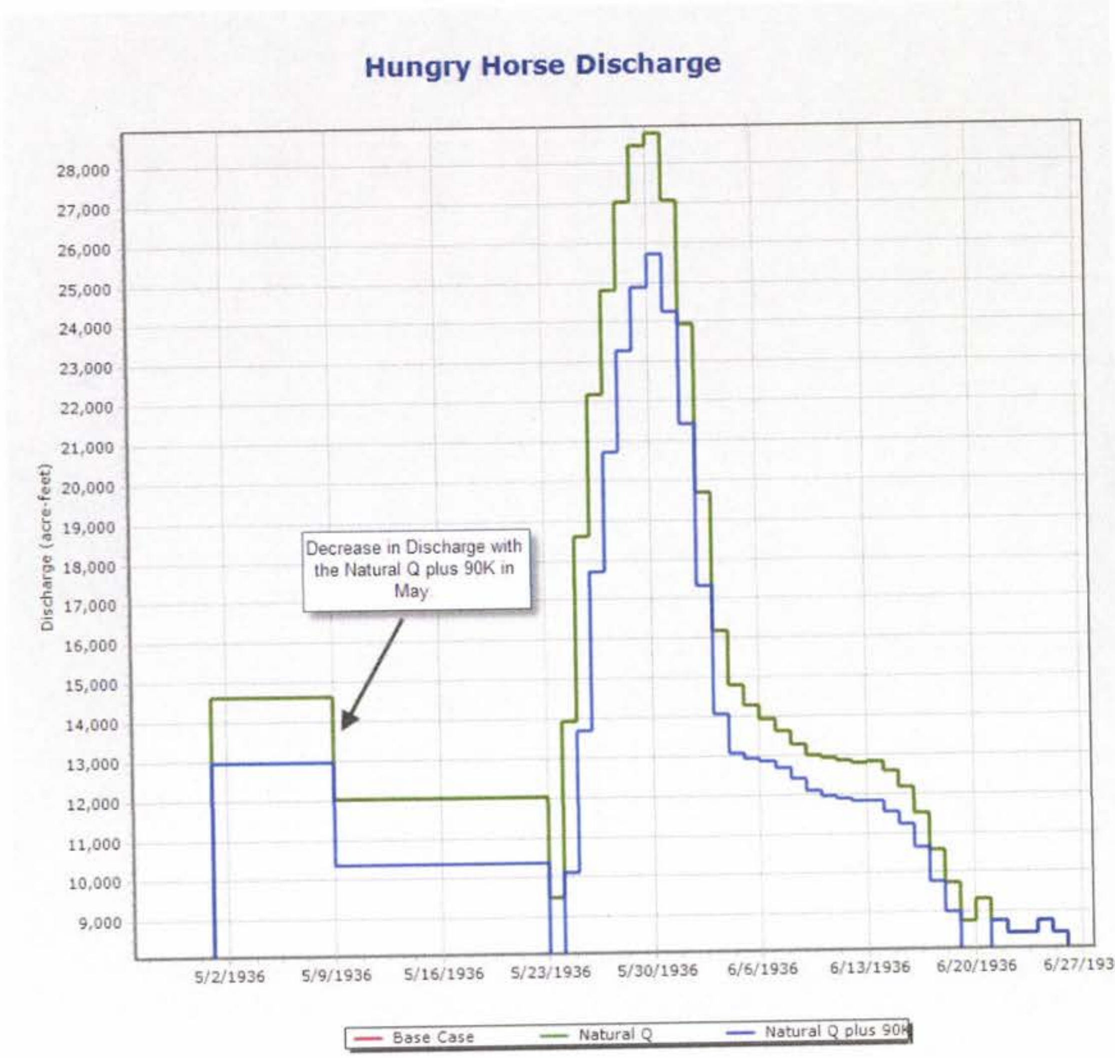


Figure 11. Hungry Horse Dam Discharges in spring of 1936 (95 percent of average year), showing the decrease in discharge with Natural Q plus 90K scenario.

In dry water years, summer flow augmentation supplied by Hungry Horse Reservoir for Columbia River endangered species is decreased in the Natural Q plus 90K scenario when compared to the Base Case. The volume of decrease in any given year depends on the maximum fill of Hungry Horse Reservoir in early July. In real-time operations, the reservoir may be held slightly short of completely filling in order to maintain a steady discharge through the maximum fill period and not cause a double peak on the downstream reach. A double peak occurs when the discharges are lowered to fill the reservoir and then increased significantly in order to start flow augmentation or irrigation releases after the reservoir is filled. To avoid a double peak, some flow augmentation water would be released before the maximum fill date.

Years when there was more than 24,000 acre-feet (approximately 1 foot in elevation) decrease in the maximum storage at Hungry Horse Reservoir due to the 90K releases during the previous year are listed in Table 7. The most extreme difference in flow augmentation volume is over 71,000 acre-feet in 1988. There is a 15 percent chance that the flow augmentation volume discharged from Hungry Horse Dam will be reduced by about 24,000 acre-feet or more (more than 1 foot lower in elevation) when comparing the Natural Q plus 90K to the Base Case, there is no difference in flow augmentation volumes approximately 50 percent of the time (Figure 12).

Table7. Hungry Horse Dam Summer Flow Augmentation Decreases for the Natural Q Plus 90K Scenario when compared to the Base Case.

Year	Flow Augmentation Shortage (in acre-feet)
1988	71,704
1977	69,375
1944	66,950
2001	62,117
1937	46,187
1940	42,385
1941	38,858
1930	26,788
1951	25,530
1974	25,231
1999	24,242
1965	24,060

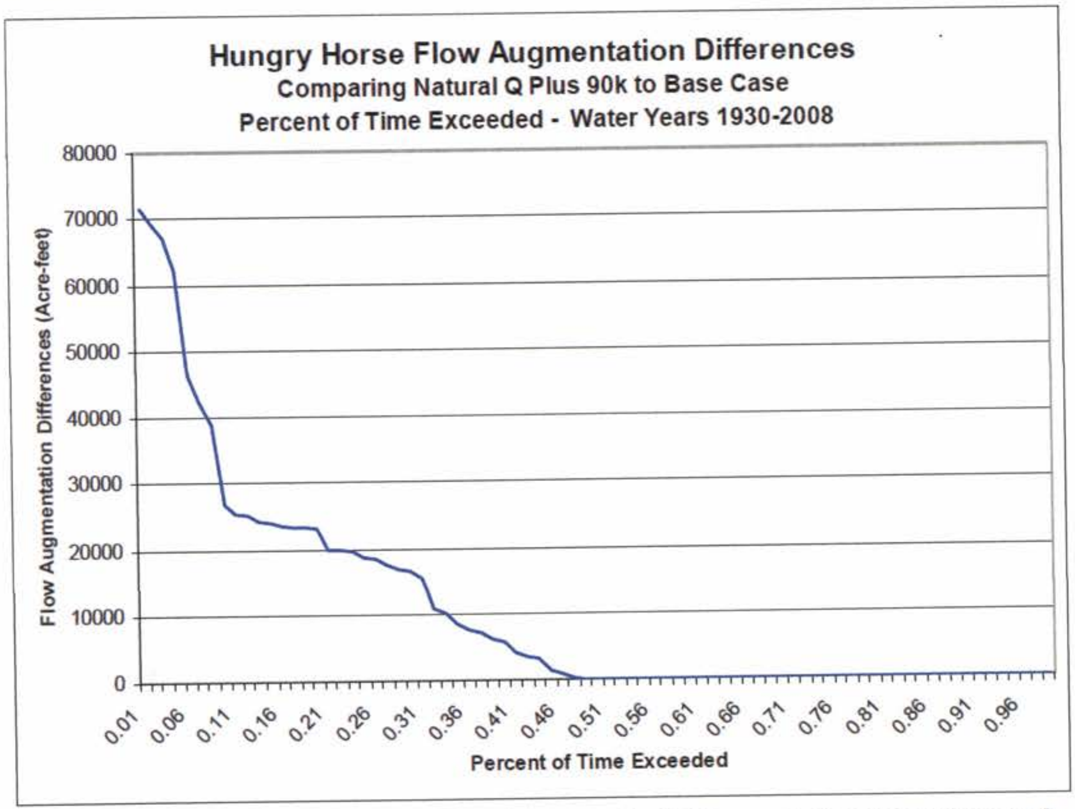


Figure 12. Hungry Horse Dam Summer Flow Augmentation Differences between Base Case and Natural Q Plus 90k, Percent of Time Exceeded, 1930-2008.

Flathead Lake

The modeled Base Case scenario shows that during dry years, Flathead Lake is drafted lower during the summer months than may have occurred historically. This is because the 4(e) flows were strictly adhered to in the model and the flow augmentation water from Hungry Horse Dam was passed through Flathead Lake downstream to the lower river. Historically, in a year such as 2001 which is the only dry year since 4(e) flows and flow augmentation requirements have been in place, flow augmentation water was temporarily stored in Flathead Lake in July and early August and released later in August allowing the Lake to be at higher elevations for a longer period in the summer. There were some adjustments made to the April 15 target elevation for flood control in the model during the four driest years (1941, 1944, 1977, and 2001) because the adaptive management of Flathead Lake elevations, similar to what was done in 2001, would most likely occur in the driest years to reduce the amount of draft on Flathead Lake. In addition, a Drought Management Plan is being developed for Flathead Lake where adaptive management of the target elevations and the 4(e) flows that could occur are based on the forecasted runoff in the Flathead basin. These adjustments could help alleviate the adverse impacts on Flathead Lake levels during a dry year.

For the Natural Q scenario, in a higher than average water year such as 1997 (143 percent of average runoff), the natural flow and Hungry Horse Dam discharges were able to supply all of the new Tribal diversions. In the same scenario, an average water year such as 2002 (99 percent of average runoff), the natural flows and current Hungry Horse discharges failed to meet the Tribal diversions by less than 10,000 acre-feet early in May and late in October. In a below average water year like 2001 (57 percent of average runoff), natural flow and current Hungry Horse discharges failed to meet the new Tribal diversions by about 95,000 acre-feet. Figure 13 shows an exceedance plot of the new Tribal diversion shortages for the March through September period. On this plot, for the Natural Q scenario, there are shortages up to 20,000 acre-feet about 20 percent of the time. The maximum shortages for this period were around 120,000 acre-feet. The Natural Q plus 90K exceedance plot showed less than 20,000 acre-feet of shortages for all of the years. This figure illustrates that the extra 90,000 acre-feet released from Hungry Horse Dam in the July through September period reduced the amount of new Tribal diversion shortages at Flathead Lake.

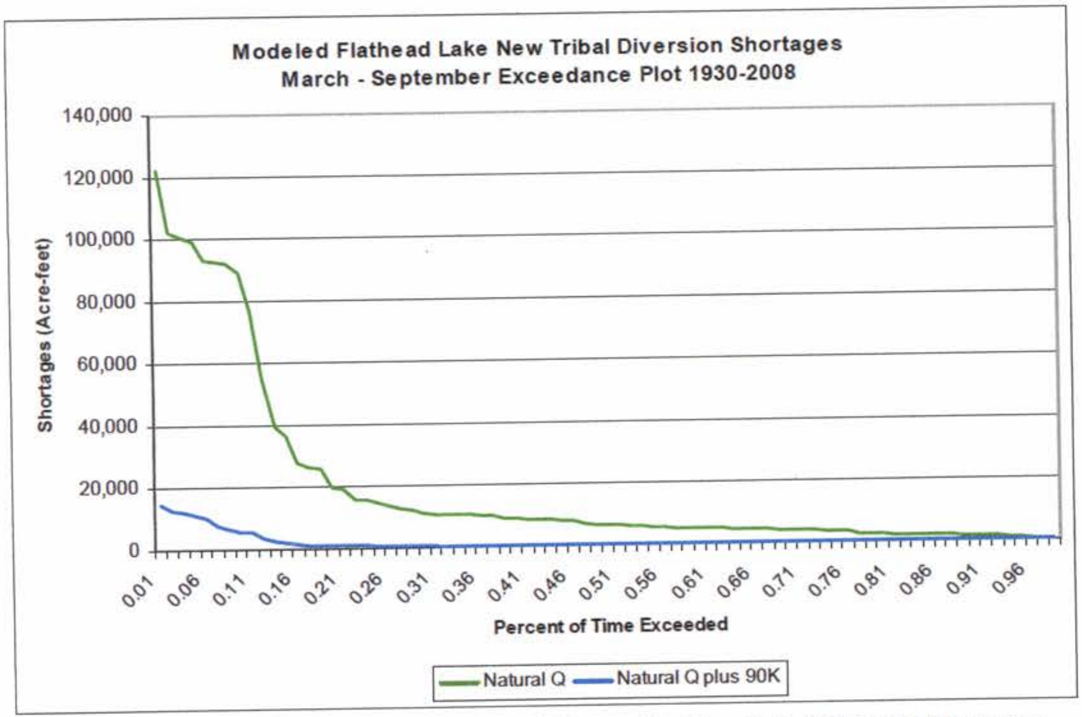


Figure 13. Modeled Flathead Lake March through September New Tribal Diversion Shortages Exceedance Plot.

Flathead Lake summer elevations could be impacted by the new Tribal diversions since the diversions have the senior water right in the basin. Flathead Lake has a priority flow right of 14,540 cfs to fill the Lake and to meet the 4(e) flows after the Tribal diversions are met. The accumulation of the 14,540 cfs was tracked in the model: when the full volume of Flathead Lake had accumulated, this right was filled. The next priority allowed natural flow to be stored in Hungry Horse Reservoir to its full volume. The actual filling of Flathead Lake in the model reached a lower elevation in the dry years for the Natural Q and Natural Q plus 90K scenarios when compared to the Base Case because natural flows were being used for the new Tribal diversions, and because the 4(e) flows, which are a part of the inflow water right, were still being released from the lake during the spring refill.

Figure 14 shows an exceedance plot of the modeled July through September Flathead Lake elevations. This plot shows that in 83 percent of time in the 70-year period there is no difference in summer Flathead Lake elevations between the Base Case, Natural Q scenario, and Natural Q plus 90K scenario. The greatest difference in elevations is 0.4 feet between the Base Case and the Natural Q plus 90K and occurs less than 3 percent of the time. The lowest elevation for the Natural Q scenario is 0.2 feet lower than the Base Case lowest elevation and the lowest elevation for the Natural Q plus 90K scenario is 0.2 feet higher than the Base Case lowest elevation.

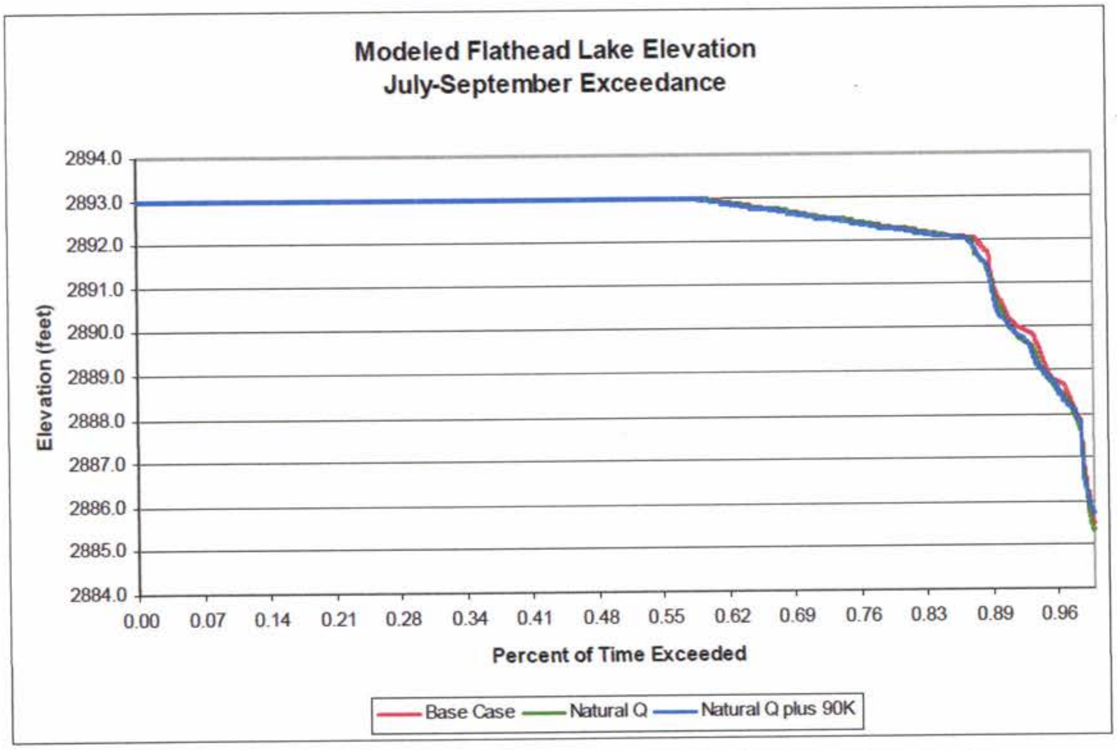


Figure 14. Modeled Elevation Duration Curve for Flathead Lake, July through September.

The difference in Flathead Lake summer elevations between the Base Case and the Natural Q and Natural Q plus 90K scenarios in individual dry years is shown in more detail in Figures 15, 16, and 17. These three figures show that in the dry water years, Flathead Lake will not fill to as full an elevation in the spring and summer for the Natural Q and Natural Q plus 90K scenarios when compared to the Base Case. The lower elevations in the Natural Q plus 90K scenario are due in part to the decrease in discharges from Hungry Horse Dam during this period in the dry years after the reservoir discharged an additional 90,000 acre-feet the previous summer. The lower elevations in the Natural Q and the Natural Q plus 90K scenarios also occur because historically Flathead Lake used natural flows in excess of the 14,540 cfs water right to fill. The new Tribal diversions are now taking that excess water. The 14,540 cfs Flathead Lake priority flow rate is met every year, but the new Tribal diversions prevent the lake from filling as high as in the Base Case. Flathead Lake discharges that are in excess of the 4(e) flows are also decreased because of the natural flows going to new Tribal diversions. These figures (15, 16, and 17) also show that the Natural Q plus 90k scenario, where 90,000 acre-feet is discharged from Hungry Horse Dam in the July through September period, Flathead Lake elevations recover higher than the Base Case in 1940 and 1988 (Figures 15 and 17). The Natural Q plus 90K scenario helps to achieve the objectives of meeting all the Tribal diversions during the summer and allowing a higher elevation in Flathead Lake when this scenario is compared to the Natural Q scenario.

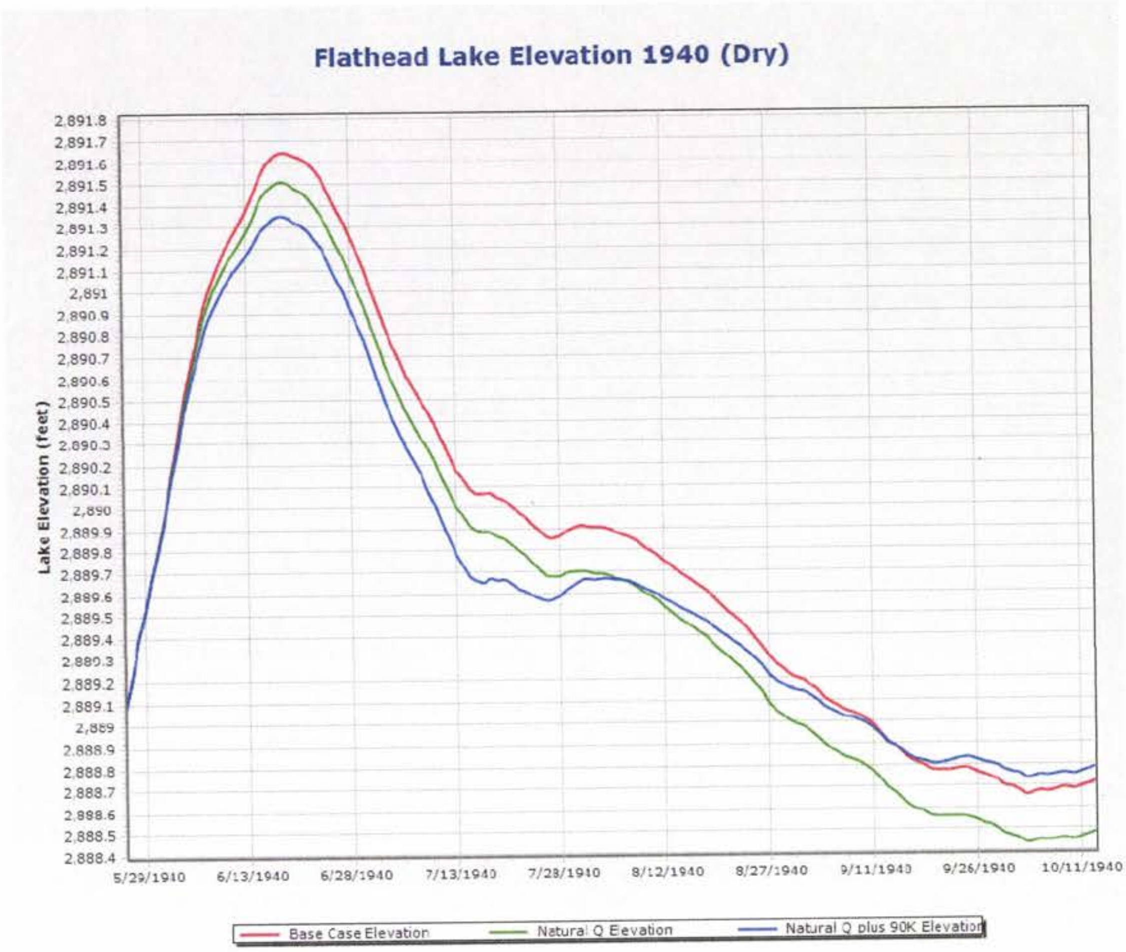


Figure 15. Flathead Lake Elevations Comparing Base Case, Natural Q and Natural Q plus 90K, 1940.

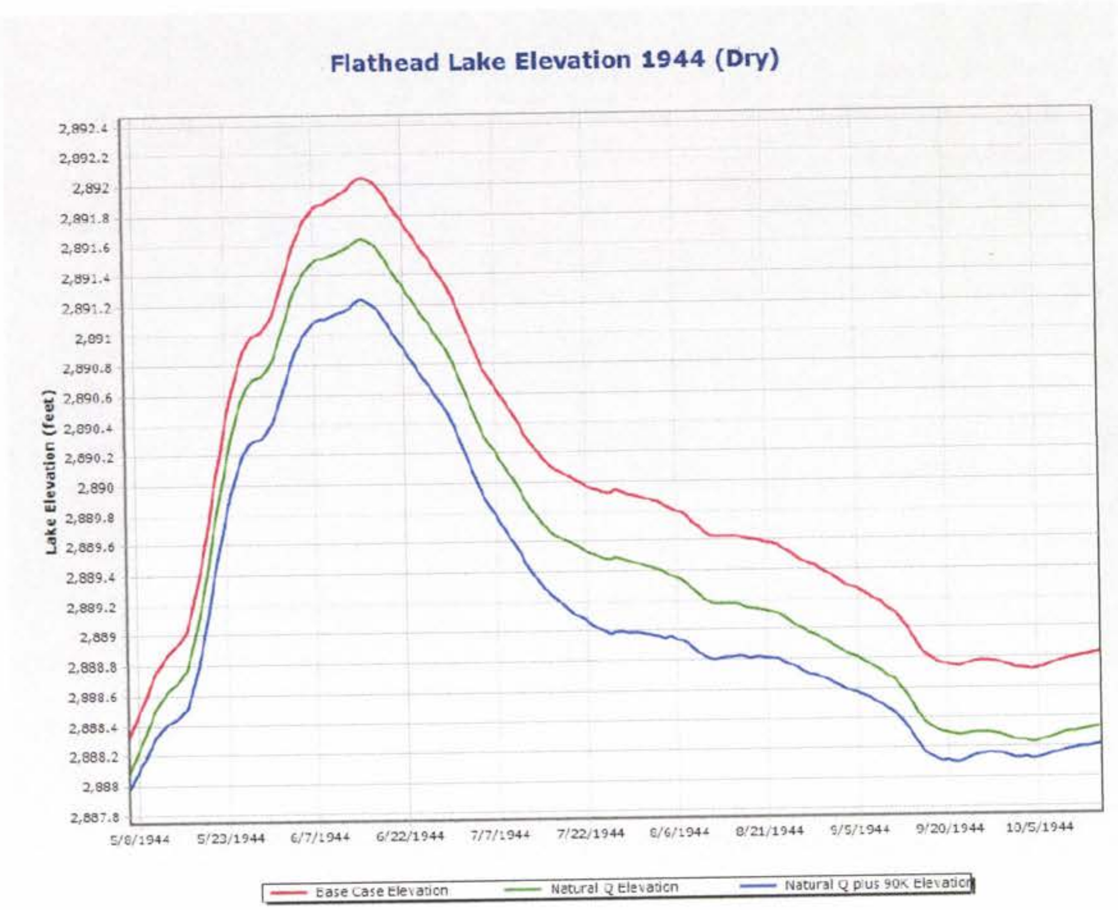


Figure 16. Flathead Lake Elevations Comparing Base Case, and Natural Q, and Natural Q plus 90K, 1944.

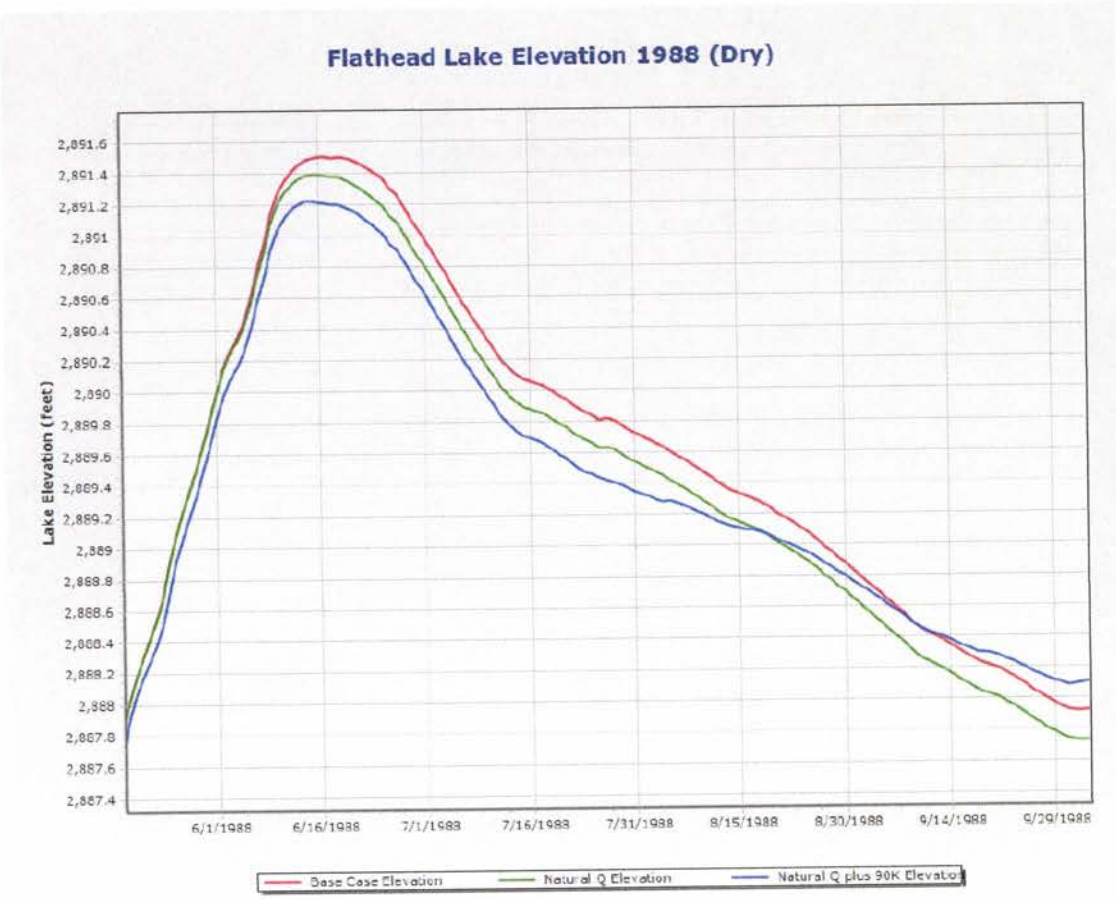


Figure 17. Flathead Lake Elevations Comparing Base Case and Natural Q, 1988.

Flathead River at Perma

Flows in the Flathead River at the Perma gage are analyzed because this is the last gage point on the Flathead River before it joins the Clark Fork. The total effects of the three scenarios on the change in flows from the Flathead River downstream can be compared at this gage.

Exceedance plots of the volumes of modeled flows on the Flathead River at Perma for the spring and summer migration periods are plotted on Figures 18 and 19. The spring migration period of April 10 through June 30 is shown on Figure 18. The differences in spring volumes between the Base Case, Natural Q scenario, and the Natural Q plus 90K scenario look small when compared to the total volume on the Flathead River for this period. The greatest difference in volumes when comparing the Natural Q to the Base Case was approximately 31,000 acre-feet (193 cfs average) which was less than 1 percent of the total volume for this spring period. The greatest difference in volume between the Base Case and the Natural Q plus 90K scenario was about 133,000 acre-feet (828 cfs average) which was less than 4 percent of the total volume for the same period.

An exceedance plot of volume of modeled flows at Perma during the period of July 1 through September 30 is shown on Figure 19. This plot shows that the difference in volumes in most years is greater for the Natural Q scenario when compared to the Base Case than the Natural Q plus 90K scenario when compared to the Base Case. This is due to the discharge of the additional 90,000 acre-feet of water in the July through September period in the Natural Q plus 90K scenario. The greatest difference in volume for the Natural Q scenario when compared to the Base Case was approximately 113,000 acre-feet (619 cfs average) which was less than a 9 percent change of the total volume for this summer period. The greatest difference in the Natural Q plus 90K scenario and the Base Case was approximately 139,000 acre-feet (762 cfs average) which was about 13 percent of the total volume for the summer period. It should be noted that the most extreme volume changes for these two distinct migration periods do not occur during the same years.

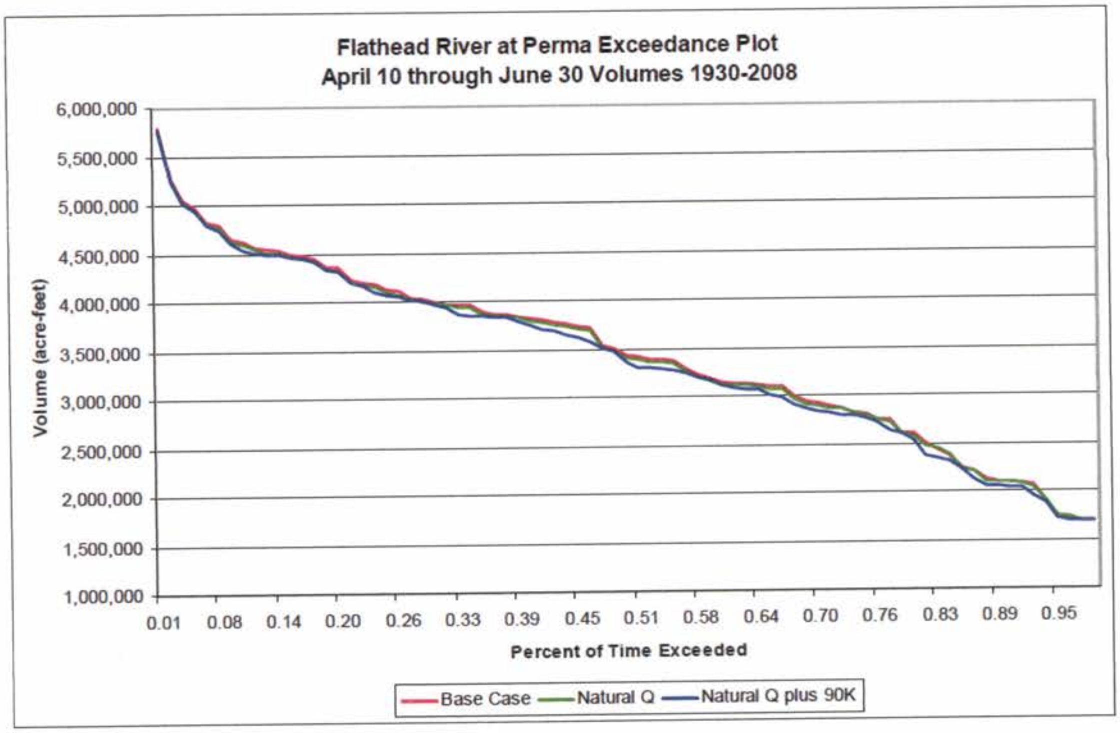


Figure 18. Flathead River at Perma Volume April 10 through June 30 (Spring Migration Period) Exceedance Plot.

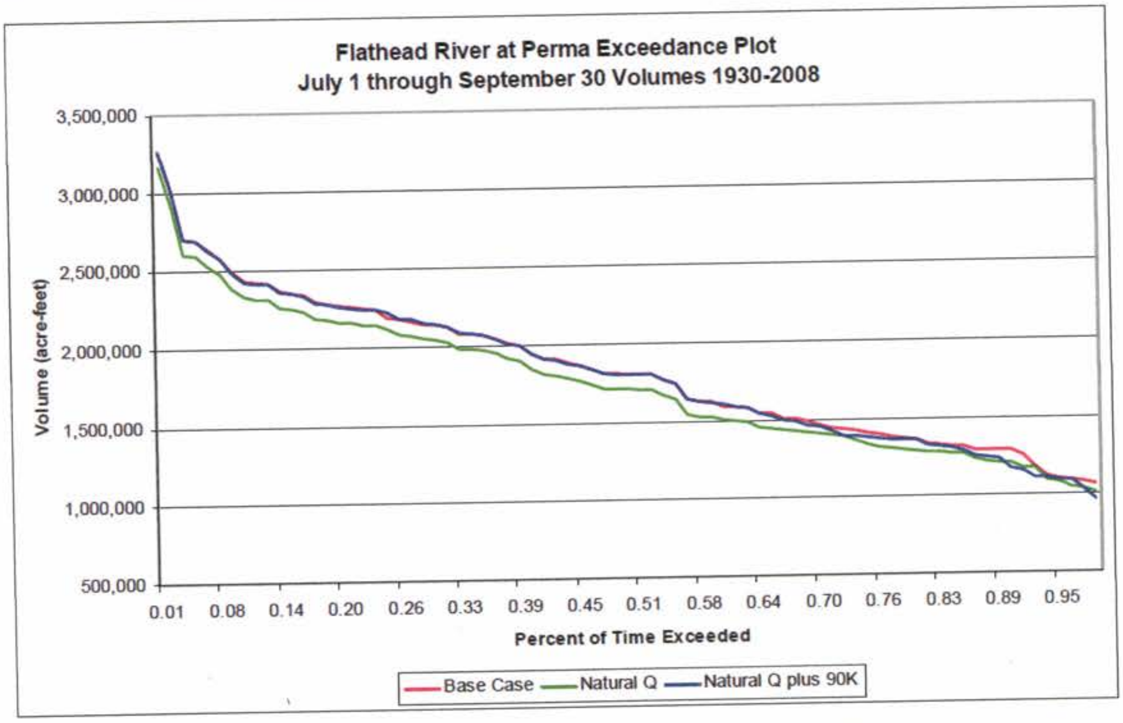


Figure 19. Flathead River at Perma Volume July 1 through September 30 (Summer Migration Period) Exceedance Plot.

Individual water years for the Flathead River at the Perma gage comparing the three scenarios are shown in Figures 20 and 21. These plots show the decrease in flows during the spring due the new Tribal diversions for the Natural Q and Natural Q plus 90K scenarios when compared to the Base Case. During the summer months, the decrease in flows is not as great for the Natural Q plus 90K scenario most years because of the additional 90,000 acre-feet of water discharged from Hungry Horse Reservoir during that period. The average annual difference in volumes at the Flathead River at Perma gage for the Natural Q scenario when compared to the Base Case is approximately 104,000 acre-feet, and for the Natural Q plus 90K scenario 120,000 acre-feet when compared to the Base Case. These amounts reflect the effects of the depletions from the new Tribal diversions.

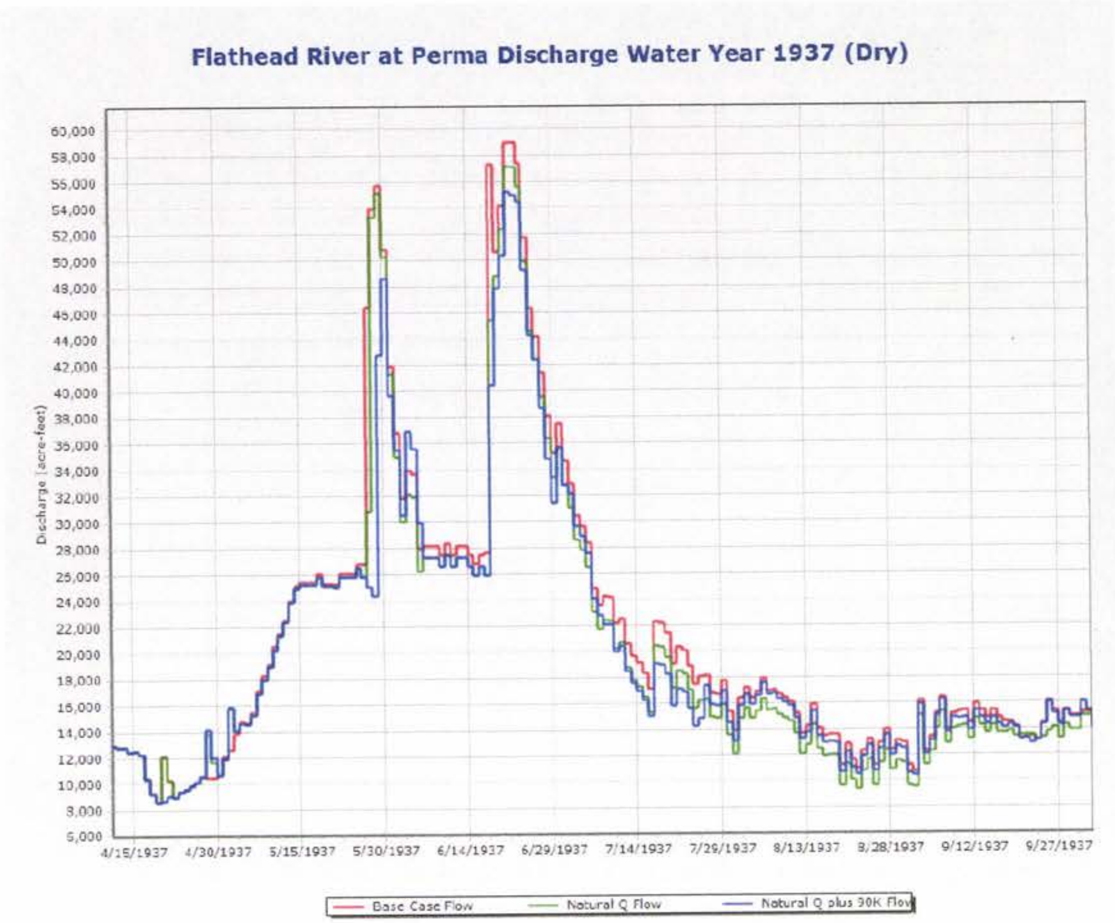


Figure 20. Flathead River at Perma Discharges in 1937, a below above average water year.

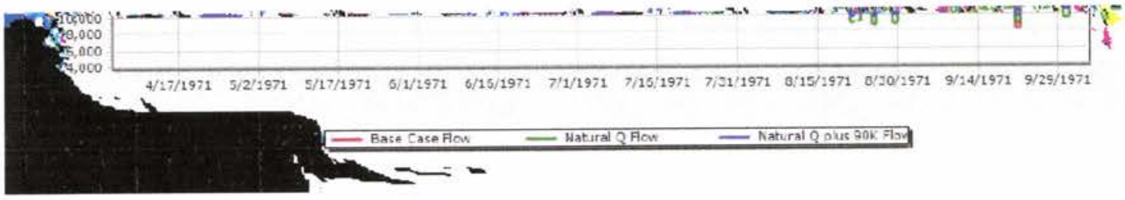
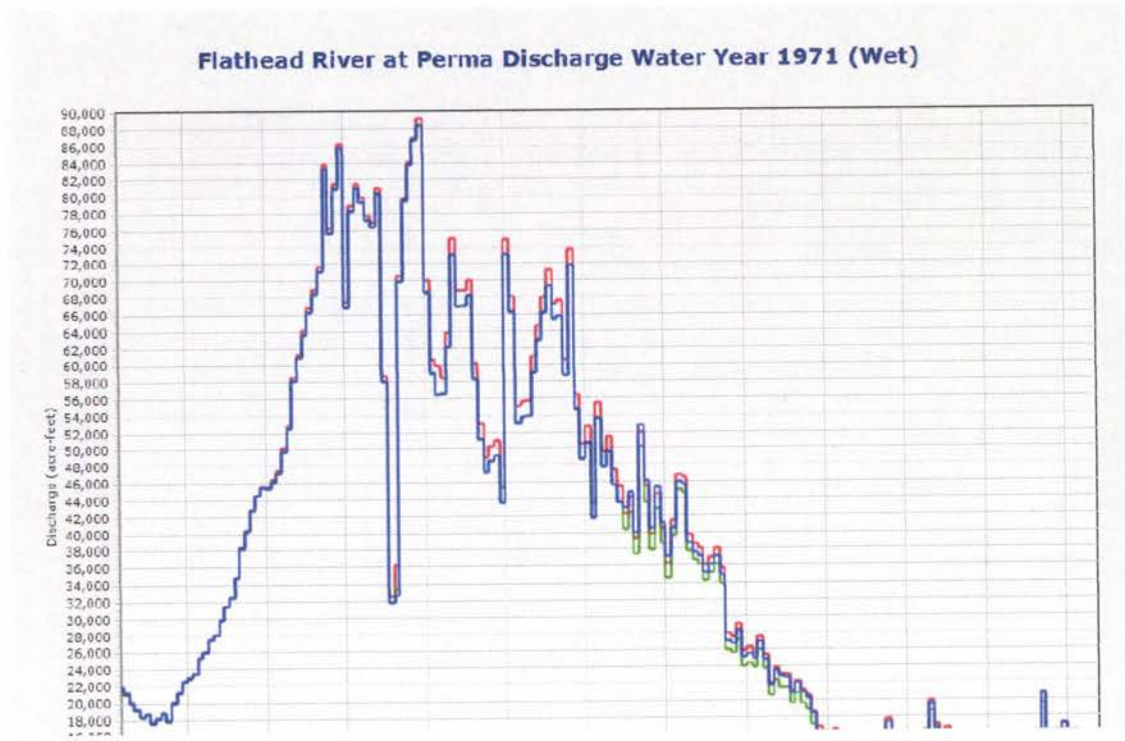


Figure 21. Flathead River at Perma Discharges in 1971, an above average water year.


Flathead River at Perma Discharge Water Year 1971 (Wet)
Discharge (acre-feet)
90,000
88,000
86,000
84,000
82,000
80,000
78,000
76,000
74,000
72,000
70,000
68,000
66,000
64,000
62,000
60,000
58,000
56,000
54,000
52,000
50,000
48,000
46,000
44,000
42,000
40,000
38,000
36,000
34,000
32,000
30,000
28,000
26,000
24,000
22,000
20,000
18,000

Summary

The Flathead basin was modeled to analyze the effects of new Tribal diversions from Flathead Lake and the lower Flathead River. There were three scenarios modeled: the Base Case; the Natural Q scenario where natural flows were used to meet Tribal diversions as the highest priority; and the Natural Q plus 90K scenario where 90,000 acre-feet of extra storage is released from Hungry Horse Dam to supplement flows for the diversions and reduce the impacts to Flathead Lake storage.

The modeled results show that for Hungry Horse Reservoir there are no differences in the storage and discharges between the Base Case and the Natural Q scenario. The natural flow downstream of Hungry Horse Reservoir and normal Hungry Horse Dam discharges are able to meet the new diversions so additional discharges from Hungry Horse Dam are not required. For the Natural Q plus 90K scenario, the increased discharges from Hungry Horse Dam during the summer caused the reservoir elevation to be lower at the end of the summer which can affect the ability of Hungry Horse Reservoir to fill the following spring in dry years. An exceedance analysis of the annual maximum elevations of Hungry Horse Reservoir shows that in 86 percent of the water years, there is a one foot or less difference in elevations between the Base Case and the Natural Q plus 90K scenario. In above average water years, flood control releases would start before April 10, which starts the spring flow augmentation period, and the rest of the discharges over the spring and summer would not be decreased. In near average water years, Hungry Horse Dam discharges would be decreased in the spring because the reservoir would be entering the flood control at a lower elevation and less water would need to be released in the April 10 through June 30 period. In below average water years, the flow augmentation volume in the summer would be decreased because of the inability to fill to as high a level in the Natural Q plus 90K scenario as in the Base Case.

New Tribal diversions were not fully met with the Natural Q scenario in most of the water years. Shortages of 20,000 acre-feet or greater occur 20 percent of the time with the maximum shortages being 120,000 acre-feet in the March through September period. In the Natural Q plus 90K scenario, most of the diversion shortages were met with the extra 90,000 acre-feet released. There were less than 20,000 acre-feet of shortages for all of the years, with over 80 percent of the years having no shortages in the Natural Q plus 90K scenario. The shortages that do occur in this scenario occur in the March through June period and in October.

The new Tribal diversions can impact the summer elevation of Flathead Lake. In the modeling, no adjustments are made to the 4(e) outflows for drought management. A comparison of summer Flathead Lake elevations show that in 83 percent of the time over the 70-year modeled period that there is no difference in summer elevations between the Base Case, the Natural Q scenario, and Natural Q plus 90K scenario. The greatest differences in elevation between the Base Case and the Natural Q plus 90K scenario is 0.4 feet which occurs less than 3 percent of the time over the 70-year modeled period. The differences in Flathead Lake summer elevations are due to the water in excess of the Flathead Lake flow right going to the new Tribal diversions rather than storage in Flathead Lake.

River flows at the Flathead River at Perma are decreased for the Natural Q and the Natural Q plus 90K scenarios when compared to the Base Case. The total volume decrease on an annual basis ranges from 104,000 to 120,000 acre-feet. The decreases in flows at the Perma gage are the greatest during the summer flow augmentation period of July through September with the differences being 9 percent of the total flow (619 cfs) for the Natural Q scenario and 13 percent of the flow (761 cfs) for the Natural Q plus 90K scenario.

The analysis done in this study may show the most extreme effects of the new Tribal diversions in the Flathead basin. This is because of the assumptions used in the model; the new Tribal diversions were set at the maximum amount and there was very little adaptive management of Hungry Horse and Flathead Lake operations. This analysis is not a proposal of current or future operations; it only gives results of possible effects that the new Tribal diversions could have on the Flathead basin given these rigid assumptions. The results are intended to give a starting point for further analysis of what effects new Tribal diversions could have in the Flathead basin.

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U.S. Fish and Wildlife Service. 2000.	U.S. Fish and Wildlife Service. 2000. *Biological Opinion for the Effects to Listed Species from Operations of the Federal Columbia River Power System: Action Agencies, Army Corps of Engineers, Bonneville Power Administration, Bureau of Reclamation.* U.S. Fish and Wildlife Service, Regions 1 and 6. December 20, 2000.

Appendix 8

STATE OF MONTANA

Hungry Horse Reservoir, Montana:

Biological Impact Evaluation and Operational Constraints for a proposed 90,000-acre-foot withdrawal

September 14, 2011 (Revised Version)

Introduction

As part of reserved water rights negotiations among the Confederated Salish and Kootenai Tribes (Tribes), the State of Montana (State) and the United States, the Tribes have requested supplemental water, a portion of which (90,000 acre-feet or 90 KAF) is proposed to be withdrawn from Hungry Horse Reservoir. In an effort to address the potential biological impacts of the proposed withdrawals, the State offers the following overview, biological impact evaluation, and operational constraint recommendations. Flow model output from the US Bureau of Reclamation (BoR) was used as input to a Montana Fish, Wildlife & Parks (MFWP) biological model to evaluate impacts. The timing and volume of reservoir releases were based on Montana Department of Natural Resources and Conservation (DNRC) estimates of a highest- impact scenario, in which depletions were modeled as being made on a peak irrigation demand schedule and the reservoir withdrawals were timed to occur in the driest portion of the water year when withdrawals from the reservoir potentially have the highest impact on biota in the reservoir. It is anticipated that actual releases will extend earlier or later into the year and therefore cause fewer impacts than this highest-impact scenario. Based on these findings, the biological impacts of the proposed withdrawals are either non-existent or minimal in all but the driest 15 percentile water years. In those years, releasing the full 90 KAF is likely to significantly degrade the fishery habitat in the Reservoir. To mitigate these impacts, the State presents a withdrawal reduction schedule for operations during those driest water years that includes a suite of constraints to protect reservoir biology. Even with these constraints, no less than 45 KAF will be available for release from Hungry Horse Reservoir in 100% of the water years. The full 90 KAF will be available in approximately 85% of water years. The specific reductions in the withdrawal volume identified here are based on two sliding scales set forth in Appendix B. MFWP modeling indicates that the effects of these releases on the Flathead River downstream of the Reservoir are beneficial to the riverine biota.

Reservoir Overview

Hungry Horse Reservoir (Hungry Horse) is operated by the BoR and is intricately tied to the operation of the Federal Columbia River Power System (FCRPS), and private projects regulated by the Federal Energy Regulatory Commission (FERC), including Kerr Dam on the outlet of Flathead Lake (operated by PPL Montana).

Hungry Horse stores spring snowmelt and fills toward full pool elevation (elevation 3560 ft msl) in July. During fall and winter, the reservoir is drafted for electrical power generation and to evacuate storage space in the pool for flood risk management during spring runoff. Hungry Horse typically reaches minimum pool by mid-April and then begins to refill.

Hungry Horse Dam operations were designed to balance hydropower generation and flood control with fish restoration actions, as per the Columbia Basin Fish and Wildlife Program (NPCC, 2010). These rules are the culmination of two decades of field and laboratory research to determine the effects of dam operation on aquatic resources in Hungry Horse and the Flathead River downstream. The current operating strategy uses rule curves or monthly reservoir elevation targets that adjust up or down based on water supply. Downstream, similar rules limit Flathead River flows and rates of flow change (seasonal flow windows and ramping rates). Monthly water supply forecasts that inform operational decisions are available from January through June of a given water year (earlier forecasts are available but less reliable). Forecasts estimate the inflow volume during the period April 1 through August 31, when inflows are highest.

Reservoir biota, including aquatic plants, plankton, insects, mollusks, amphibians and fish are influenced mainly by the depth of the annual reservoir drawdown and the extent of reservoir refill. Aquatic productivity is largely controlled by the volume and surface area of the reservoir during the productive summer months (June through September) and limited by the amount of habitat dewatered during the annual low pool (mid April). The fluctuating surface causes an expansive "varial zone" that can become biologically unproductive. Reservoir drawdown eliminates aquatic organisms in the dewatered zone, which must recolonize newly inundated habitat each year when the pool refills. Refill during July eliminates most terrestrial organisms that had become established during low water. Reservoir productivity is greater when the annual drawdown is minimized and reservoir refill is maximized.

Water temperature is another factor influencing biological productivity. A selective withdrawal device was retrofit on Hungry Horse Dam in 1996 to correct thermal pollution in the dam discharge. Prior to selective withdrawal, water released from deep in the reservoir seldom exceeded 41° F all year. Water at this temperature is lower than natural during summer and higher than natural during winter, and adversely impacted riverine biota. Selective withdrawal effectively eliminated artificial cooling during the biologically productive summer months and dam operators can now achieve a nearly natural annual temperature cycle (Christenson et al., 1995 and 1996; Marotz et al., 1996). This factor is therefore now deemed controllable.

Mainstem Amendments and Federal Biological Opinions

The Northwest Power and Conservation Council (Council) adopted Integrated Rule Curves (IRCs) for Hungry Horse Dam in 1994 and the overall operating plan was included in the Council's Mainstem Amendments in 2004. However, the "Montana Operation" was not fully implemented until 2009. The US Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration (NOAA-Fisheries; 2008) included these specific dam operations as reasonable and prudent alternatives in their respective Biological Opinions (BiOp) concerning the operation of the FCRPS, as per the Endangered Species Act (ESA). The USFWS's BiOp also contains actions to benefit bull trout, which are listed as threatened under ESA and occur upstream and downstream of Hungry Horse Dam. The NOAA-Fisheries' 2008 BiOp and 2010 Supplemental BiOp call for releasing water from Hungry Horse during July through September to aid the recovery of anadromous fish species (mainly salmon) listed under ESA. These BiOps implement the Council's plan to limit reservoir drawdown, improve refill and smooth flows in the Flathead River to benefit bull trout and other native fish species.

Reservoir Operations for Flood Risk Management

Originally, Hungry Horse was drawn down deeply to capture the entire spring snowmelt while maintaining a minimum flow in the Flathead River (3,500 cfs) during the runoff period. Beginning in 2001, a variable flow flood control strategy (VARQ) was implemented by the US Army Corps of Engineers (Corps) and the BoR at Hungry Horse Dam. This strategy aims to replicate a more natural river flow pattern during spring runoff, while maintaining flood constraints. Consequently, VARQ requires less evacuated storage space, resulting in reduced reservoir drawdown and improved reservoir refill probability. When the reservoir fails to refill (due to error in water supply forecasts), the margin of error is minimized (i.e. the reservoir fills closer to full pool than under the earlier rules). VARQ was adopted into the NOAA-Fisheries and USFWS BiOps.

"Sliding" Reservoir Refill Date

The BoR also implemented a "sliding refill date" to prevent uncontrolled spill and associated gas supersaturation, which is harmful to fish downstream. Hungry Horse can safely refill earlier in dry years, but must refill later during high water years to avoid spilling or flooding. The date targeted for refill is calculated based on monthly forecasts of reservoir inflow, real-time observations of snow melt and precipitation and dam discharge. The refill rate is adjusted as the pool fills to assure that inflows decline to less than the maximum turbine capacity before the reservoir completely fills (if not, excess water must be discharged through the spillway).

Summertime Reservoir Drawdown for Salmon Recovery

Since 1995, Hungry Horse has been drafted as much as 20 feet during summer (usually during late August) to augment river flows in the Columbia River to help young salmon swim to the ocean. Previous NOAA-Fisheries BiOps attempted to meet a flow target of 200,000 cfs at McNary Dam in significant part by releasing water from Hungry Horse and Libby dams. This operation caused a damaging "double peak" in the Flathead and Kootenai rivers (an unnatural second peak in August after the naturalized spring freshet in early June). Independent scientists reviewed the operation and concluded that this operating strategy had little to no beneficial effect on salmon recovery, but caused damage to resident fish in the reservoirs and rivers downstream (ISAB, 1997 and 1997b). As a result, Montana contested this operation in two federal lawsuits.

NOAA-Fisheries' 2008 BiOp and 2010 Supplemental BiOp limit the summertime drawdown to 10 feet from full pool when water supply is abundant (during the top 80th percentile water years as measured at The Dalles Dam). During drought years (driest 20th percentile), the pool may be drafted up to 20 feet from full pool. The effects of double peaking in the Flathead River were mitigated by extending flow augmentation from July through September to create a gradually declining river flow after the spring pulse.

To simulate real-time reservoir operations under the BiOps, the following rules are applied:
- Starting on about July 8, Hungry Horse is drawn down linearly from its fullest point to elevation 3550 by the end of September in 80% of the years (normal and wet years)
- Starting on about July 8, Hungry Horse is drawn down linearly from its fullest point to elevation 3540 by the end of September in 20% of the years (dry years)

Flathead River Operations: Minimum Stream Flow

Prior to Hungry Horse's construction, natural annual flows were dominated by spring snowmelt that peaked in late May or early June. The spring freshet cleaned riverbed gravels and flushed fine sediments onto the riverbanks, where soils were bound by riparian vegetation. River stage then gradually declined to stable, low conditions during late summer, fall and winter. Spring floods shaped the river channel and riverine biota adapted to this annual cycle.

To mimic these natural conditions as much as practicable, minimum flow targets have been established for the mainstem of the Flathead River at Columbia Falls. These targets range from 3,500 cfs to 3,200 cfs based on water availability. Hungry Horse Dam releases water to maintain this minimum flow when the combined flow of the North and Middle Forks of the Flathead River is less than 3,500 cfs. The minimum flow in the South Fork Flathead River downstream of Hungry Horse Dam is 900 cfs during abundant water years (wettest 60th percentile water years) and adjusts linearly from 900 cfs to 400 cfs as water supply declines (driest 40th percentile) (Marotz and Muhlfeld, 2000).

Minimum flow requirements below Hungry Horse Dam and below Columbia Falls were established by the USFWS BiOp. The minimum flow in the South Fork Flathead River is determined monthly starting with the January inflow forecast for Hungry Horse during the period of April 1 to August 31. These minimum flow requirements are shown in the table below.

If the April-August forecast is:	**below Hungry Horse Dam**	**below Columbia Falls**
greater than 1,790 KAF	900 cfs	3.500 cfs
1,190-1,790 KAF	400-900 cfs	3,200-3,500 cfs
less than 1,190 KAF	400 cfs	3,200 cfs

If river height at Columbia Falls reaches flood stage (at 13 feet, approx. 44,230 cfs), the minimum flow in the South Fork below Hungry Horse Dam can be reduced to 300 cfs.

Bull Trout Flow

The USFWS BiOp calls for stabile summer flows in the Flathead River mainstem. Instream Flow Incremental Methodology (IFIM) research in the Flathead River revealed that stable flow in the range of 3,500 to 5,000 cfs provides optimal conditions for bull trout and other native fish species. Water released to augment flows for salmon recovery in the Columbia River now extends from July through September 30. Stable or gradually declining summertime flows are an improvement over the previous double peak operation. However, these unnaturally high flows during summer and fall provide less trout habitat than would be available at natural, pre-dam flow levels (USGS, 2010).

Ramping Rates and Restrictions downstream of Hungry Horse Dam

Flow fluctuations are harmful to fish, especially during the biologically productive summer months. The speed at which river flows can change is limited by flow ramping rates published in the USFWS BiOp. Ramping rates were developed based on the shape of the Flathead River channel and differ within three ranges of river flow, low, medium and high. Flows are allowed to increase faster than they can decline to reduce stranding of fish and insects. Flows can change more rapidly when the river is high and less rapidly when the river approaches minimum flow.

If the discharge below Columbia Falls is:	**Restrict ramping UP by:**
greater than 10,000 cfs	12,000 cfs /day
8,000 – 10,000 cfs	3,600 cfs / day
below 8,000 cfs	1,800 cfs / day
If the discharge below Columbia Falls is:	**Restrict ramping DOWN by:**
greater than 12,000 cfs	5,000 cfs /day
8,000 – 12,000 cfs	2,000 cfs / day
6,000 – 8,000 cfs	1,000 cfs / day
below 6,000 cfs	600 cfs / day

Biological Impacts of 90 KAF withdrawals

Hydrologic modeling by BoR assessed the potential systemic consequences of water depletions from Hungry Horse (BoR, 2010). The BoR modeling assumed that releases would occur during the period July through September, with the understanding that the timing of actual depletions may vary. The model output showed that releasing 90 KAF from Hungry Horse had no impact to reservoir refill during the highest 50th percentile water years (Figure 1), but indicated that water depletions may impact reservoir refill by causing a refill reduction of up to approximately 4.5 feet lower than the Base Case (current operating strategy) during years of low water supply. These impacts were greatest during the driest 15th percentile water years. During below average water years (15th to 50th percentile) the impact to reservoir refill was 1.5 feet or less, proportional to water supply. This deficit in reservoir elevation during July persists through fall, winter, and the following spring, and could be compounded when the inflowing water supply remains low for consecutive years, as could occur during successive years of drought.

Downstream, increased dam discharges generally enhance biological conditions in the river, except when releases from the dam fluctuate or deviate greatly from the natural annual hydrograph. Specifically, artificially high discharges during summer and fall results in less available fish habitat than would be present under natural, pre-dam conditions (USGS, 2010).

Additional simulations were performed by MFWP using the quantitative biological reservoir model (HRMOD) and a river model (RivBio) that calculates benthic biomass. Simulations used modified depletion schedules provided by the DNRC. The intent of these simulations was to evaluate potential biological responses to depletions of varying volumes, distributed over a longer period, May through October (Table 1). Habitat degradation as a result of reservoir withdrawal was linear as the depletion volume is incrementally increased. Data showed that biological impacts gradually increase proportional to the volume of water depletions. Biological impacts increase as the annual water supply decreases. Further, impacts to reservoir refill and depth of the annual reservoir drawdown are compounded during consecutive years of low water supply.

Model simulations showed that biological production in the reservoir food web declined proportionally to the extent of reservoir refill failure and the depth of the annual low pool elevation. As expected, biological impacts during below average water years (15th to 50th percentile) were less severe than during the driest 15th percentile water years. This result was likely due to the subtle difference in reservoir elevation (<1.5 ft), surface area, and volume in the euphotic zone (warm sunlit surface waters) during the productive, warm months (July through September).

The greatest detectable impact caused by the <1.5 ft lower pool during the annual minimum in mid-April, was caused by desiccating more acres of reservoir bottom (approx. 150 acres or less) located in the SE end of the reservoir (Appendix A). Desiccation kills benthic insect larvae (Diptera, midges); pupae and emerging adult midges are the primary food for fish during spring and early summer. Greater than 1.5 foot pool reductions can also lead to complete desiccation of the entire upper bench, thereby eliminating rooted vegetation from an area in which would otherwise retain rooted hydrophytes. At times of higher reservoir fill, this bench provides substantial vegetation cover, thermal refugia, and terrestrial insect habitat overhanging the water that adds macro invertebrates to the aquatic food chain.

Figure 1. Exceedence plot of annual maximum pool elevations at Hungry Horse Reservoir cpmparing three alternative operating strategies. The Base Case and Natural flow(Q) alternatives are identical, to the red line is covered by the green line. Source: Reclamation 2010.

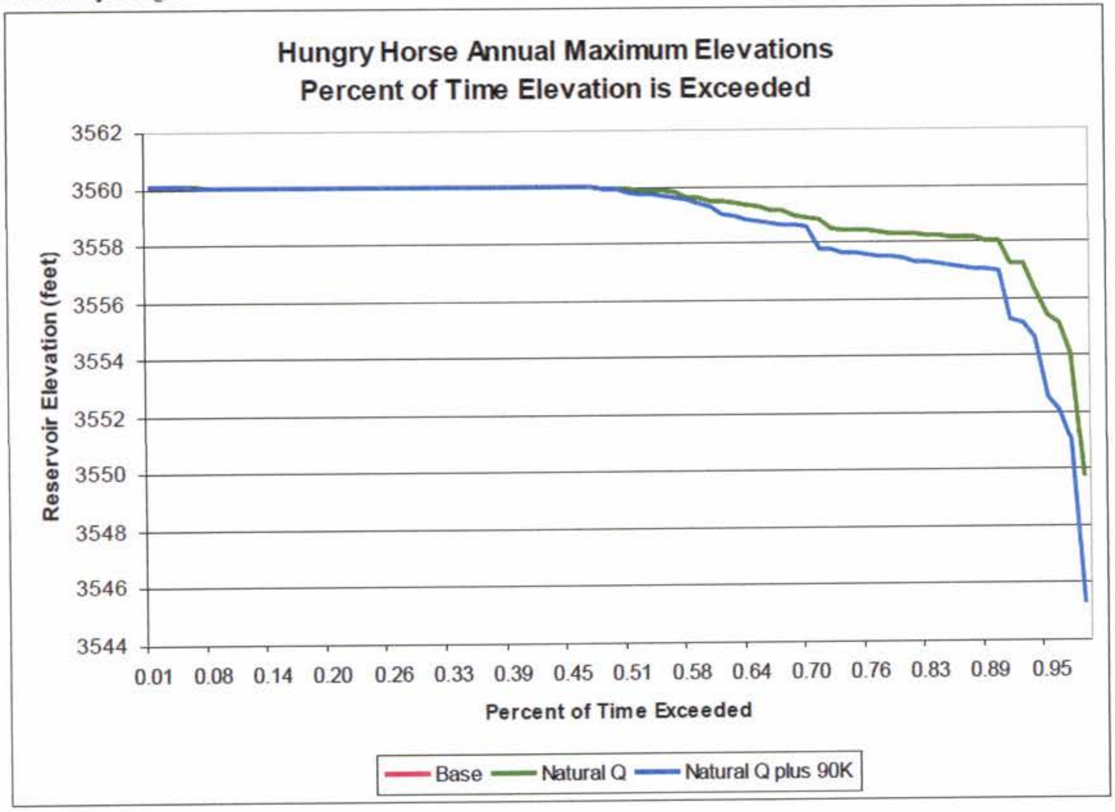


Table 1. Estimated monthly water depletions during the period May through October (the timing of actual depletions may vary) and incremental reductions.

May-Oct CSKT consumption (100%, 75%, 50%, and 25% of requested Volume)

ESTIMATED UPPER LIMIT												
HKM Total Depletions to Flathead Lake and River - 128,158 AF Volume												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
-1,078	-824	-311	-188	8,693	21,613	36,219	38,024	27,521	2,347	-2,163	-1,696	128,158
Total Depletions to Flathead Lake and River - % Distribution of 134,417 AF May-Oct Depletion												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
0.0%	0.0%	0.0%	0.0%	6.5%	16.1%	26.9%	28.3%	20.5%	1.7%	0.0%	0.0%	100%
100% Requested: Total Depletions to Flathead Lake and River - 90,000 AF Volume												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
0	0	0	0	5,820	14,471	24,251	25,459	18,427	1,571	0	0	90,000
75% of CSKT HH Request: Total Depletions to Flathead Lake and River - 67,500 AF Volume												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
0	0	0	0	4,365	10,853	18,188	19,094	13,820	1,179	0	0	67,500
50% of CSKT HH Request: Total Depletions to Flathead Lake and River - 45,000 AF Volume												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
0	0	0	0	2,910	7,236	12,125	12,730	9,213	786	0	0	45,000
25% of CSKT HH Request: Total Depletions to Flathead Lake and River - 22,500 AF Volume												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
0	0	0	0	1,455	3,618	6,063	6,365	4,607	393	0	0	22,500

🟦	HKM summary figures
🟥	DNRC Calculations

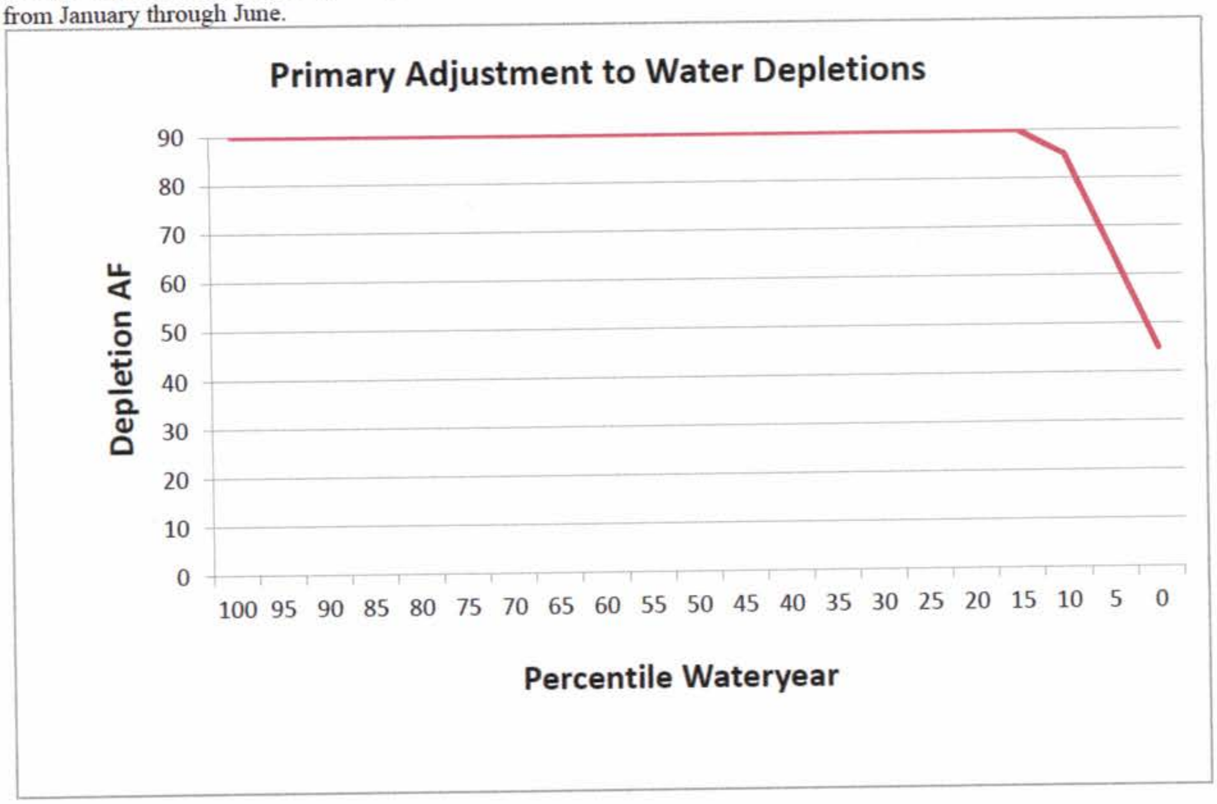
Operational Controls (Appendix B)

Biological impacts in Hungry Horse Reservoir can be reduced by 1) minimizing the depth of annual drawdown, 2) refilling to within 5 feet of full pool without creating a reduction in river discharges, 3) shaping reservoir refill to gradually fill and draft, so that maximal area of the shoreline substrate remains wet for more than 40 days during the biologically productive warm months July through September, 4) shaping water depletions during spring runoff to reduce demands during the basal, low flow period (e.g. store spring runoff for use during late summer and fall in off channel storage and/or aquifer injections), 5) or spreading depletions over a longer period (e.g. May–Oct period) to achieve 2-4 above, and 6) by standardizing the timing and volume of water depletions each year, as well as possible, to facilitate planning.

The first level or "primary" adjustment to annual water depletions can be accomplished using monthly water supply forecasts. Further "secondary" adjustments are required to respond to inflow forecasting error (over- or under-predictions). Secondary adjustments can be fine tuned using real-time observations of water supply and actual reservoir elevations. Implementation of these adjustments can be achieved using computer simulations and "flow enveloping", a procedure that compares forecasted inflows with observed inflows to estimate the amount of runoff expected after a given date. For example, if the May 1st forecast for the period April 1 -August 31 is 1.5 MAF and 0.5 MAF flowed into the reservoir during April, the remaining 1.0 MAF can be reasonably expected to flow into the reservoir during May through August. Flow enveloping is useful for predicting reservoir refill probability, or the maximum summer elevation that can be achieved by differing dam discharge scenarios.

Trigger points for adjustments are continuous, on a sliding scale, to avoid any large incremental jumps when inflow forecasts approach various thresholds, such as the 15th percentile transition point. The primary adjustment, based on inflow forecasts, would begin to curtail releases to less than 90 KAF during the driest 15th percentile water years (Figure 2). No primary adjustment to water depletions is necessary during the highest 85th percentile water years, unless the reservoir pool is at a deficit (lower than expected due to water depletions in previous years, forecasting error etc.).

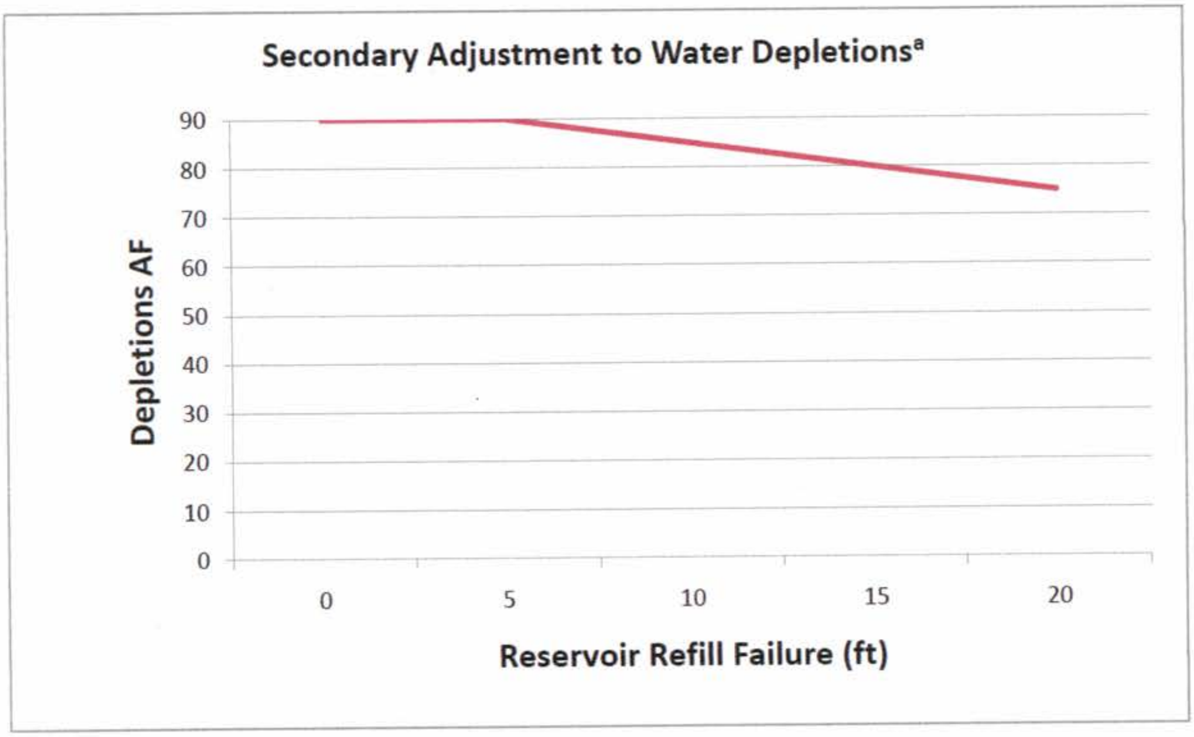
Figure 2. Primary adjustment to the depletion volume based on monthly inflow forecasts to Hungry Horse Reservoir during the period April 1 through August 31. Inflow forecasts become available during the first week of each month from January through June.



Dam operators will need to make the primary adjustment each month as inflow forecasts become available. Additional adjustments could be made in half-month increments using "early bird" forecasts. The primary adjustment would begin when the inflow forecast for Hungry Horse Reservoir during the period April 1 through August 31 declines to the lower 15th percentile water years. Downward adjustments to water depletions would initially be subtle as water supply decreased from the lowest 15th percentile toward extreme drought (lowest 10th percentile). During severe drought (lowest 5th percentile), depletions would reduce linearly from 90 KAF at the 15th percentile to 85 KAF at the 10th percentile then linearly to 45 KAF when the water supply approaches the lowest inflow volume on record.

Secondary adjustments would be made based on real-time observations of water supply and reservoir elevations, and would curtail releases based on the difference in reservoir elevation as compared to the Base Case. A secondary adjustment would be made weekly, based on observed inflows and reservoir elevations. During the period April 1 through July 31, if actual inflows are greater than predicted, or the reservoir elevation is at or above the end-of month target, the primary adjustment could be relaxed proportionally until any surplus is exhausted. Ramping rates should be followed to avoid sudden changes in dam discharge or short-term flow reductions. Conversely, if flow enveloping indicates that the reservoir will fail to refill by greater than 5 feet from full pool during late June or July, water depletions would be no greater than 85 KAF volume. This secondary downward adjustment would further reduce depletions linearly from 85 to 80 KAF when refill failure exceeds 15 feet. If the predicted reservoir refill failure would be greater than 20 feet below full pool, depletions would be further reduced linearly to 75 KAF (Figure 3).

Figure 3. Secondary adjustment to the depletion volume based on the difference between the observed Hungry Horse Reservoir pool elevation and the Base Case elevation. This figure pertains to the period January through August (footnote a).



From July through the remainder of the water year, dam operators rely on observed conditions, as opposed to inflow forecasts. River discharges should remain stable or gradually declining during the biologically productive warm months. By October, dam discharges typically begin to increase to meet heightened electrical demand as weather cools. Also, Hungry Horse Dam has a 10-foot fall draft target to avoid potential spill during a winter storm or thaw. Adjustments to water depletions during September through December would be based on the end of September draft target (i.e. the BiOp target of 10 feet from full pool when water supply is in the top 80th percentile at The Dalles and 20 feet during the lowest 20th percentile drought years). Similar to the secondary adjustment above, water depletions during August through October would be adjusted downward proportionally to the observed deviation from elevation targets established for the base case (Figure 4).

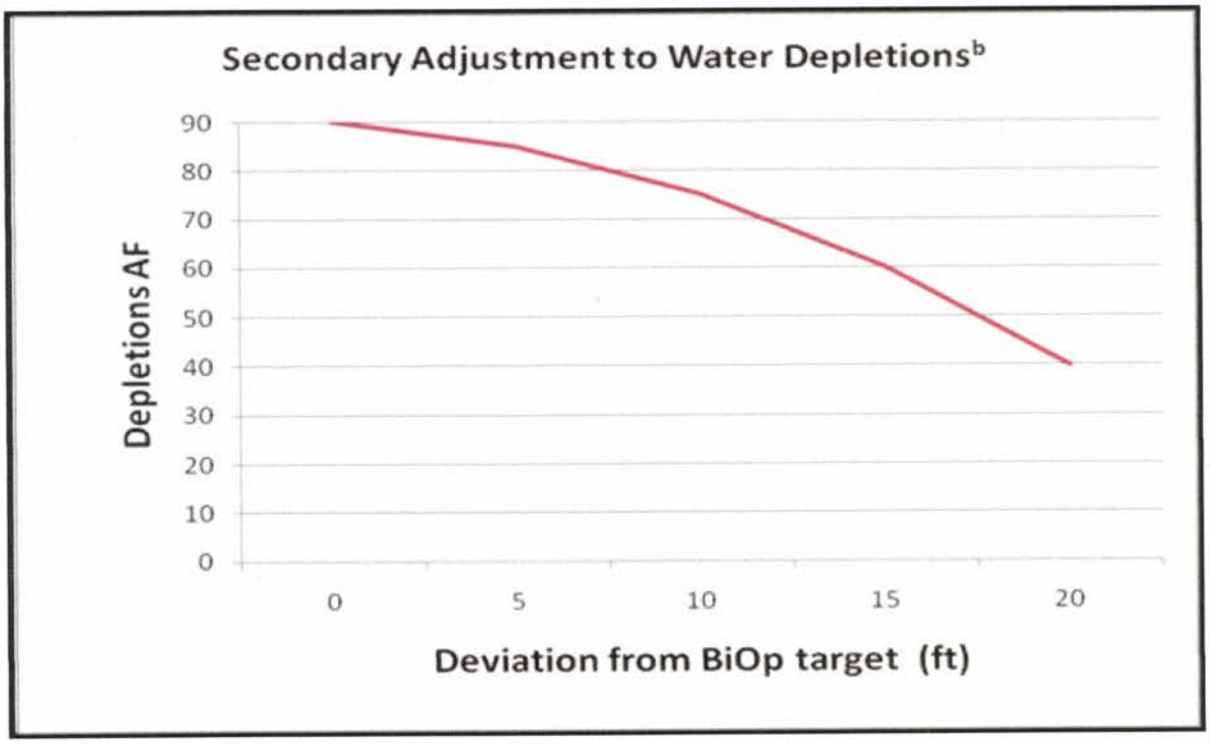
Avoid Short-term Flow Reductions in the Flathead River

There are additional factors that should be considered when shaping the schedule of the 90 KAF releases as well. When streamflow decreases, aquatic life may become stranded in the dry area and die. This impact can occur rapidly (in about 1 day) when the weather is hot and dry or freezing, or in 2-5 days when weather is temperate and moist. The river biota is “reset” to the lowest river stage, and recovery takes about 40 days after flow increases again. This can eliminate nearly half of Montana’s short, three-month season of biological growth in aquatic systems. Thus it is critical to avoid significant sudden decreases to river flow levels.

Channel Maintenance Flows Should Occur Every Two to Three Years

Before Hungry Horse dam began regulating Flathead River flows, river beds and banks were flushed of fine sediments and cleaned once per year during the spring freshet (late May through early June). Clean gravels are needed for spawning, security cover for young fish and for fish food production. The space between gravels and cobbles provides habitat needed by aquatic insects (fish food). This habitat is lost when gravels and cobbles fill in with fine sediment. To maintain the river channel and clean the stream bed, river flow should rise to bank full capacity for at least 48 hours every two to three years. Intermittent pulsing of river flows can wash fine sediments back into the channel, because vegetation cannot reclaim the shoreline each year after the spring freshet. Stabilizing river flows to mimic a more natural annual hydrographs allows riparian vegetation to stabilize the streambanks and hold fine sediments deposited on the shore during the spring freshet.

Figure 4. Secondary adjustment to the depletion volume based on the difference between the observed Hungry Horse Reservoir pool elevation and the end of September draft target elevation (to 3550 in the highest 80th percentile wateryears and 3540 during the driest 20th percentile). This figure pertains to the period September through December (footnote b).



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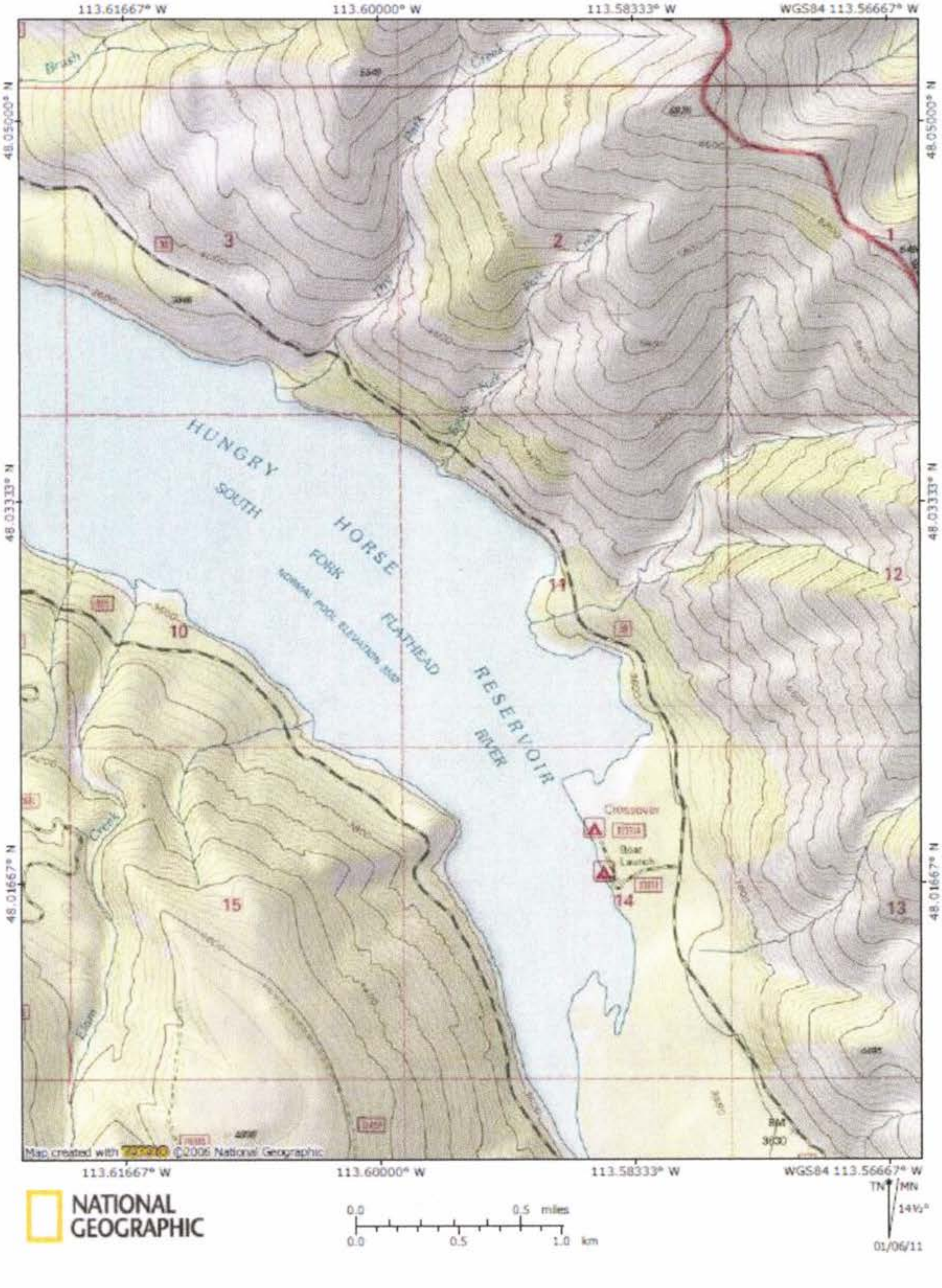
Appendix A: Map of the SE portion of Hungry Horse Reservoir


113.61667° W
113.60000° W
113.58333° W
WGS84 113.56667° W
48.05000° N
48.03333° N
48.01667° N
HUNGRY HORSE RESERVOIR
SOUTH FORK FLATHEAD RIVER
NORMAL POOL ELEVATION 3560
Brush
Creek
Crossover
Boat Launch
3630
BM
Map created with TOPO! ©2006 National Geographic
NATIONAL GEOGRAPHIC
0.0
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01/06/11

Appendix B: Reservoir Release Rules Based on Water Year

Water Supply Condition	**Primary Adjustment** Based on monthly inflow forecasts available from January to June, for the period April 1 through August 31	**Secondary Adjustment** Based on real time observations of actual water supply and reservoir elevations	
		January - August	September - December
Highest 50th Percentile	none	Water supply and/or reservoir elevation higher than predicted; no adjustment	Reservoir elevation higher than predicted; no adjustment
		Water supply and/or reservoir elevation lower than predicted; reduce depletions based on sliding scale [a]	Reservoir elevation lower than NOAA-Fisheries BiOp; reduce depletions based on sliding scale [b]
<50th to 20th Percentile	Linear reduction in water depletion from 0% during average WY to 50% less at 20th Percentile	Water supply and/or reservoir elevation higher than predicted; relax reduction until surplus is exhausted	Reservoir elevations higher than predicted; relax reduction until end-of-month elevation target is achieved.
		Water supply and/or reservoir elevation lower than predicted; reduce depletions based on sliding scale [a]	Reservoir elevation lower than NOAA-Fisheries BiOp; reduce depletions based on sliding scale [b]
Lowest 20th Drought	Linear reduction in water depletion from 50% at 20th Percentile to 25% when water supply is the lowest on record	Water supply and/or reservoir elevation higher than predicted; relax reduction until surplus is exhausted	Reservoir elevation higher than predicted; maintain primary adjustment
		Water supply and/or reservoir elevation lower than predicted; reduce depletions to 25%	Reservoir elevation lower than called for by NOAA-Fisheries BiOp; reduce depletions to 25%

a – Sliding scale is based on reservoir refill elevation. Refill failure >5 ft, reduce depletion to 85 KAF; >10 ft, reduce depletion to 80 KAF; >20 ft, reduce depletion to 75 KAF. This could be described as a continuous formula.
b – Sliding scale is based on reservoir elevations, relative to the Base Case. NOAA-Fisheries BiOp drafts Hungry Horse Reservoir 10 to 20 ft from full pool by the end of September depending on water supply at The Dalles. Reservoir drawdown is then controlled by draft targets for electric generation and flood risk management. Adjustments to water depletions are based on the degree of deviation from the Base Case drawdown trajectory, >5 ft, reduce depletion to 85 KAF; >10 ft, reduce depletion to 80 KAF; >20 ft, reduce depletion to 45 KAF. This could be described as a continuous formula

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

****** THIS IS AN INTERBASIN TRANSFER ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE SOUTH FORK OF THE FLATHEAD RIVER, THE FLATHEAD RIVER ABOVE FLATHEAD LAKE, FLATHEAD LAKE, AND THE FLATHEAD RIVER BELOW FLATHEAD LAKE IN BASINS 76J, 76L, AND 76LJ.

Water Right Number: 76LJ 30063812 COMPACT
Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: JULY 16, 1855 at 12:00 A.M.

Enforceable Priority Date: JULY 16, 1855 at 12:00 A.M.

Purpose (use): ANY PURPOSE

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS WATER RIGHT.

Maximum Volume: 229,383.00 AC-FT

Source Name: FLATHEAD RIVER, SOUTH FORK
Source Type: SURFACE WATER

Source Name: FLATHEAD RIVER
Source Type: SURFACE WATER

Source Name: FLATHEAD RIVER (FLATHEAD LAKE)
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER
Diversion Means: ANY MEANS
Diversion Type: PRIMARY

2						FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER
Diversion Means: ANY MEANS
Diversion Type: PRIMARY

3						SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER
Diversion Means: ANY MEANS
Diversion Type: PRIMARY

4						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER (FLATHEAD LAKE)
Diversion Means: ANY MEANS
Diversion Type: PRIMARY

ID	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
5						FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER (FLATHEAD LAKE)
Diversion Means: ANY MEANS
Diversion Type: PRIMARY

ID	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
6						FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER, SOUTH FORK
Diversion Means: ANY MEANS
Diversion Type: PRIMARY

ANY POINT OF DIVERSION FROM FLATHEAD LAKE, THE FLATHEAD RIVER, OR THE SOUTH FORK OF THE FLATHEAD RIVER, EITHER ON OR OFF OF THE FLATHEAD INDIAN RESERVATION.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	**Acres**	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**

ANY PLACE OF USE WITHIN FLATHEAD AND CLARK FORK RIVER BASINS WITHIN MONTANA.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE MAXIMUM ANNUAL VOLUME DIVERTED (229,383 ACRE-FEET) SHALL BE SUCH THAT IT IS LIMITED TO A MAXIMUM ANNUAL CONSUMED VOLUME OF 128,158 ACRE-FEET.

THE RELEASE OF UP TO 90,000 ACRE-FEET PER YEAR, AS MEASURED AT THE DAM, OF STORAGE WATER IN HUNGRY HORSE RESERVOIR SHALL BE LIMITED IN ACCORDANCE WITH THE "BIOLOGICAL IMPACT EVALUATION AND OPERATIONAL CONSTRAINTS FOR A PROPOSED 90,000 ACRE-FOOT WITHDRAWAL" (STATE OF MONTANA, SEPTEMBER 14, 2011) APPENDED TO THIS WATER RIGHT. THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA UPON MUTUAL WRITTEN AGREEMENT, AND IN CONFORMANCE WITH OTHER APPLICABLE PROVISIONS OF LAW INCLUDING BUT NOT LIMITED TO THE ENDANGERED SPECIES ACT OF 1973, 16 U.S.C. 1531, ET SEQ., MAY AMEND THE BIOLOGICAL IMPACT EVALUATION CONSTRAINTS IDENTIFIED IN THE SEPTEMBER 14, 2011 REPORT. SUCH AMENDMENTS SHALL BE CHRONICLED AND APPENDED TO THIS WATER RIGHT.

SEE 76LJ 30063812 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT SHALL ALSO CONFORM WITH THE FLATHEAD LAKE FILLING CRITERIA IDENTIFIED ON PAGE 12 OF THE UNITED STATES BUREAU OF RECLAMATION'S FINAL FLATHEAD BASIN DEPLETIONS STUDY (USBR, OCTOBER 2012) APPENDED TO THIS WATER RIGHT.

THE EXERCISE OF THIS WATER RIGHT SHALL CONFORM WITH THE MINIMUM INSTREAM FLOW SCHEDULES, AS MEASURED AT THE USGS GAGING STATION ON THE FLATHEAD RIVER AT COLUMBIA FALLS (12363000) AND THE USGS GAGING STATION ON THE FLATHEAD RIVER AT POLSON (12372000) AS IDENTIFIED IN TABLES 3 THROUGH 6 OF THE UNITED STATES BUREAU OF RECLAMATION'S FINAL FLATHEAD BASIN DEPLETIONS STUDY (USBR, OCTOBER 2012) APPENDED TO THIS WATER RIGHT, AS WELL AS THE MINIMUM FLOW REQUIREMENTS SET FORTH IN TABLE 5 AS MEASURED AT THE USGS GAGING STATION ON THE FLATHEAD RIVER AT PERMA (123887000). THE EXERCISE OF THIS WATER RIGHT SHALL ALSO CONFORM TO THE RAMPING RATES, AS MEASURED BELOW KERR AND HUNGRY HORSE DAMS, AND IDENTIFIED IN TABLES 3 THROUGH 6 OF THE UNITED STATES BUREAU OF RECLAMATION'S FINAL FLATHEAD BASIN DEPLETIONS STUDY (USBR, OCTOBER 2012) APPENDED TO THIS WATER RIGHT. IN THE EVENT THAT THE MINIMUM INSTREAM FLOW SCHEDULES OR RAMPING RATES ARE NOT MET, THE USE OF THIS WATER RIGHT SHALL BE SUSPENDED UNTIL SUCH TIME AS THOSE MINIMUM INSTREAM FLOW SCHEDULES AND RAMPING RATES ARE ACHIEVED. THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, UPON MUTUAL WRITTEN AGREEMENT, AND IN CONFORMANCE WITH APPLICABLE ENDANGERED SPECIES ACT AND FEDERAL ENERGY REGULATORY COMMISSION LICENSING REQUIREMENTS FOR THE THREE PREVIOUSLY IDENTIFIED SITES, MAY AMEND THE LIMITATIONS FOR RELEASES FROM HUNGRY HORSE RESERVOIR THAT ARE REQUIRED TO CONFORM WITH MINIMUM INSTREAM FLOW AND RAMPING RATE SCHEDULES AT THESE SITES. SUCH AMENDMENTS SHALL BE CHRONICLED AND APPENDED TO THIS WATER RIGHT.

Remarks:

THIS WATER RIGHT SHALL BE USED IN A MANNER THAT ENSURES IMPACTS ASSOCIATED WITH THE EXERCISE OF THIS WATER RIGHT ARE SUCH THAT THOSE IMPACTS ARE NO GREATER THAN THOSE IDENTIFIED IN MODEL RUN: NATURAL Q + 90K OF THE UNITED STATES BUREAU OF RECLAMATION'S FINAL FLATHEAD BASIN DEPLETIONS STUDY (USBR, OCTOBER 2012) APPENDED TO THIS WATER RIGHT. IN THE EVENT THAT THE IMPACTS EXCEED THOSE IDENTIFIED IN MODEL RUN: NATURAL Q + 90K OF THE UNITED STATES BUREAU OF RECLAMATION'S FINAL FLATHEAD BASIN DEPLETIONS STUDY, THE USE OF THE WATER RIGHT SHALL BE REDUCED IN SUCH AMOUNTS AS ARE NECESSARY TO IMMEDIATELY ACHIEVE IMPACTS THAT ARE NO GREATER THAN THOSE IDENTIFIED IN MODEL RUN: NATURAL Q + 90K OF THE UNITED STATES BUREAU OF RECLAMATION'S FINAL FLATHEAD BASIN DEPLETIONS STUDY.

ANY NEW DEVELOPMENT OF THIS WATER RIGHT OFF THE FLATHEAD INDIAN RESERVATION SHALL BE TREATED AS A CHANGE IN USE PURSUANT TO 85-2-302, 307-310 AND 314, MCA. PRIOR TO DEVELOPING THIS WATER RIGHT FOR BENEFICIAL USE OFF THE FLATHEAD INDIAN RESERVATION, THE USER MUST COMPLY WITH THE PROVISIONS OF SUBSECTIONS (1)-(3) AND (8)-(17) OF 85-2-402, MCA, AS THOSE PROVISIONS READ ON DECEMBER 31, 2012.

ANY NEW DEVELOPMENT OF THIS WATER RIGHT ON THE FLATHEAD INDIAN RESERVATION MAY ONLY PROCEED UPON THE ISSUANCE OF AN APPROPRIATION RIGHT FOR THE NEW DEVELOPMENT BY THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD PURSUANT TO THE LAW OF ADMINISTRATION.

THE TRIBES OR ANY PERSON USING DIVERSION OR TRANSPORTATION FACILITIES LOCATED OFF THE FLATHEAD INDIAN RESERVATION IN CONNECTION WITH A USE OF THIS WATER RIGHT, SHALL APPLY FOR AND OBTAIN ALL PERMITS, CERTIFICATES, VARIANCES AND OTHER AUTHORIZATIONS REQUIRED BY STATE LAWS REGULATING, CONDITIONING OR PERMITTING THE SITING, CONSTRUCTION, OPERATION, ALTERATION OR USE OF ANY EQUIPMENT, DEVICE, FACILITY OR ASSOCIATED FACILITY PROPOSED TO USE OR TRANSPORT WATER, PRIOR TO EXERCISING A USE OF THIS WATER RIGHT OFF THE RESERVATION.

THE CONFEDERATED SALISH AND KOOTENAI TRIBES MAY LEASE ANY PORTION OF THIS WATER RIGHT FOR USE ON OR OFF THE FLATHEAD INDIAN RESERVATION PURSUANT TO THE TERMS AND CONDITIONS SET FORTH IN ARTICLE IV.B.6.C OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE TRIBES SHALL MAKE AVAILABLE FOR LEASE OFF THE RESERVATION 11,000 ACRE-FEET OF THIS WATER RIGHT FROM WATER STORED IN HUNGRY HORSE RESERVOIR, PURSUANT TO THE TERMS AND CONDITIONS SET FORTH IN ARTICLE IV.B.7 OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

AS INCREMENTAL PORTIONS OF THIS WATER RIGHT ARE USED, BOTH DIVERTED AND CONSUMED MONTHLY VOLUMES AS WELL AS MAXIMUM FLOW RATES SHALL BE ACCOUNTED FOR IN THE DNRC WATER RIGHTS DATABASE RECORD FOR 76L 30063812. THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD IS RESPONSIBLE FOR ENTERING INCREMENTAL USES OF THIS WATER RIGHT WHOSE PLACES OF USE ARE LOCATED ON THE FLATHEAD INDIAN RESERVATION; THE DNRC IS RESPONSIBLE FOR ENTERING INCREMENTAL USES OF THIS WATER RIGHT WHOSE PLACES OF USE ARE LOCATED OFF THE FLATHEAD INDIAN RESERVATION. RECORD UPDATES SHALL OCCUR IN A TIMELY MANNER UPON APPROVING USES ASSOCIATED WITH THIS WATER RIGHT.

THE CONFEDERATED SALISH AND KOOTENAI TRIBES MAY USE ANY OF AMOUNT OF THE 90,000 ACRE-FEET PER YEAR, AS MEASURED AT THE DAM, OF STORAGE WATER IN HUNGRY HORSE RESERVOIR THAT IS NOT NECESSARY TO BE RELEASED TO MITIGATE DOWNSTREAM DEPLETIONS IMPACTS ASSOCIATED WITH THE EXERCISE OF THIS DIRECT FLOW RIGHT, FOR ANY BENEFICIAL PURPOSE, SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, INCLUDING THE TOTAL DIVERSION AND DEPLETIONS VOLUMES OF THIS WATER RIGHT.

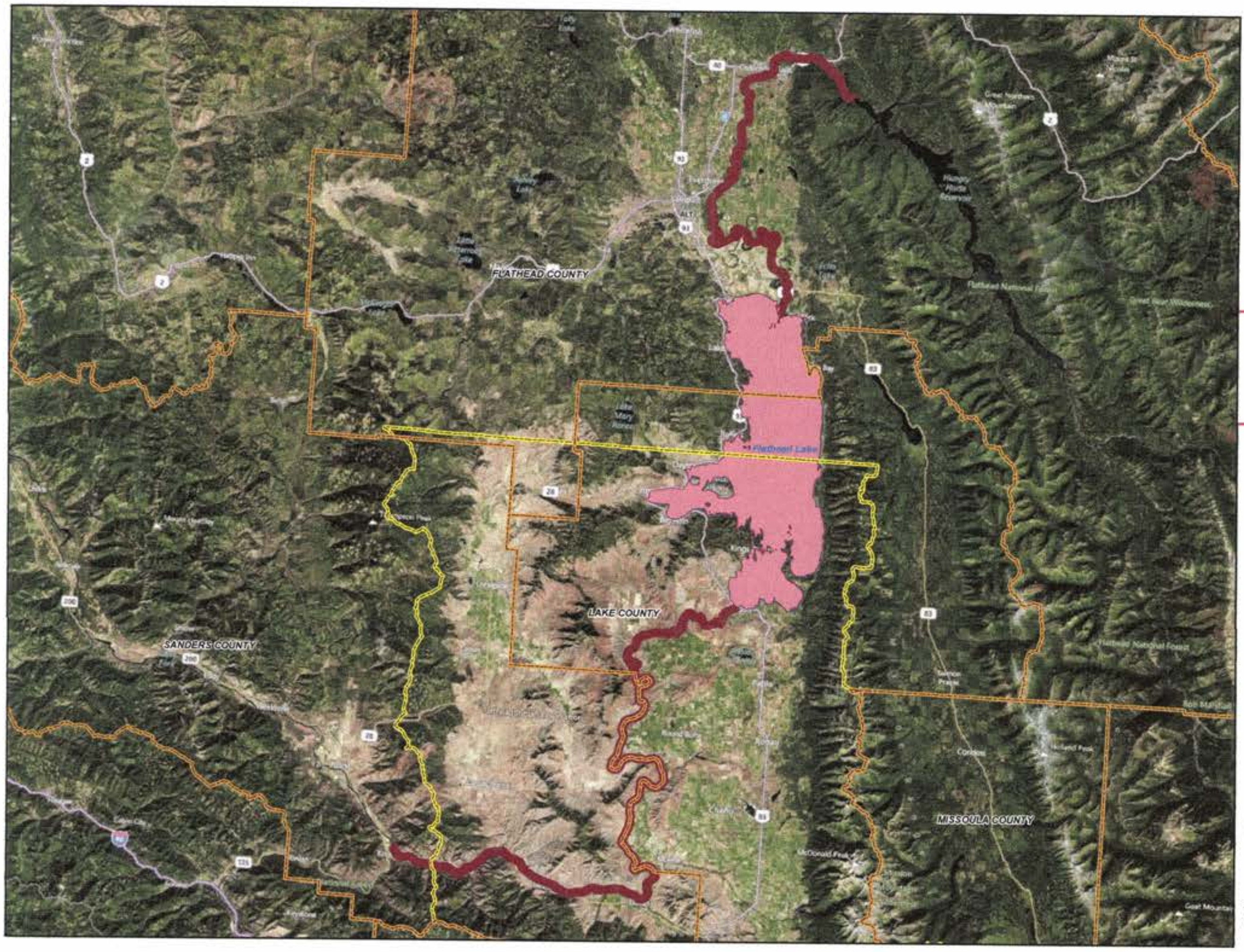
AS PART OF THIS WATER RIGHT, THE TRIBES SHALL BE ENTITLED TO AN ALLOCATION OF 90,000 ACRE-FEET PER YEAR, AS MEASURED AT THE HUNGRY HORSE DAM, OF STORAGE WATER IN HUNGRY HORSE RESERVOIR.

Place of Use

Flathead System Compact Water

76LJ 30063812

Exhibit 1


FLATHEAD COUNTY
Flathead Lake
LAKE COUNTY
SANDERS COUNTY
MISSOULA COUNTY
Hot Springs
Pablo
St Ignatius
Arlee
Area of Interest
Flathead Indian Reservation
Legend
Point(s) of Diversion
Point(s) of Diversion
Reservation Boundary
County Boundary
0
5
10 Miles

POU/POD Data Source: CSKT-MT Compact Flathead System Compact Water (available at nris.mt.gov)
Imagery: "Bing Maps Hybrid" (c) 2010 Microsoft Corporation and its data suppliers

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052674 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 2.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LOLO CREEK (SESE SEC 33 T25N R19W) (LAT 47° 52' 51.30" N LONG 114° 0' 45.70" W).

Maximum Volume:

Source Name: LOLO CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	33	25N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.20 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.20 CFS
	MARCH 1 TO MARCH 31	0.40 CFS
	APRIL 1 TO APRIL 30	0.70 CFS
	MAY 1 TO MAY 31	2.00 CFS
	JUNE 1 TO JUNE 30	2.50 CFS
	JULY 1 TO JULY 31	1.40 CFS
	AUGUST 1 TO AUGUST 31	0.70 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.50 CFS
	OCTOBER 1 TO OCTOBER 31	0.40 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.40 CFS
	DECEMBER 1 TO DECEMBER 31	0.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				33	25N	19W	LAKE
2				34	25N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052674 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052675 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 13.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN YELLOW BAY CREEK (NWNW SEC 2 T24N R19W) (LAT 47° 52' 36.38" N LONG 114° 0' 9.38" W).

Maximum Volume:

Source Name: YELLOW BAY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	2	24N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.20 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.10 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	2.20 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	3.80 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	10.80 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	13.80 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	7.90 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.60 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.50 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	2.10 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	2.20 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.80 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	24N	19W	LAKE
2				2	24N	19W	LAKE
3				31	25N	18W	LAKE
4				34	25N	19W	LAKE
5				35	25N	19W	LAKE
6				36	25N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052675 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052676 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 2.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE UNNAMED TRIBUTARY OF FLATHEAD LAKE (SESW SEC 3 T24N R19W) (LAT 47° 51' 48.91" N LONG 114° 1' 17.25" W).

Maximum Volume:

Source Name: UNNAMED TRIBUTARY OF FLATHEAD RIVER (FLATHEAD LAKE)

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	3	24N	19W	LAKE

	Period of Diversion		Flow Rate
Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.20 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.20 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.50 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	0.80 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	2.20 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	2.80 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	1.60 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.70 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.50 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.40 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.40 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	24N	19W	LAKE
2				3	24N	19W	LAKE
3				10	24N	19W	LAKE
4				11	24N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052676 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052677 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 12.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BLUE BAY CREEK (NENW SEC 15 T24N R19W) (LAT 47° 50' 45.26" N LONG 114° 1' 18.75" W).

Maximum Volume:

Source Name: BLUE BAY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENW	15	24N	19W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	Flow Rate:	1.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	1.00 CFS
	MARCH 1 TO MARCH 31	Flow Rate:	2.00 CFS
	APRIL 1 TO APRIL 30	Flow Rate:	3.40 CFS
	MAY 1 TO MAY 31	Flow Rate:	9.50 CFS
	JUNE 1 TO JUNE 30	Flow Rate:	12.20 CFS
	JULY 1 TO JULY 31	Flow Rate:	7.00 CFS
	AUGUST 1 TO AUGUST 31	Flow Rate:	3.20 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	2.20 CFS
	OCTOBER 1 TO OCTOBER 31	Flow Rate:	1.90 CFS
	NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	1.90 CFS
	DECEMBER 1 TO DECEMBER 31	Flow Rate:	1.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				7	24N	18W	LAKE
2				11	24N	19W	LAKE
3				12	24N	19W	LAKE
4				14	24N	19W	LAKE
5				15	24N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052677 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052678 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 4.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN TEEPEE CREEK (SESW SEC 22 T24N R19W) (LAT 47° 49' 21.35" N LONG 114° 1' 16.70" W).

Maximum Volume:

Source Name: TEEPEE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	22	24N	19W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	Flow Rate:	0.40 CFS
	FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	0.40 CFS
	MARCH 1 TO MARCH 31	Flow Rate:	0.70 CFS
	APRIL 1 TO APRIL 30	Flow Rate:	1.20 CFS
	MAY 1 TO MAY 31	Flow Rate:	3.50 CFS
	JUNE 1 TO JUNE 30	Flow Rate:	4.50 CFS
	JULY 1 TO JULY 31	Flow Rate:	2.60 CFS
	AUGUST 1 TO AUGUST 31	Flow Rate:	1.20 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	0.80 CFS
	OCTOBER 1 TO OCTOBER 31	Flow Rate:	0.70 CFS
	NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	0.70 CFS
	DECEMBER 1 TO DECEMBER 31	Flow Rate:	0.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				18	24N	18W	LAKE
2				13	24N	19W	LAKE
3				14	24N	19W	LAKE
4				22	24N	19W	LAKE
5				23	24N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052678 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052679 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 5.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN TALKING WATER CREEK (NENE SEC 27 T24N R19W) (LAT 47° 48' 58.35" N LONG 114° 0' 31.39" W).

Maximum Volume:

Source Name: TALKING WATER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	27	24N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.20 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.30 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	1.40 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	2.20 CFS
MAY 1 TO MAY 31	**Flow Rate:**	4.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	5.10 CFS
JULY 1 TO JULY 31	**Flow Rate:**	2.60 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	2.10 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.10 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.30 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.30 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	24N	18W	LAKE
2				20	24N	18W	LAKE
3				23	24N	19W	LAKE
4				24	24N	19W	LAKE
5				26	24N	19W	LAKE
6				27	24N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052679 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052680 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 19.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BOULDER CREEK (SWSW SEC 35 T24N R19W) (LAT 47° 48' 18.27" N LONG 114° 0' 13.14" W).

Maximum Volume:

Source Name: BOULDER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	35	24N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	4.60 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.70 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	5.30 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	8.10 CFS
MAY 1 TO MAY 31	**Flow Rate:**	16.10 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	19.10 CFS
JULY 1 TO JULY 31	**Flow Rate:**	9.50 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	7.80 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	7.80 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	4.90 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	4.90 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	4.80 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				29	24N	18W	LAKE
2				30	24N	18W	LAKE
3				25	24N	19W	LAKE
4				26	24N	19W	LAKE
5				35	24N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

SEE 30052680 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052681 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 3.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN DEE CREEK (SESE SEC 34 T24N R19W) (LAT 47° 47' 27.16" N LONG 114° 0' 25.45" W).

Maximum Volume:

Source Name: DEE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	34	24N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	0.70 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	0.80 CFS
MARCH 1 TO MARCH 31	Flow Rate:	0.90 CFS
APRIL 1 TO APRIL 30	Flow Rate:	1.30 CFS
MAY 1 TO MAY 31	Flow Rate:	2.60 CFS
JUNE 1 TO JUNE 30	Flow Rate:	3.10 CFS
JULY 1 TO JULY 31	Flow Rate:	1.50 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	1.30 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	1.30 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	0.80 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	0.80 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	0.80 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	23N	19W	LAKE
2				34	24N	19W	LAKE
3				35	24N	19W	LAKE
4				36	24N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052681 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052682 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 2.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE UNNAMED TRIBUTARY OF FLATHEAD LAKE (NENE SEC 10 T23N R19W) (LAT 47° 46' 22.57" N LONG 114° 0' 36.90" W).

Maximum Volume:

Source Name: UNNAMED TRIBUTARY OF FLATHEAD RIVER (FLATHEAD LAKE)
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	10	23N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.60 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.60 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.70 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	0.10 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	2.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	2.40 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	1.20 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.60 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.60 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.60 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	23N	18W	LAKE
2				7	23N	18W	LAKE
3				10	23N	19W	LAKE
4				11	23N	19W	LAKE
5				12	23N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052682 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052683 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.70 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN STATION CREEK (NWNW SEC 11 T23N R19W) (LAT 47° 45' 40.16" N LONG 114° 0' 3.38" W).

Maximum Volume:

Source Name: STATION CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	11	23N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.90 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	1.20 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.80 CFS
MAY 1 TO MAY 31	**Flow Rate:**	5.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	6.70 CFS
JULY 1 TO JULY 31	**Flow Rate:**	2.30 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.70 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.60 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.10 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				7	23N	18W	LAKE
2				8	23N	18W	LAKE
3				11	23N	19W	LAKE
4				12	23N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052683 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052684 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 13.30 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SKIDOO CREEK (NESW SEC 22 T23N R19W) (LAT 47° 44' 21.96" N LONG 114° 1' 1.93" W).

Maximum Volume:

Source Name: SKIDOO CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	22	23N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.90 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.90 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	2.30 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	3.60 CFS
MAY 1 TO MAY 31	**Flow Rate:**	10.70 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	13.30 CFS
JULY 1 TO JULY 31	**Flow Rate:**	4.70 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.40 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	3.30 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	2.10 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	2.30 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	2.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	23N	19W	LAKE
2				23	23N	19W	LAKE
3				24	23N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052684 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052685 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 2.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN HOLMES CREEK (SWSE SEC 22 T23N R19W) (LAT 47° 44' 4.37" N LONG 114° 1' 1.15" W).

Maximum Volume:

Source Name: HOLMES CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSE	22	23N	19W	LAKE

	Period of Diversion		Flow Rate
Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.40 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.30 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.40 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	0.70 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	2.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	2.50 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	0.90 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.60 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.60 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.40 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.40 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	23N	19W	LAKE
2				25	23N	19W	LAKE
3				26	23N	19W	LAKE
4				27	23N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052685 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052686 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 49.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN HELLROARING CREEK (NESW SEC 34 T23N R19W) (LAT 47° 42' 32.16" N LONG 114° 1' 11.23" W).

Maximum Volume:

Source Name: HELLROARING CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	34	23N	19W	LAKE

Period of Diversion:		Flow Rate:
JANUARY 1 TO JANUARY 31	**Flow Rate:**	7.20 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	7.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	8.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	13.60 CFS
MAY 1 TO MAY 31	**Flow Rate:**	40.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	49.80 CFS
JULY 1 TO JULY 31	**Flow Rate:**	17.60 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	12.80 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	12.20 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	7.80 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	8.60 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	7.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	22N	18W	LAKE
2				1	22N	19W	LAKE
3				34	23N	19W	LAKE
4				35	23N	19W	LAKE
5				36	23N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052686 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052687 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN CENTIPEDE CREEK (SESW SEC 4 T22N R19W) (LAT 47° 41' 24.28" N LONG 114° 2' 33.65" W).

Maximum Volume:

Source Name: CENTIPEDE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	4	22N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.80 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.80 CFS
	MARCH 1 TO MARCH 31	1.00 CFS
	APRIL 1 TO APRIL 30	2.10 CFS
	MAY 1 TO MAY 31	5.40 CFS
	JUNE 1 TO JUNE 30	6.80 CFS
	JULY 1 TO JULY 31	2.30 CFS
	AUGUST 1 TO AUGUST 31	1.70 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	1.60 CFS
	OCTOBER 1 TO OCTOBER 31	0.90 CFS
	NOVEMBER 1 TO NOVEMBER 30	1.00 CFS
	DECEMBER 1 TO DECEMBER 31	0.90 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	22N	19W	LAKE
2				3	22N	19W	LAKE
3				4	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052687 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052688 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 35.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BISSON CREEK (NENW SEC 16 T22N R19W) (LAT 47° 40' 16.91" N LONG 114° 2' 20.08" W).

Maximum Volume:

Source Name: BISSON CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENW	16	22N	19W	LAKE

Period of Diversion:		**Flow Rate:**
JANUARY 1 TO JANUARY 31	**Flow Rate:**	4.40 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.20 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	5.40 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	11.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	28.10 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	35.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	12.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	8.90 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	8.20 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	4.80 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	5.30 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	4.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				10	22N	19W	LAKE
2				11	22N	19W	LAKE
3				12	22N	19W	LAKE
4				15	22N	19W	LAKE
5				16	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052688 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052689 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 5.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN DUBAY CREEK (SWNE SEC 16 T22N R19W) (LAT 47° 40' 2.67" N LONG 114° 2' 8.05" W).

Maximum Volume:

Source Name: DUBAY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	16	22N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.70 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.70 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.80 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.70 CFS
MAY 1 TO MAY 31	**Flow Rate:**	4.40 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	5.50 CFS
JULY 1 TO JULY 31	**Flow Rate:**	1.90 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.40 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.30 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.70 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.80 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				13	22N	19W	LAKE
2				14	22N	19W	LAKE
3				15	22N	19W	LAKE
4				16	22N	19W	LAKE
5				24	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052689 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052690 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 1.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MINESINGER CREEK (NESE SEC 16 T22N R19W) (LAT 47° 39' 56.72" N LONG 114° 1' 57.58" W).

Maximum Volume:

Source Name: MINESINGER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	16	22N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.20 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.20 CFS
	MARCH 1 TO MARCH 31	0.30 CFS
	APRIL 1 TO APRIL 30	0.60 CFS
	MAY 1 TO MAY 31	1.50 CFS
	JUNE 1 TO JUNE 30	1.90 CFS
	JULY 1 TO JULY 31	0.70 CFS
	AUGUST 1 TO AUGUST 31	0.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.40 CFS
	OCTOBER 1 TO OCTOBER 31	0.30 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.30 CFS
	DECEMBER 1 TO DECEMBER 31	0.20 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				14	22N	19W	LAKE
2				15	22N	19W	LAKE
3				16	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052690 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052691 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 187.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BIG CREEK (SWNW SEC 22 T22N R19W) (LAT 47° 39' 19.41" N LONG 114° 1' 39.75" W).

Maximum Volume:

Source Name: BIG CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	22	22N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.90 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.70 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	1.60 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	5.10 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	108.70 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	187.40 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	11.10 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	4.60 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	3.80 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.20 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.50 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.10 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	22N	19W	LAKE
2				23	22N	19W	LAKE
3				25	22N	19W	LAKE
4				26	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052691 MAP EXHIBIT(S) 1.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052692 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 78.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN POIRIER CREEK (NWSW SEC 27 T22N R19W) (LAT 47° 38' 16.90" N LONG 114° 1' 39.34" W).

Maximum Volume:

Source Name: POIRIER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	27	22N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.10 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	4.30 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	10.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	78.40 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	59.10 CFS
JULY 1 TO JULY 31	**Flow Rate:**	7.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	2.40 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.40 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.30 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.50 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				26	22N	19W	LAKE
2				27	22N	19W	LAKE
3				35	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052692 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052693 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 43.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN NORTH ASHLEY CREEK (SWSE SEC 33 T22N R19W) (LAT 47° 37' 52.09" N LONG 114° 2' 3.66" W).

Maximum Volume:

Source Name: ASHLEY CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS NORTH ASHLEY CREEK

THE SOURCE IS A TRIBUTARY OF MUD CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSE	33	22N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.60 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.50 CFS
	MARCH 1 TO MARCH 31	2.40 CFS
	APRIL 1 TO APRIL 30	5.50 CFS
	MAY 1 TO MAY 31	43.20 CFS
	JUNE 1 TO JUNE 30	32.50 CFS
	JULY 1 TO JULY 31	3.90 CFS
	AUGUST 1 TO AUGUST 31	1.30 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.80 CFS
	OCTOBER 1 TO OCTOBER 31	0.70 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.90 CFS
	DECEMBER 1 TO DECEMBER 31	0.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				33	22N	19W	LAKE
2				34	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052693 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052694 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 29.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MUD CREEK (NWNW SEC 33 T22N R19W) (LAT 47° 37' 43.72" N LONG 114° 2' 47.53" W).

Maximum Volume:

Source Name: MUD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	33	22N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.40 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.10 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	1.40 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	4.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	22.50 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	29.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	17.20 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	4.20 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.30 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.80 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.70 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.20 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	21N	19W	LAKE
2				2	21N	19W	LAKE
3				3	21N	19W	LAKE
4				33	22N	19W	LAKE
5				34	22N	19W	LAKE
6				35	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052694 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052695 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 52.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN COURVILLE CREEK (SWNW SEC 3 T21N R19W) (LAT 47° 36' 40.08" N LONG 114° 1' 39.37" W).

Maximum Volume:

Source Name: COURVILLE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	3	21N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	2.60 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	1.90 CFS
MARCH 1 TO MARCH 31	Flow Rate:	2.50 CFS
APRIL 1 TO APRIL 30	Flow Rate:	7.30 CFS
MAY 1 TO MAY 31	Flow Rate:	40.40 CFS
JUNE 1 TO JUNE 30	Flow Rate:	52.20 CFS
JULY 1 TO JULY 31	Flow Rate:	30.90 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	7.60 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	4.10 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	3.30 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	3.10 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	2.10 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	21N	19W	LAKE
2				10	21N	19W	LAKE
3				11	21N	19W	LAKE
4				12	21N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052695 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052696 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 28.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN ROCK CREEK (NWNW SEC 15 T21N R19W) (LAT 47° 35' 13.41" N LONG 114° 1' 38.01" W).

Maximum Volume:

Source Name: ROCK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	15	21N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.20 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	28.10 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	7.70 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	3.70 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	0.10 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				14	21N	19W	LAKE
2				15	21N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052696 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052697 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 157.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN NORTH CROW CREEK (SENW SEC 21 T21N R19W) (LAT 47° 34' 9.44" N LONG 114° 2' 19.52" W).

Maximum Volume:

Source Name: NORTH CROW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENW	21	21N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	13.50 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	12.80 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	18.20 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	28.60 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	94.40 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	157.00 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	128.40 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	40.70 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	23.60 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	20.80 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	28.30 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	17.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				18	21N	18W	LAKE
2				19	21N	18W	LAKE
3				20	21N	18W	LAKE
4				29	21N	18W	LAKE
5				13	21N	19W	LAKE
6				14	21N	19W	LAKE
7				15	21N	19W	LAKE
8				16	21N	19W	LAKE
9				21	21N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052697 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052698 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 26.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MIDDLE CROW CREEK (SWSW SEC 27 T21N R19W) (LAT 47° 32' 45.09" N LONG 114° 1' 38.63" W).

Maximum Volume:

Source Name: MIDDLE CROW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	27	21N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	2.30 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	2.20 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	3.10 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	4.90 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	16.20 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	26.90 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	22.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	7.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	4.10 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	3.60 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	4.90 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	3.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				29	21N	18W	LAKE
2				30	21N	18W	LAKE
3				32	21N	18W	LAKE
4				25	21N	19W	LAKE
5				26	21N	19W	LAKE
6				27	21N	19W	LAKE
7				35	21N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052698 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052699 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 241.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LOST CREEK (SWNW SEC 3 T20N R19W) (LAT 47° 31' 30.69" N LONG 114° 0' 42.17" W).

Maximum Volume:

Source Name: LOST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	3	20N	19W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	1.40 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	241.90 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	66.50 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	31.70 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	0.70 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	20N	19W	LAKE
2				31	21N	18W	LAKE
3				35	21N	19W	LAKE
4				36	21N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052699 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052700 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 94.60 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SOUTH CROW CREEK (NWSW SEC 16 T20N R19W) (LAT 47° 29' 28.35" N LONG 114° 1' 39.63" W).

Maximum Volume:

Source Name: SOUTH CROW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	16	20N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	7.40 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	6.90 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	9.40 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	14.80 CFS
MAY 1 TO MAY 31	**Flow Rate:**	50.70 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	94.60 CFS
JULY 1 TO JULY 31	**Flow Rate:**	73.60 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	21.60 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	11.90 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	10.80 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	14.90 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	9.10 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	20N	18W	LAKE
2				6	20N	18W	LAKE
3				1	20N	19W	LAKE
4				10	20N	19W	LAKE
5				11	20N	19W	LAKE
6				12	20N	19W	LAKE
7				15	20N	19W	LAKE
8				16	20N	19W	LAKE
9				32	21N	18W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052700 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052701 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 57.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MOLLMAN CREEK (NWSW SEC 22 T20N R19W) (LAT 47° 28' 35.80" N LONG 114° 0' 27.42" W).

Maximum Volume:

Source Name: MOLLMAN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	22	20N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.30 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	1.30 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	2.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	22.70 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	57.00 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	23.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	8.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	4.80 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	3.30 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	2.30 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	2.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				13	20N	19W	LAKE
2				22	20N	19W	LAKE
3				23	20N	19W	LAKE
4				24	20N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052701 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052702 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 26.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MARSH CREEK (SESE SEC 28 T20N R19W) (LAT 47° 27' 36.93" N LONG 114° 1' 0.47" W).

Maximum Volume:

Source Name: MARSH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	28	20N	19W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.60 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.40 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.60 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	0.90 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	10.40 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	26.10 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	10.50 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.90 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.20 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.50 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.90 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				30	20N	18W	LAKE
2				25	20N	19W	LAKE
3				26	20N	19W	LAKE
4				27	20N	19W	LAKE
5				28	20N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052702 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052703 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 14.70 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN EAGLE PASS CREEK (SWSW SEC 34 T20N R19W) (LAT 47° 26' 41.87" N LONG 114° 0' 25.78" W).

Maximum Volume:

Source Name: EAGLE PASS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	34	20N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	1.20 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	1.00 CFS
MARCH 1 TO MARCH 31	Flow Rate:	1.20 CFS
APRIL 1 TO APRIL 30	Flow Rate:	1.60 CFS
MAY 1 TO MAY 31	Flow Rate:	9.00 CFS
JUNE 1 TO JUNE 30	Flow Rate:	14.70 CFS
JULY 1 TO JULY 31	Flow Rate:	8.70 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	4.50 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	3.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	2.20 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	1.80 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	1.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	19N	19W	LAKE
2				34	20N	19W	LAKE
3				35	20N	19W	LAKE
4				36	20N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052703 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052704 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 243.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN POST CREEK (SESW SEC 12 T19N R19W) (LAT 47° 24' 58.91" N LONG 113° 57' 38.94" W).

Maximum Volume:

Source Name: POST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	12	19N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	16.80 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	12.90 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	17.60 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	26.90 CFS
MAY 1 TO MAY 31	**Flow Rate:**	133.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	243.80 CFS
JULY 1 TO JULY 31	**Flow Rate:**	181.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	89.40 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	48.70 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	37.20 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	26.70 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	18.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				8	19N	18W	LAKE
2				16	19N	18W	LAKE
3				17	19N	18W	LAKE
4				18	19N	18W	LAKE
5				21	19N	18W	LAKE
6				22	19N	18W	LAKE
7				27	19N	18W	LAKE
8				12	19N	19W	LAKE
9				13	19N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052704 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052705 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 3.65 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN VALENTINE CREEK (NESE SEC 16 T19N R19W) (LAT 47° 24' 15.12" N LONG 114° 0' 59.12" W).

Maximum Volume:

Source Name: VALENTINE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	16	19N	19W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.30 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.25 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.30 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	0.40 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	2.20 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	3.65 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	2.20 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.10 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.80 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.60 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.40 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				15	19N	19W	LAKE
2				16	19N	19W	LAKE
3				22	19N	19W	LAKE
4				23	19N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052705 MAP EXHIBIT(S) 1.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052706 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners: USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 6.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN POISON OAK CREEK (NWSW SEC 22 T19N R19W) (LAT 47° 23' 20.06" N LONG 114° 0' 36.67" W).

Maximum Volume:

Source Name: POISON OAK CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	22	19N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.50 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.40 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.50 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	0.70 CFS
MAY 1 TO MAY 31	**Flow Rate:**	3.70 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	6.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	3.60 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.90 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.20 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.90 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.70 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.70 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	19N	19W	LAKE
2				23	19N	19W	LAKE
3				26	19N	19W	LAKE
4				27	19N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052706 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052707 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 59.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN ASHLEY CREEK (NESW SEC 34 T19N R19W) (LAT 47° 21' 45.26" N LONG 114° 0' 3.35" W).

Maximum Volume:

Source Name: ASHLEY CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF POST CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	34	19N	19W	LAKE

Period of Diversion:

JANUARY 1 TO JANUARY 31	**Flow Rate:**	4.70 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	4.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	6.60 CFS
MAY 1 TO MAY 31	**Flow Rate:**	36.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	59.40 CFS
JULY 1 TO JULY 31	**Flow Rate:**	35.30 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	18.20 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	12.20 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	9.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	7.10 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	6.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				30	19N	18W	LAKE
2				31	19N	18W	LAKE
3				25	19N	19W	LAKE
4				26	19N	19W	LAKE
5				27	19N	19W	LAKE
6				34	19N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052707 MAP EXHIBIT(S) 1.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052708 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 134.70 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE UNNAMED TRIBUTARY OF ASHLEY CREEK (SENE SEC 3 T18N R19W) (LAT 47° 20' 59.72" N LONG 113° 59' 43.10" W).

Maximum Volume:

Source Name: UNNAMED TRIBUTARY OF ASHLEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENE	3	18N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.00 CFS
	MARCH 1 TO MARCH 31	0.80 CFS
	APRIL 1 TO APRIL 30	134.70 CFS
	MAY 1 TO MAY 31	37.00 CFS
	JUNE 1 TO JUNE 30	17.60 CFS
	JULY 1 TO JULY 31	0.40 CFS
	AUGUST 1 TO AUGUST 31	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	18N	19W	LAKE
2				3	18N	19W	LAKE
3				35	19N	19W	LAKE
4				36	19N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052708 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052709 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 5.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN NORTH DRY CREEK (SWSW SEC 2 T18N R19W) (LAT 47° 20' 34.91" N LONG 113° 59' 24.54" W).

Maximum Volume:

Source Name: DRY CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF (NORTH) ASHLEY CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	2	18N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.40 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.40 CFS
	MARCH 1 TO MARCH 31	0.40 CFS
	APRIL 1 TO APRIL 30	0.60 CFS
	MAY 1 TO MAY 31	3.20 CFS
	JUNE 1 TO JUNE 30	5.20 CFS
	JULY 1 TO JULY 31	3.10 CFS
	AUGUST 1 TO AUGUST 31	1.60 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	1.10 CFS
	OCTOBER 1 TO OCTOBER 31	0.80 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.60 CFS
	DECEMBER 1 TO DECEMBER 31	0.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	18N	19W	LAKE
2				2	18N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052709 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052710 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 222.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MISSION CREEK (SWNW SEC 14 T18N R19W) (LAT 47° 19' 12.24" N LONG 113° 59' 19.04" W).

Maximum Volume:

Source Name: MISSION CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	14	18N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	12.10 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	9.10 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	12.80 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	20.20 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	115.70 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	222.50 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	161.40 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	74.90 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	38.60 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	28.90 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	20.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	13.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	18N	18W	LAKE
2				7	18N	18W	LAKE
3				8	18N	18W	LAKE
4				12	18N	19W	LAKE
5				13	18N	19W	LAKE
6				14	18N	19W	LAKE
7				32	19N	18W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052710 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052711 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 14.21 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE NORTH FORK OF MIKES CREEK (NESE SEC 22 T18N R19W) (LAT 47° 18' 15.68" N LONG 113° 59' 44.88" W).

Maximum Volume:

Source Name: MIKES CREEK, NORTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	22	18N	19W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.92 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.28 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	3.43 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	9.33 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	14.21 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	7.75 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	3.36 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.59 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.52 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.16 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.22 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.04 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				18	18N	18W	LAKE
2				19	18N	18W	LAKE
3				13	18N	19W	LAKE
4				22	18N	19W	LAKE
5				23	18N	19W	LAKE
6				24	18N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052711 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052712 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 9.09 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE SOUTH FORK OF MIKES CREEK (SWSW SEC 22 T18N R19W) (LAT 47° 17' 58.58" N LONG 114° 0' 33.42" W).

Maximum Volume:

Source Name: MIKES CREEK, SOUTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	22	18N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.59 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.82 CFS
	MARCH 1 TO MARCH 31	2.46 CFS
	APRIL 1 TO APRIL 30	5.97 CFS
	MAY 1 TO MAY 31	9.09 CFS
	JUNE 1 TO JUNE 30	4.95 CFS
	JULY 1 TO JULY 31	2.15 CFS
	AUGUST 1 TO AUGUST 31	1.01 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.98 CFS
	OCTOBER 1 TO OCTOBER 31	0.74 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.78 CFS
	DECEMBER 1 TO DECEMBER 31	0.66 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	18N	19W	LAKE
2				23	18N	19W	LAKE
3				24	18N	19W	LAKE
4				26	18N	19W	LAKE
5				27	18N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052712 MAP EXHIBIT(S) 1.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052713 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 146.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN COLD CREEK (NWNW SEC 35 T18N R19W) (LAT 47° 16' 58.12" N LONG 113° 59' 27.05" W).

Maximum Volume:

Source Name: COLD CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF DRY CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	35	18N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.90 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	146.40 CFS
MAY 1 TO MAY 31	**Flow Rate:**	40.20 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	19.20 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.40 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				20	18N	18W	LAKE
2				29	18N	18W	LAKE
3				30	18N	18W	LAKE
4				25	18N	19W	LAKE
5				26	18N	19W	LAKE
6				35	18N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

SEE 30052713 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052714 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 22.70 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN POWER CREEK (SESW SEC 31 T18N R18W) (LAT 47° 16' 19.45" N LONG 113° 56' 34.35" W).

Maximum Volume:

Source Name: POWER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	31	18N	18W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.50 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.40 CFS
	MARCH 1 TO MARCH 31	0.50 CFS
	APRIL 1 TO APRIL 30	0.80 CFS
	MAY 1 TO MAY 31	9.10 CFS
	JUNE 1 TO JUNE 30	22.70 CFS
	JULY 1 TO JULY 31	9.20 CFS
	AUGUST 1 TO AUGUST 31	3.40 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	1.90 CFS
	OCTOBER 1 TO OCTOBER 31	1.30 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.90 CFS
	DECEMBER 1 TO DECEMBER 31	0.80 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				29	18N	18W	LAKE
2				31	18N	18W	LAKE
3				32	18N	18W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052714 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052715 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 499.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN DRY LAKE CREEK (NWSW SEC 4 T17N R18W) (LAT 47° 15' 33.53" N LONG 113° 54' 15.10" W).

Maximum Volume:

Source Name: DRY LAKE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	4	17N	18W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	2.90 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	499.80 CFS
MAY 1 TO MAY 31	**Flow Rate:**	137.40 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	65.40 CFS
JULY 1 TO JULY 31	**Flow Rate:**	1.50 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.10 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	17N	18W	LAKE
2				21	18N	18W	LAKE
3				22	18N	18W	LAKE
4				27	18N	18W	LAKE
5				33	18N	18W	LAKE
6				34	18N	18W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052715 MAP EXHIBIT(S) 1.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052716 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 27.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE UNNAMED TRIBUTARY OF DRY CREEK (SWSE SEC 2 T17N R19W) (LAT 47° 15' 27.24" N LONG 113° 58' 36.10" W).

Maximum Volume:

Source Name: UNNAMED TRIBUTARY OF DRY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSE	2	17N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.20 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	27.10 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	7.40 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	3.50 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	0.10 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				7	17N	18W	LAKE
2				2	17N	19W	LAKE
3				11	17N	19W	LAKE
4				12	17N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052716 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052717 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 10.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THORNE CREEK (NENW SEC 4 T17N R19W) (LAT 47° 16' 6.35" N LONG 114° 1' 36.74" W).

Maximum Volume:

Source Name: THORNE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENW	4	17N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.70 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.90 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	2.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	6.70 CFS
MAY 1 TO MAY 31	**Flow Rate:**	10.10 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	5.50 CFS
JULY 1 TO JULY 31	**Flow Rate:**	2.40 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.10 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.10 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.80 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.90 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	17N	19W	LAKE
2				4	17N	19W	LAKE
3				10	17N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

SEE 30052717 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052718 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 359.06 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SABINE CREEK (SESE SEC 32 T18N R19W) (LAT 47° 16' 17.05" N LONG 114° 3' 19.18" W).

Maximum Volume:

Source Name: SABINE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	32	18N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	134.65 GPM
	FEBRUARY 1 TO FEBRUARY 28	224.42 GPM
	MARCH 1 TO MARCH 31	179.53 GPM
	APRIL 1 TO APRIL 30	359.06 GPM
	MAY 1 TO MAY 31	359.06 GPM
	JUNE 1 TO JUNE 30	359.06 GPM
	JULY 1 TO JULY 31	179.53 GPM
	AUGUST 1 TO AUGUST 31	134.65 GPM
	SEPTEMBER 1 TO SEPTEMBER 30	89.77 GPM
	OCTOBER 1 TO OCTOBER 31	89.77 GPM
	NOVEMBER 1 TO NOVEMBER 30	89.77 GPM
	DECEMBER 1 TO DECEMBER 31	89.77 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	17N	19W	LAKE
2				8	17N	19W	LAKE
3				31	18N	19W	LAKE
4				32	18N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052718 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052719 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 224.42 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MCCOLLUM CREEK (NWSE SEC 36 T18N R20W) (LAT 47° 16' 33.46" N LONG 114° 4' 53.15" W).

Maximum Volume:

Source Name: MCCOLLUM CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	36	18N	20W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 GPM
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 GPM
MARCH 1 TO MARCH 31	**Flow Rate:**	0.00 GPM
APRIL 1 TO APRIL 30	**Flow Rate:**	224.42 GPM
MAY 1 TO MAY 31	**Flow Rate:**	44.88 GPM
JUNE 1 TO JUNE 30	**Flow Rate:**	44.88 GPM
JULY 1 TO JULY 31	**Flow Rate:**	0.00 GPM
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 GPM
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 GPM
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 GPM
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 GPM
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	17N	20W	LAKE
2				36	18N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE OWNERS OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL TO ENFORCE THIS WATER RIGHT AGAINST ANY WATER RIGHT UPSTREAM OF THE DOWNSTREAM POINT OF THE PROTECTABLE REACH ASSOCIATED WITH THIS WATER RIGHT, EXCEPT FOR THE FOLLOWING WATER RIGHTS: 76L 35091-00

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052719 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052720 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 6.30 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN DEEP DRAW (SWSE SEC 25 T24N R23W) (LAT 47° 48' 22.84" N LONG 114° 28' 58.96" W).

Maximum Volume:

Source Name: DEEP DRAW
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSE	25	24N	23W	FLATHEAD

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.10 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.10 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	3.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	6.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	2.10 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.50 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.20 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.10 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.10 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.10 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.10 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY
THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	23N	22W	LAKE
2				7	23N	22W	LAKE
3				18	23N	22W	LAKE
4				31	24N	22W	FLATHEAD
5				31	24N	22W	LAKE
6				25	24N	23W	FLATHEAD
7				36	24N	23W	FLATHEAD

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052720 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052721 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 9.30 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN CROMWELL CREEK (NWNE SEC 3 T24N R23W) (LAT 47° 52' 29.02" N LONG 114° 31' 37.29" W).

Maximum Volume:

Source Name: CROMWELL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNE	3	24N	23W	FLATHEAD

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.10 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.10 CFS
	MARCH 1 TO MARCH 31	3.10 CFS
	APRIL 1 TO APRIL 30	6.60 CFS
	MAY 1 TO MAY 31	9.30 CFS
	JUNE 1 TO JUNE 30	7.60 CFS
	JULY 1 TO JULY 31	1.20 CFS
	AUGUST 1 TO AUGUST 31	0.20 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.30 CFS
	OCTOBER 1 TO OCTOBER 31	0.10 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.10 CFS
	DECEMBER 1 TO DECEMBER 31	0.10 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	24N	22W	FLATHEAD
2				19	24N	22W	LAKE
3				1	24N	23W	FLATHEAD
4				3	24N	23W	FLATHEAD
5				12	24N	23W	FLATHEAD
6				13	24N	23W	FLATHEAD
7				24	24N	23W	FLATHEAD
8				31	25N	22W	FLATHEAD
9				31	25N	22W	LAKE
10				35	25N	23W	FLATHEAD
11				36	25N	23W	FLATHEAD

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052721 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052722 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 2.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SULLIVAN SPRINGS (NWSE SEC 24 T24N R24W) (LAT 47° 49' 26.33" N LONG 114° 36' 46.51" W).

Maximum Volume:

Source Name: SULLIVAN SPRINGS
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	24	24N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 2.00 CFS
Diversion Means: INSTREAM
Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				24	24N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052722 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052723 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 86.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MILL CREEK (NWNW SEC 21 T24N R24W) (LAT 47° 49' 52.48" N LONG 114° 41' 7.50" W).

Maximum Volume:

Source Name: MILL CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF LITTLE BITTERROOT RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	21	24N	24W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	2.40 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	3.30 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	15.40 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	49.30 CFS
MAY 1 TO MAY 31	**Flow Rate:**	86.80 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	37.70 CFS
JULY 1 TO JULY 31	**Flow Rate:**	12.70 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	5.60 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	3.30 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	3.20 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	3.30 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	2.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	23N	25W	SANDERS
2				3	23N	25W	SANDERS
3				10	23N	25W	SANDERS
4				19	24N	24W	SANDERS
5				20	24N	24W	SANDERS
6				21	24N	24W	SANDERS
7				24	24N	25W	SANDERS
8				25	24N	25W	SANDERS
9				26	24N	25W	SANDERS
10				35	24N	25W	SANDERS

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052723 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052724 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 8.30 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MILL POCKET CREEK (NWNW SEC 34 T24N R24W) (LAT 47° 48' 9.06" N LONG 114° 40' 3.13" W).

Maximum Volume:

Source Name: MILL POCKET CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	34	24N	24W	SANDERS

Period of Diversion:

JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	8.30 CFS
MAY 1 TO MAY 31	**Flow Rate:**	2.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	1.10 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				28	24N	24W	SANDERS
2				29	24N	24W	SANDERS
3				31	24N	24W	SANDERS
4				32	24N	24W	SANDERS
5				33	24N	24W	SANDERS
6				34	24N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052724 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052725 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 8.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SULLIVAN GULCH (SESW SEC 31 T24N R23W) (LAT 47° 47' 24.14" N LONG 114° 35' 43.42" W).

Maximum Volume:

Source Name: SULLIVAN GULCH
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	31	24N	23W	FLATHEAD

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	3.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	7.90 CFS
MAY 1 TO MAY 31	**Flow Rate:**	8.80 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	4.80 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY
THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	23N	23W	LAKE
2				3	23N	23W	LAKE
3				11	23N	23W	LAKE
4				13	23N	23W	LAKE
5				14	23N	23W	LAKE
6				31	24N	23W	FLATHEAD
7				32	24N	23W	FLATHEAD
8				33	24N	23W	FLATHEAD
9				34	24N	23W	FLATHEAD
10				34	24N	23W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052725 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052726 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 7.30 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN DRY FORK CREEK (SWNE SEC 17 T23N R24W) (LAT 47° 45' 20.09" N LONG 114° 41' 47.68" W).

Maximum Volume:

Source Name: DRY FORK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	17	23N	24W	SANDERS

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.00 CFS
	MARCH 1 TO MARCH 31	2.50 CFS
	APRIL 1 TO APRIL 30	6.50 CFS
	MAY 1 TO MAY 31	7.30 CFS
	JUNE 1 TO JUNE 30	4.00 CFS
	JULY 1 TO JULY 31	0.00 CFS
	AUGUST 1 TO AUGUST 31	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				17	23N	24W	SANDERS
2				18	23N	24W	SANDERS
3				12	23N	25W	SANDERS
4				13	23N	25W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052726 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052727 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 7.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN RATTLESNAKE GULCH (NWNW SEC 30 T23N R23W) (LAT 47° 43' 55.13" N LONG 114° 36' 14.95" W).

Maximum Volume:

Source Name: RATTLESNAKE GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	30	23N	23W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	0.00 CFS
MARCH 1 TO MARCH 31	Flow Rate:	2.60 CFS
APRIL 1 TO APRIL 30	Flow Rate:	6.70 CFS
MAY 1 TO MAY 31	Flow Rate:	7.50 CFS
JUNE 1 TO JUNE 30	Flow Rate:	4.10 CFS
JULY 1 TO JULY 31	Flow Rate:	0.00 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	0.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	0.00 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				14	23N	23W	LAKE
2				15	23N	23W	LAKE
3				16	23N	23W	LAKE
4				17	23N	23W	LAKE
5				19	23N	23W	SANDERS
6				20	23N	23W	LAKE
7				20	23N	23W	SANDERS
8				23	23N	23W	LAKE
9				30	23N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052727 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052728 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN FINLEY CREEK (SWNW SEC 28 T23N R24W) (LAT 47° 43' 37.16" N LONG 114° 41' 8.10" W).

Maximum Volume:

Source Name: FINLEY CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF DRY FORK CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	28	23N	24W	SANDERS

Period of Diversion:

Period		Flow Rate
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	6.90 CFS
MAY 1 TO MAY 31	**Flow Rate:**	1.90 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	0.90 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				28	23N	24W	SANDERS
2				29	23N	24W	SANDERS
3				30	23N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052728 MAP EXHIBIT(S) 1.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052729 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 179.53 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LETZEN GULCH (NENW SEC 4 T22N R24W) (LAT 47° 42' 9.95" N LONG 114° 41' 5.37" W).

Maximum Volume:

Source Name: LETZEN GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENW	4	22N	24W	SANDERS

Period of Diversion:

JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 GPM
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 GPM
MARCH 1 TO MARCH 31	**Flow Rate:**	44.88 GPM
APRIL 1 TO APRIL 30	**Flow Rate:**	179.53 GPM
MAY 1 TO MAY 31	**Flow Rate:**	179.53 GPM
JUNE 1 TO JUNE 30	**Flow Rate:**	89.77 GPM
JULY 1 TO JULY 31	**Flow Rate:**	0.00 GPM
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 GPM
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 GPM
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 GPM
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 GPM
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	22N	24W	SANDERS
2				5	22N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052729 MAP EXHIBIT(S) 1.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052730 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 11.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN GARDEN CREEK (SESW SEC 20 T22N R24W) (LAT 47° 38' 49.98" N LONG 114° 42' 14.61" W).

Maximum Volume:

Source Name: GARDEN CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	20	22N	24W	SANDERS

Period of Diversion:

Period		Flow Rate
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	4.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	10.20 CFS
MAY 1 TO MAY 31	**Flow Rate:**	11.50 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	6.30 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	22N	24W	SANDERS
2				20	22N	24W	SANDERS
3				29	22N	24W	SANDERS
4				30	22N	24W	SANDERS
5				24	22N	25W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052730 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052731 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 9.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN HOT SPRINGS CREEK (SWSW SEC 5 T21N R24W) (LAT 47° 36' 17.20" N LONG 114° 42' 37.21" W).

Maximum Volume:

Source Name: HOT SPRINGS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	5	21N	24W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	3.40 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	8.70 CFS
MAY 1 TO MAY 31	**Flow Rate:**	9.80 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	5.30 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	21N	24W	SANDERS
2				6	21N	24W	SANDERS
3				7	21N	24W	SANDERS
4				11	21N	25W	SANDERS
5				12	21N	25W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052731 MAP EXHIBIT(S) 1.

THE OWNERS OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL TO ENFORCE THIS WATER RIGHT AGAINST ANY WATER RIGHT UPSTREAM OF THE DOWNSTREAM POINT OF THE PROTECTABLE REACH ASSOCIATED WITH THIS WATER RIGHT, EXCEPT FOR THE FOLLOWING WATER RIGHTS: 76L 34353-00

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052732 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 2.60 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE NORTH FORK OF HOT SPRINGS CREEK (SENE SEC 5 T21N R24W) (LAT 47° 36' 38.74" N LONG 114° 41' 41.30" W).

Maximum Volume:

Source Name: HOT SPRINGS CREEK, NORTH FORK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENE	5	21N	24W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.80 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	2.60 CFS
MAY 1 TO MAY 31	**Flow Rate:**	1.80 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	1.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	21N	24W	SANDERS
2				6	21N	24W	SANDERS
3				31	22N	24W	SANDERS
4				36	22N	25W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052732 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE OWNERS OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL TO ENFORCE THIS WATER RIGHT AGAINST ANY WATER RIGHT UPSTREAM OF THE DOWNSTREAM POINT OF THE PROTECTABLE REACH ASSOCIATED WITH THIS WATER RIGHT, EXCEPT FOR THE FOLLOWING WATER RIGHTS: 76L 23421-00

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052733 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 8.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE WEST FORK OF COTTONWOOD CREEK (SESW SEC 28 T21N R24W) (LAT 47° 32' 41.05" N LONG 114° 40' 49.04" W).

Maximum Volume:

Source Name: COTTONWOOD CREEK, WEST FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	28	21N	24W	SANDERS

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	Flow Rate:	0.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	0.00 CFS
	MARCH 1 TO MARCH 31	Flow Rate:	3.10 CFS
	APRIL 1 TO APRIL 30	Flow Rate:	8.00 CFS
	MAY 1 TO MAY 31	Flow Rate:	8.90 CFS
	JUNE 1 TO JUNE 30	Flow Rate:	4.80 CFS
	JULY 1 TO JULY 31	Flow Rate:	0.00 CFS
	AUGUST 1 TO AUGUST 31	Flow Rate:	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	Flow Rate:	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	Flow Rate:	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	20N	24W	SANDERS
2				1	20N	25W	SANDERS
3				28	21N	24W	SANDERS
4				29	21N	24W	SANDERS
5				31	21N	24W	SANDERS
6				32	21N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052733 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052734 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 22.70 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN RAINBOW LAKE CREEK (SWSW SEC 36 T21N R25W) (LAT 47° 31' 41.11" N LONG 114° 44' 57.98" W).

Maximum Volume:

Source Name: RAINBOW LAKE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	36	21N	25W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.10 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	22.70 CFS
MAY 1 TO MAY 31	**Flow Rate:**	6.20 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	3.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.10 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				13	21N	25W	SANDERS
2				23	21N	25W	SANDERS
3				24	21N	25W	SANDERS
4				25	21N	25W	SANDERS
5				26	21N	25W	SANDERS
6				36	21N	25W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052734 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052735 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 9.60 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN CAMAS CREEK (SESE SEC 18 T20N R24W) (LAT 47° 29' 17.65" N LONG 114° 41' 44.25" W).

Maximum Volume:

Source Name: CAMAS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	18	20N	24W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	2.40 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	7.90 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	3.60 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	9.60 CFS
MAY 1 TO MAY 31	**Flow Rate:**	4.70 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	3.50 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.50 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.60 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.50 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.40 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.40 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	20N	24W	SANDERS
2				7	20N	24W	SANDERS
3				18	20N	24W	SANDERS
4				12	20N	25W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052735 MAP EXHIBIT(S) 1.

THE OWNERS OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL TO ENFORCE THIS WATER RIGHT AGAINST ANY WATER RIGHT UPSTREAM OF THE DOWNSTREAM POINT OF THE PROTECTABLE REACH ASSOCIATED WITH THIS WATER RIGHT, EXCEPT FOR THE FOLLOWING WATER RIGHTS: 76L 46329-00, 76L 46312-00

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052736 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 2.30 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN CLEAR CREEK (NWSE SEC 19 T19N R23W) (LAT 47° 23' 25.65" N LONG 114° 34' 10.23" W).

Maximum Volume:

Source Name: CLEAR CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF CAMAS CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	19	19N	23W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.10 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.20 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.80 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.30 CFS
MAY 1 TO MAY 31	**Flow Rate:**	2.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	1.90 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.60 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.30 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.20 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.30 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.20 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.10 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	19N	23W	SANDERS
2				19	19N	24W	SANDERS
3				20	19N	24W	SANDERS
4				21	19N	24W	SANDERS
5				22	19N	24W	SANDERS
6				23	19N	24W	SANDERS
7				24	19N	24W	SANDERS
8				25	19N	24W	SANDERS
9				26	19N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052736 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE OWNERS OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL TO ENFORCE THIS WATER RIGHT AGAINST ANY WATER RIGHT UPSTREAM OF THE DOWNSTREAM POINT OF THE PROTECTABLE REACH ASSOCIATED WITH THIS WATER RIGHT, EXCEPT FOR THE FOLLOWING WATER RIGHTS: 76L 45201-00

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052737 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 12.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE WEST FORK OF REVAIS CREEK (NESW SEC 4 T17N R22W) (LAT 47° 15' 39.58" N LONG 114° 24' 29.24" W).

Maximum Volume:

Source Name: REVAIS CREEK, WEST FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	4	17N	22W	SANDERS

Period of Diversion:			
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.50 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.40 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	1.30 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	2.60 CFS
MAY 1 TO MAY 31	**Flow Rate:**	12.90 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	10.40 CFS
JULY 1 TO JULY 31	**Flow Rate:**	2.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.90 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.60 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.60 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.60 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	17N	22W	SANDERS
2				5	17N	22W	SANDERS
3				7	17N	22W	SANDERS
4				8	17N	22W	SANDERS
5				12	17N	23W	SANDERS
6				13	17N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

SEE 30052737 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052738 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 165.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN REVAIS CREEK (SWNE SEC 33 T18N R22W) (LAT 47° 16' 40.27" N LONG 114° 24' 14.23" W).

Maximum Volume:

Source Name: REVAIS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	33	18N	22W	SANDERS

Period of Diversion:		Flow Rate
JANUARY 1 TO JANUARY 31	**Flow Rate:**	6.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	5.60 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	17.30 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	33.90 CFS
MAY 1 TO MAY 31	**Flow Rate:**	165.40 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	133.80 CFS
JULY 1 TO JULY 31	**Flow Rate:**	25.50 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	11.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	7.50 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	7.10 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	8.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	5.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	17N	22W	SANDERS
2				9	17N	22W	SANDERS
3				15	17N	22W	SANDERS
4				16	17N	22W	SANDERS
5				22	17N	22W	SANDERS
6				26	17N	22W	SANDERS
7				27	17N	22W	SANDERS
8				33	18N	22W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052738 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052739 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN GUNDERSON CREEK (NENW SEC 16 T18N R22W) (LAT 47° 19' 25.57" N LONG 114° 24' 35.26" W).

Maximum Volume:

Source Name: GUNDERSON CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENW	16	18N	22W	SANDERS

Period of Diversion:

JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.12 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.18 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.05 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.18 CFS
MAY 1 TO MAY 31	**Flow Rate:**	6.20 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	4.96 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.83 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.36 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.09 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.08 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.11 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.25 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	17N	22W	SANDERS
2				5	17N	22W	SANDERS
3				16	18N	22W	SANDERS
4				21	18N	22W	SANDERS
5				28	18N	22W	SANDERS
6				29	18N	22W	SANDERS
7				32	18N	22W	SANDERS
8				33	18N	22W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE OWNERS OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL TO ENFORCE THIS WATER RIGHT AGAINST ANY WATER RIGHT UPSTREAM OF THE DOWNSTREAM POINT OF THE PROTECTABLE REACH ASSOCIATED WITH THIS WATER RIGHT, EXCEPT FOR THE FOLLOWING WATER RIGHTS: 76L 8412-00

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052739 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052740 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 129.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MAGPIE CREEK (SWNE SEC 23 T18N R23W) (LAT 47° 18' 31.95" N LONG 114° 29' 8.05" W).

Maximum Volume:

Source Name: MAGPIE CREEK
Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF FLATHEAD RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	23	18N	23W	SANDERS

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	4.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	4.00 CFS
	MARCH 1 TO MARCH 31	3.70 CFS
	APRIL 1 TO APRIL 30	12.10 CFS
	MAY 1 TO MAY 31	24.40 CFS
	JUNE 1 TO JUNE 30	129.50 CFS
	JULY 1 TO JULY 31	103.40 CFS
	AUGUST 1 TO AUGUST 31	17.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	7.50 CFS
	OCTOBER 1 TO OCTOBER 31	4.90 CFS
	NOVEMBER 1 TO NOVEMBER 30	4.60 CFS
	DECEMBER 1 TO DECEMBER 31	5.30 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	17N	23W	SANDERS
2				3	17N	23W	SANDERS
3				4	17N	23W	SANDERS
4				5	17N	23W	SANDERS
5				8	17N	23W	SANDERS
6				23	18N	23W	SANDERS
7				25	18N	23W	SANDERS
8				26	18N	23W	SANDERS
9				35	18N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052740 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052741 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 5.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN WEST MAPGIE CREEK (NWSW SEC 23 T18N R23W) (LAT 47° 18' 19.38" N LONG 114° 29' 49.14" W).

Maximum Volume:

Source Name: WEST MAGPIE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	23	18N	23W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.80 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.80 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.40 CFS
MAY 1 TO MAY 31	**Flow Rate:**	4.60 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	5.10 CFS
JULY 1 TO JULY 31	**Flow Rate:**	4.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	2.80 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.40 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.80 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.60 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	18N	23W	SANDERS
2				23	18N	23W	SANDERS
3				27	18N	23W	SANDERS
4				28	18N	23W	SANDERS
5				32	18N	23W	SANDERS
6				33	18N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052741 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052742 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 24.70 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MAGPIE SPRING CREEK (NESE SEC 10 T18N R23W) (LAT 47° 20' 2.66" N LONG 114° 30' 18.25" W).

Maximum Volume:

Source Name: MAGPIE SPRING CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	10	18N	23W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.80 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.70 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	2.30 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	4.70 CFS
MAY 1 TO MAY 31	**Flow Rate:**	24.70 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	19.70 CFS
JULY 1 TO JULY 31	**Flow Rate:**	3.30 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.40 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.90 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.90 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				10	18N	23W	SANDERS
2				15	18N	23W	SANDERS
3				16	18N	23W	SANDERS
4				20	18N	23W	SANDERS
5				21	18N	23W	SANDERS
6				29	18N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052742 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052743 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 1.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN VANDERBURG CREEK (NWNW SEC 9 T18N R23W) (LAT 47° 20' 25.68" N LONG 114° 32' 26.91" W).

Maximum Volume:

Source Name: VANDERBURG CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	9	18N	23W	SANDERS

Period of Diversion:

Period		Flow Rate
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.20 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.40 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.60 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	0.90 CFS
MAY 1 TO MAY 31	**Flow Rate:**	1.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	0.50 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.20 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.20 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.20 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.20 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.20 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.20 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				8	18N	23W	SANDERS
2				9	18N	23W	SANDERS
3				17	18N	23W	SANDERS
4				18	18N	23W	SANDERS
5				13	18N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052743 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052744 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN RACEHORSE GULCH (SESE SEC 32 T19N R23W) (LAT 47° 21' 33.18" N LONG 114° 32' 42.40" W).

Maximum Volume:

Source Name: RACEHORSE GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	32	19N	23W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.30 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.40 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	2.10 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	3.50 CFS
MAY 1 TO MAY 31	**Flow Rate:**	6.40 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	5.30 CFS
JULY 1 TO JULY 31	**Flow Rate:**	1.70 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.70 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.40 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.70 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.40 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	19N	22W	SANDERS
2				30	19N	22W	SANDERS
3				23	19N	23W	SANDERS
4				24	19N	23W	SANDERS
5				26	19N	23W	SANDERS
6				27	19N	23W	SANDERS
7				32	19N	23W	SANDERS
8				33	19N	23W	SANDERS
9				34	19N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052744 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052745 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 88.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SEEPAY CREEK (NENW SEC 10 T18N R24W) (LAT 47° 20' 22.92" N LONG 114° 38' 29.56" W).

Maximum Volume:

Source Name: SEEPAY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENW	10	18N	24W	SANDERS

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	9.90 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	12.60 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	30.40 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	62.80 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	88.20 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	33.70 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	16.30 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	16.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	12.10 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	11.70 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	12.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	10.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	17N	24W	SANDERS
2				31	18N	23W	SANDERS
3				10	18N	24W	SANDERS
4				11	18N	24W	SANDERS
5				14	18N	24W	SANDERS
6				23	18N	24W	SANDERS
7				25	18N	24W	SANDERS
8				26	18N	24W	SANDERS
9				36	18N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052745 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052746 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 5.30 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BURGESS CREEK (NESE SEC 8 T18N R24W) (LAT 47° 20' 4.01" N LONG 114° 40' 18.25" W).

Maximum Volume:

Source Name: BURGESS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	8	18N	24W	SANDERS

Period of Diversion:

Period		Flow Rate
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.60 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.80 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	1.90 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	3.30 CFS
MAY 1 TO MAY 31	**Flow Rate:**	5.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	2.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	1.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.70 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.70 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.70 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				8	18N	24W	SANDERS
2				9	18N	24W	SANDERS
3				16	18N	24W	SANDERS
4				17	18N	24W	SANDERS
5				20	18N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052746 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052747 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 3.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LITTLE MONEY CREEK (SESE SEC 5 T18N R24W) (LAT 47° 20' 38.64" N LONG 114° 40' 22.30" W).

Maximum Volume:

Source Name: LITTLE MONEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	5	18N	24W	SANDERS

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	1.10 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	2.80 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	3.20 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	1.70 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	0.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	18N	24W	SANDERS
2				5	18N	24W	SANDERS
3				33	19N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052747 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052748 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 9.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN FINLEY CREEK (SWSW SEC 30 T15N R19W) (LAT 47° 1' 26.50" N LONG 114° 3' 36.82" W).

Maximum Volume:

Source Name: FINLEY CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF JOCKO RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	30	15N	19W	MISSOULA

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.50 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.50 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.60 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	1.50 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	9.80 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	9.60 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	3.50 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.90 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.70 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.60 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				30	15N	19W	MISSOULA
2				31	15N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052748 MAP EXHIBIT(S) 1.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052749 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 3.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN FROG CREEK (SWNW SEC 24 T15N R20W) (LAT 47° 2' 43.30" N LONG 114° 4' 52.14" W).

Maximum Volume:

Source Name: FROG CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	24	15N	20W	MISSOULA

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.10 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.10 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.20 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	0.50 CFS
MAY 1 TO MAY 31	**Flow Rate:**	3.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	2.90 CFS
JULY 1 TO JULY 31	**Flow Rate:**	1.10 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.50 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.30 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.20 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.20 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.10 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				9	15N	20W	MISSOULA
2				10	15N	20W	MISSOULA
3				14	15N	20W	MISSOULA
4				15	15N	20W	MISSOULA
5				23	15N	20W	MISSOULA
6				24	15N	20W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052749 MAP EXHIBIT(S) 1.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052750 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 13.60 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN ANTOINE CREEK (NESW SEC 19 T15N R19W) (LAT 47° 2' 35.21" N LONG 114° 3' 1.02" W).

Maximum Volume:

Source Name: ANTOINE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	19	15N	19W	MISSOULA

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	0.70 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	0.60 CFS
MARCH 1 TO MARCH 31	Flow Rate:	0.90 CFS
APRIL 1 TO APRIL 30	Flow Rate:	2.10 CFS
MAY 1 TO MAY 31	Flow Rate:	13.60 CFS
JUNE 1 TO JUNE 30	Flow Rate:	13.30 CFS
JULY 1 TO JULY 31	Flow Rate:	4.80 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	2.10 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	1.30 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	1.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	0.80 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	0.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				15	15N	19W	MISSOULA
2				19	15N	19W	MISSOULA
3				20	15N	19W	MISSOULA
4				21	15N	19W	MISSOULA
5				22	15N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052750 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052751 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 7.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN CHRISTINE CREEK (NWNW SEC 7 T15N R19W) (LAT 47° 4' 37.33" N LONG 114° 3' 20.78" W).

Maximum Volume:

Source Name: CHRISTINE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	7	15N	19W	MISSOULA

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.40 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.40 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.50 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.20 CFS
MAY 1 TO MAY 31	**Flow Rate:**	7.40 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	7.30 CFS
JULY 1 TO JULY 31	**Flow Rate:**	2.60 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.20 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.70 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.50 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.40 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				7	15N	19W	MISSOULA
2				8	15N	19W	MISSOULA
3				15	15N	19W	MISSOULA
4				16	15N	19W	MISSOULA
5				17	15N	19W	MISSOULA
6				18	15N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052751 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052752 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 7.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE UNNAMED TRIBUTARY OF FINLEY CREEK (SWNE SEC 6 T15N R19W) (LAT 47° 5' 27.01" N LONG 114° 2' 43.62" W).

Maximum Volume:

Source Name: UNNAMED TRIBUTARY OF FINLEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	6	15N	19W	MISSOULA

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.00 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	7.10 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	2.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	0.90 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	0.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	15N	19W	MISSOULA
2				6	15N	19W	MISSOULA
3				8	15N	19W	MISSOULA
4				9	15N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052752 MAP EXHIBIT(S) 1.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052753 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 9.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SCHLEY CREEK (SWNE SEC 5 T15N R19W) (LAT 47° 5' 20.95" N LONG 114° 1' 41.98" W).

Maximum Volume:

Source Name: SCHLEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	5	15N	19W	MISSOULA

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.40 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.40 CFS
	MARCH 1 TO MARCH 31	0.60 CFS
	APRIL 1 TO APRIL 30	1.40 CFS
	MAY 1 TO MAY 31	9.20 CFS
	JUNE 1 TO JUNE 30	9.00 CFS
	JULY 1 TO JULY 31	3.30 CFS
	AUGUST 1 TO AUGUST 31	1.40 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.90 CFS
	OCTOBER 1 TO OCTOBER 31	0.70 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.50 CFS
	DECEMBER 1 TO DECEMBER 31	0.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	15N	19W	MISSOULA
2				5	15N	19W	MISSOULA
3				9	15N	19W	MISSOULA
4				10	15N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052753 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052754 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 69.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE EAST FORK OF FINLEY CREEK (SESW SEC 32 T16N R19W) (LAT 47° 5' 42.27" N LONG 114° 1' 54.74" W).

Maximum Volume:

Source Name: FINLEY CREEK, EAST FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	32	16N	19W	MISSOULA

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	3.30 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	3.30 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	4.50 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	11.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	69.80 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	68.50 CFS
JULY 1 TO JULY 31	**Flow Rate:**	24.80 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	10.80 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	6.60 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	5.10 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	4.20 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	2.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	15N	19W	MISSOULA
2				3	15N	19W	MISSOULA
3				4	15N	19W	MISSOULA
4				5	15N	19W	MISSOULA
5				11	15N	19W	MISSOULA
6				14	15N	19W	MISSOULA
7				32	16N	19W	MISSOULA
8				33	16N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052754 MAP EXHIBIT(S) 1.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052755 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 8.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN CHARITY CREEK (SENW SEC 36 T16N R20W) (LAT 47° 6' 11.04" N LONG 114° 4' 15.20" W).

Maximum Volume:

Source Name: CHARITY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENW	36	16N	20W	MISSOULA

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.40 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.40 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.50 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.30 CFS
MAY 1 TO MAY 31	**Flow Rate:**	8.10 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	7.90 CFS
JULY 1 TO JULY 31	**Flow Rate:**	2.90 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.30 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.80 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.60 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.50 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	15N	20W	MISSOULA
2				34	16N	20W	MISSOULA
3				35	16N	20W	MISSOULA
4				36	16N	20W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

SEE 30052755 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052756 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 3.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MCCLURE CREEK (SWSE SEC 28 T16N R19W) (LAT 47° 6' 43.40" N LONG 114° 0' 19.17" W).

Maximum Volume:

Source Name: MCCLURE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSE	28	16N	19W	MISSOULA

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.10 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.20 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.20 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	0.50 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	3.20 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	3.20 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	1.10 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.30 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.20 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.20 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.10 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				28	16N	19W	MISSOULA
2				33	16N	19W	MISSOULA
3				34	16N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052756 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052757 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 73.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN AGENCY CREEK (SESE SEC 21 T16N R19W) (LAT 47° 7' 34.03" N LONG 113° 59' 51.36" W).

Maximum Volume:

Source Name: AGENCY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	21	16N	19W	MISSOULA

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	3.70 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	3.60 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	4.60 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	11.80 CFS
MAY 1 TO MAY 31	**Flow Rate:**	73.90 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	72.50 CFS
JULY 1 TO JULY 31	**Flow Rate:**	28.90 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	10.90 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	7.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	6.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	4.80 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	3.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				30	16N	18W	MISSOULA
2				31	16N	18W	MISSOULA
3				21	16N	19W	MISSOULA
4				22	16N	19W	MISSOULA
5				25	16N	19W	MISSOULA
6				26	16N	19W	MISSOULA
7				27	16N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052757 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052758 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 5.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BLODGETT CREEK (SWSE SEC 15 T16N R19W) (LAT 47° 8' 29.54" N LONG 113° 58' 58.70" W).

Maximum Volume:

Source Name: BLODGETT CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSE	15	16N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.20 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.20 CFS
	MARCH 1 TO MARCH 31	0.30 CFS
	APRIL 1 TO APRIL 30	0.80 CFS
	MAY 1 TO MAY 31	5.00 CFS
	JUNE 1 TO JUNE 30	4.90 CFS
	JULY 1 TO JULY 31	2.00 CFS
	AUGUST 1 TO AUGUST 31	0.70 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.50 CFS
	OCTOBER 1 TO OCTOBER 31	0.40 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.30 CFS
	DECEMBER 1 TO DECEMBER 31	0.20 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY
THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				13	16N	19W	LAKE
2				13	16N	19W	MISSOULA
3				14	16N	19W	LAKE
4				14	16N	19W	MISSOULA
5				15	16N	19W	LAKE
6				15	16N	19W	MISSOULA
7				23	16N	19W	MISSOULA
8				24	16N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052758 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052759 COMPACT

Version: 1 – ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 48.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BIG KNIFE CREEK (SWNW SEC 14 T16N R19W) (LAT 47° 8' 54.19" N LONG 113° 58' 28.95" W).

Maximum Volume:

Source Name: BIG KNIFE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	14	16N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	5.30 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.70 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	5.30 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	7.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	28.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	48.40 CFS
JULY 1 TO JULY 31	**Flow Rate:**	28.20 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	15.90 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	11.60 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	9.10 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	7.50 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	6.90 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				18	16N	18W	MISSOULA
2				19	16N	18W	MISSOULA
3				20	16N	18W	MISSOULA
4				29	16N	18W	MISSOULA
5				30	16N	18W	MISSOULA
6				13	16N	19W	LAKE
7				13	16N	19W	MISSOULA
8				14	16N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052759 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052760 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 15.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN GOLD CREEK (NESW SEC 1 T16N R19W) (LAT 47° 10' 27.65" N LONG 113° 56' 54.54" W).

Maximum Volume:

Source Name: GOLD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	1	16N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.80 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.60 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.90 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	1.40 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	7.90 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	15.20 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	11.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	5.10 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.60 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	2.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.40 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.90 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	16N	18W	MISSOULA
2				7	16N	18W	MISSOULA
3				8	16N	18W	MISSOULA
4				1	16N	19W	LAKE
5				1	16N	19W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

SEE 30052760 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052761 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 12.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN COLD CREEK (SENE SEC 31 T17N R18W) (LAT 47° 11' 23.76" N LONG 113° 55' 47.83" W).

Maximum Volume:

Source Name: COLD CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF JOCKO RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENE	31	17N	18W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.70 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.50 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.70 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	1.10 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	6.50 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	12.50 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	9.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	4.20 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.20 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.60 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.10 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	16N	18W	MISSOULA
2				5	16N	18W	MISSOULA
3				9	16N	18W	MISSOULA
4				31	17N	18W	LAKE
5				32	17N	18W	LAKE
6				32	17N	18W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052761 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052762 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 13.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN PISTOL CREEK (SWNE SEC 31 T17N R18W) (LAT 47° 11' 33.00" N LONG 113° 56' 16.36" W).

Maximum Volume:

Source Name: PISTOL CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF JOCKO RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	31	17N	18W	LAKE

Period of Diversion:		**Flow Rate:**
	JANUARY 1 TO JANUARY 31	0.70 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.50 CFS
	MARCH 1 TO MARCH 31	0.70 CFS
	APRIL 1 TO APRIL 30	1.20 CFS
	MAY 1 TO MAY 31	6.80 CFS
	JUNE 1 TO JUNE 30	13.00 CFS
	JULY 1 TO JULY 31	9.40 CFS
	AUGUST 1 TO AUGUST 31	4.40 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	2.30 CFS
	OCTOBER 1 TO OCTOBER 31	1.70 CFS
	NOVEMBER 1 TO NOVEMBER 30	1.20 CFS
	DECEMBER 1 TO DECEMBER 31	0.80 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				30	17N	18W	LAKE
2				31	17N	18W	LAKE
3				15	17N	19W	LAKE
4				16	17N	19W	LAKE
5				22	17N	19W	LAKE
6				23	17N	19W	LAKE
7				25	17N	19W	LAKE
8				26	17N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052762 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052763 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 459.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE SOUTH FORK OF JOCKO RIVER (NWNE SEC 35 T17N R18W) (LAT 47° 11' 41.37" N LONG 113° 51' 10.73" W).

Maximum Volume:

Source Name: JOCKO RIVER, SOUTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNE	35	17N	18W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	13.80 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	13.70 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	19.40 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	54.50 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	459.20 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	446.50 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	139.60 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	53.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	30.40 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	22.70 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	17.50 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	10.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	16N	17W	MISSOULA
2				7	16N	17W	MISSOULA
3				8	16N	17W	MISSOULA
4				17	16N	17W	MISSOULA
5				20	16N	17W	MISSOULA
6				21	16N	17W	MISSOULA
7				28	16N	17W	MISSOULA
8				29	16N	17W	MISSOULA
9				31	16N	17W	MISSOULA
10				32	16N	17W	MISSOULA
11				15	16N	18W	MISSOULA
12				22	16N	18W	MISSOULA
13				23	16N	18W	MISSOULA
14				25	16N	18W	MISSOULA
15				26	16N	18W	MISSOULA
16				36	16N	18W	MISSOULA
17				31	17N	17W	MISSOULA
18				32	17N	17W	MISSOULA

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
19				35	17N	18W	LAKE
20				36	17N	18W	LAKE
21				36	17N	18W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052763 MAP EXHIBIT(S) 1 THROUGH 8.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052764 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 389.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE NORTH FORK OF JOCKO RIVER (NWNE SEC 24 T17N R18W) (LAT 47° 13' 19.85" N LONG 113° 49' 41.78" W).

Maximum Volume:

Source Name: JOCKO RIVER, NORTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNE	24	17N	18W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	11.60 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	7.30 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	5.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	46.40 CFS
MAY 1 TO MAY 31	**Flow Rate:**	310.50 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	389.40 CFS
JULY 1 TO JULY 31	**Flow Rate:**	110.70 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	16.80 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	9.30 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	14.70 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	16.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	4.20 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	17N	17W	MISSOULA
2				4	17N	17W	MISSOULA
3				8	17N	17W	MISSOULA
4				9	17N	17W	MISSOULA
5				17	17N	17W	MISSOULA
6				18	17N	17W	MISSOULA
7				24	17N	18W	LAKE
8				24	17N	18W	MISSOULA
9				28	18N	17W	MISSOULA
10				33	18N	17W	MISSOULA
11				34	18N	17W	MISSOULA

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052764 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052765 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 28.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN FALLS CREEK (SESE SEC 15 T17N R18W) (LAT 47° 13' 33.29" N LONG 113° 52' 1.22" W).

Maximum Volume:

Source Name: FALLS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	15	17N	18W	LAKE

Period of Diversion:

Period		Flow Rate
JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.50 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.10 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	1.60 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	2.60 CFS
MAY 1 TO MAY 31	**Flow Rate:**	14.60 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	28.10 CFS
JULY 1 TO JULY 31	**Flow Rate:**	20.40 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	9.50 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	4.90 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	3.60 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	2.50 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	17N	18W	LAKE
2				11	17N	18W	LAKE
3				14	17N	18W	LAKE
4				15	17N	18W	LAKE
5				35	18N	18W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052765 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052766 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 4.60 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN S-14 CREEK (SWSW SEC 15 T17N R18W) (LAT 47° 13' 37.79" N LONG 113° 52' 56.13" W).

Maximum Volume:

Source Name: S-14 CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	15	17N	18W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.20 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.20 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.30 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	0.40 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	2.40 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	4.60 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	3.30 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.80 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.60 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.40 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	17N	18W	LAKE
2				10	17N	18W	LAKE
3				15	17N	18W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

SEE 30052766 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052767 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN GRIZZLY CREEK (NWNW SEC 16 T17N R18W) (LAT 47° 14' 21.58" N LONG 113° 54' 18.88" W).

Maximum Volume:

Source Name: GRIZZLY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	16	17N	18W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.40 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.30 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.40 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	0.60 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	3.40 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	6.50 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	4.70 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	2.20 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.10 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.80 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.60 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	17N	18W	LAKE
2				4	17N	18W	LAKE
3				9	17N	18W	LAKE
4				16	17N	18W	LAKE
5				34	18N	18W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052767 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052768 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 15.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN KELLYS CREEK (SENW SEC 29 T17N R18W) (LAT 47° 12' 13.12" N LONG 113° 55' 18.59" W).

Maximum Volume:

Source Name: KELLYS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENW	29	17N	18W	LAKE

Period of Diversion:

Period		Flow Rate
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.80 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.60 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.90 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.40 CFS
MAY 1 TO MAY 31	**Flow Rate:**	7.80 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	15.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	10.90 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	5.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.60 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.90 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.30 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.90 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				7	17N	18W	LAKE
2				17	17N	18W	LAKE
3				18	17N	18W	LAKE
4				20	17N	18W	LAKE
5				29	17N	18W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052768 MAP EXHIBIT(S) 1.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052769 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 25.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE UNNAMED TRIBUTARY OF FINLEY CREEK (SENE SEC 14 T16N R20W) (LAT 47° 8' 54.94" N LONG 114° 4' 56.65" W).

Maximum Volume:

Source Name: UNNAMED TRIBUTARY OF FINLEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENE	14	16N	20W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.40 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.70 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.70 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	25.90 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	7.50 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	5.20 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	0.90 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.80 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.30 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.90 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.30 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				10	16N	20W	LAKE
2				14	16N	20W	LAKE
3				15	16N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052769 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052770 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 403.95 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN PELLEW CREEK (NWSW SEC 32 T17N R19W) (LAT 47° 11' 14.60" N LONG 114° 3' 0.83" W).

Maximum Volume:

Source Name: PELLEW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	32	17N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	44.88 GPM
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	44.88 GPM
MARCH 1 TO MARCH 31	Flow Rate:	44.88 GPM
APRIL 1 TO APRIL 30	Flow Rate:	134.65 GPM
MAY 1 TO MAY 31	Flow Rate:	359.06 GPM
JUNE 1 TO JUNE 30	Flow Rate:	403.95 GPM
JULY 1 TO JULY 31	Flow Rate:	314.18 GPM
AUGUST 1 TO AUGUST 31	Flow Rate:	224.42 GPM
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	179.53 GPM
OCTOBER 1 TO OCTOBER 31	Flow Rate:	134.65 GPM
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	134.65 GPM
DECEMBER 1 TO DECEMBER 31	Flow Rate:	89.77 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				28	17N	19W	LAKE
2				29	17N	19W	LAKE
3				32	17N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

SEE 30052770 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052771 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 2.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LAMOOSE CREEK (NWNW SEC 24 T17N R20W) (LAT 47° 13' 28.81" N LONG 114° 5' 41.77" W).

Maximum Volume:

Source Name: LAMOOSE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	24	17N	20W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	0.40 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	0.30 CFS
MARCH 1 TO MARCH 31	Flow Rate:	0.30 CFS
APRIL 1 TO APRIL 30	Flow Rate:	0.70 CFS
MAY 1 TO MAY 31	Flow Rate:	2.10 CFS
JUNE 1 TO JUNE 30	Flow Rate:	2.40 CFS
JULY 1 TO JULY 31	Flow Rate:	1.90 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	1.30 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	1.10 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	0.80 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	0.80 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	0.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				17	17N	19W	LAKE
2				18	17N	19W	LAKE
3				13	17N	20W	LAKE
4				24	17N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052771 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052772 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 101.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN VALLEY CREEK (SWSW SEC 24 T17N R21W) (LAT 47° 12' 46.70" N LONG 114° 13' 20.10" W).

Maximum Volume:

Source Name: VALLEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	24	17N	21W	SANDERS

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	9.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	8.70 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	10.20 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	38.70 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	101.80 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	97.60 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	44.30 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	26.20 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	18.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	15.50 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	14.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	7.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	16N	21W	SANDERS
2				3	16N	21W	SANDERS
3				7	16N	21W	SANDERS
4				9	16N	21W	SANDERS
5				10	16N	21W	SANDERS
6				16	16N	21W	SANDERS
7				17	16N	21W	SANDERS
8				18	16N	21W	SANDERS
9				11	16N	22W	SANDERS
10				12	16N	22W	SANDERS
11				24	17N	21W	SANDERS
12				25	17N	21W	SANDERS
13				36	17N	21W	SANDERS

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052772 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052773 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 27.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE NORTH FORK OF VALLEY CREEK (SWNW SEC 15 T17N R21W) (LAT 47° 13' 59.43" N LONG 114° 15' 44.69" W).

Maximum Volume:

Source Name: VALLEY CREEK, NORTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	15	17N	21W	SANDERS

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	3.40 CFS
	FEBRUARY 1 TO FEBRUARY 28	3.40 CFS
	MARCH 1 TO MARCH 31	6.70 CFS
	APRIL 1 TO APRIL 30	16.50 CFS
	MAY 1 TO MAY 31	27.80 CFS
	JUNE 1 TO JUNE 30	24.60 CFS
	JULY 1 TO JULY 31	8.50 CFS
	AUGUST 1 TO AUGUST 31	13.30 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	8.50 CFS
	OCTOBER 1 TO OCTOBER 31	7.20 CFS
	NOVEMBER 1 TO NOVEMBER 30	6.60 CFS
	DECEMBER 1 TO DECEMBER 31	3.20 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				15	17N	21W	SANDERS
2				16	17N	21W	SANDERS
3				17	17N	21W	SANDERS
4				19	17N	21W	SANDERS
5				20	17N	21W	SANDERS
6				30	17N	21W	SANDERS
7				24	17N	22W	SANDERS
8				25	17N	22W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THE OWNERS OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL TO ENFORCE THIS WATER RIGHT AGAINST ANY WATER RIGHT UPSTREAM OF THE DOWNSTREAM POINT OF THE PROTECTABLE REACH ASSOCIATED WITH THIS WATER RIGHT, EXCEPT FOR THE FOLLOWING WATER RIGHTS: 215336-00, 215365-00

SEE 30052773 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052774 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 26.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SELOW CREEK (SESE SEC 30 T18N R21W) (LAT 47° 17' 12.00" N LONG 114° 18' 41.61" W).

Maximum Volume:

Source Name: SELOW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	30	18N	21W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.16 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	26.80 CFS
MAY 1 TO MAY 31	**Flow Rate:**	7.40 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	3.50 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.08 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	17N	22W	SANDERS
2				30	18N	21W	SANDERS
3				31	18N	21W	SANDERS
4				36	18N	22W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052774 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052775 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 22.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN RONAN SPRING CREEK (SWSW SEC 31 T21N R19W) (LAT 47° 32' 39.74" N LONG 114° 5' 20.76" W).

Maximum Volume:

Source Name: SPRING CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS RONAN SPRING CREEK

THE SOURCE IS A TRIBUTARY OF CROW CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	31	21N	19W	LAKE

	Period of Diversion		Flow Rate
Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	17.80 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	18.20 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	18.00 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	18.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	17.90 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	18.20 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	17.80 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	19.90 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	21.20 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	22.10 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	21.40 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	19.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				31	21N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

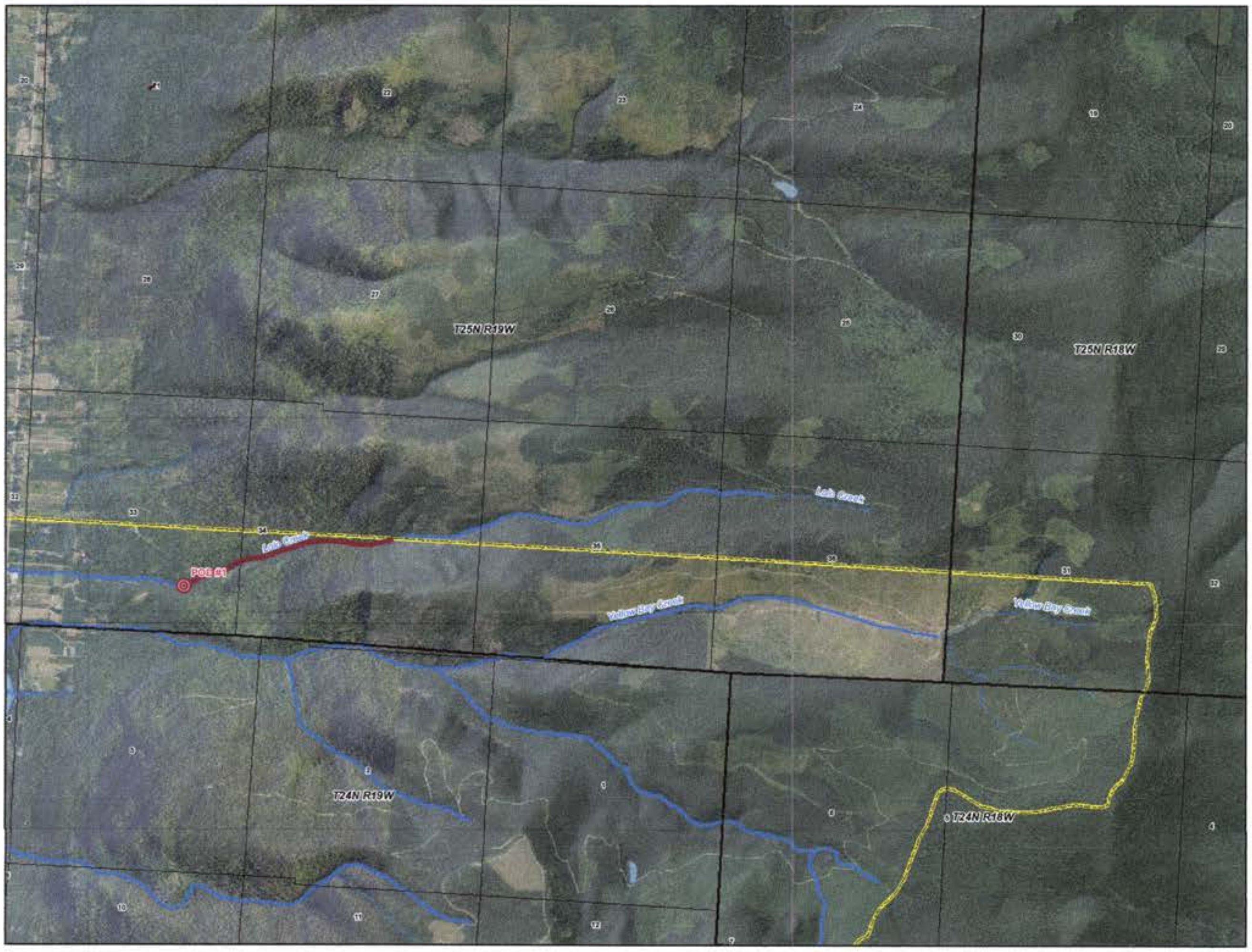
Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS RIGHT SHALL PERTAIN TO ALL TRIBUTARIES AND SURFACE WATER SOURCES WITHIN THE WATERSHED AREA UPSTREAM OF THE IDENTIFIED POINT OF DIVERSION FOR THIS RIGHT.

SEE 30052775 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.


T25N R19W
T25N R18W
T24N R19W
T24N R18W
Lois Creek
Lois Creek
POD #1
Yellow Bay Creek
Yellow Bay Creek
33
34
35
36
31
27
28
29
30
22
23
24
19
2
1
6
10
11
12

Place of Use and Point of Diversion

Instream Flow Natural Streams

76LJ 30052674

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

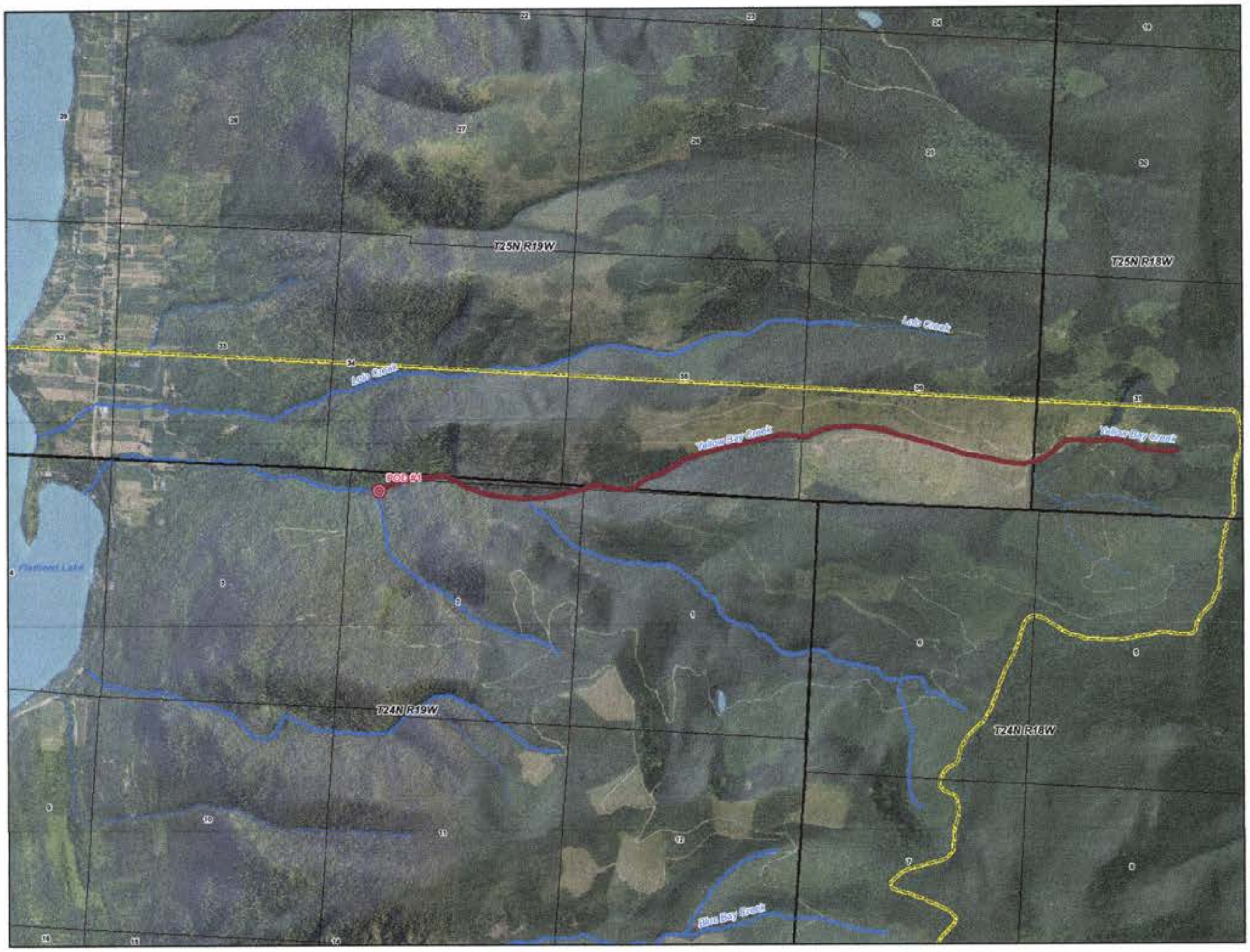
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T25N R19W
T25N R18W
T24N R19W
T24N R18W
Lolo Creek
Lolo Creek
Yellow Bay Creek
Yellow Bay Creek
POD #1
Flathead Lake
Blue Bay Creek

Place of Use and Point of Diversion

Instream Flow
Natural Streams

76LJ
30052675
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

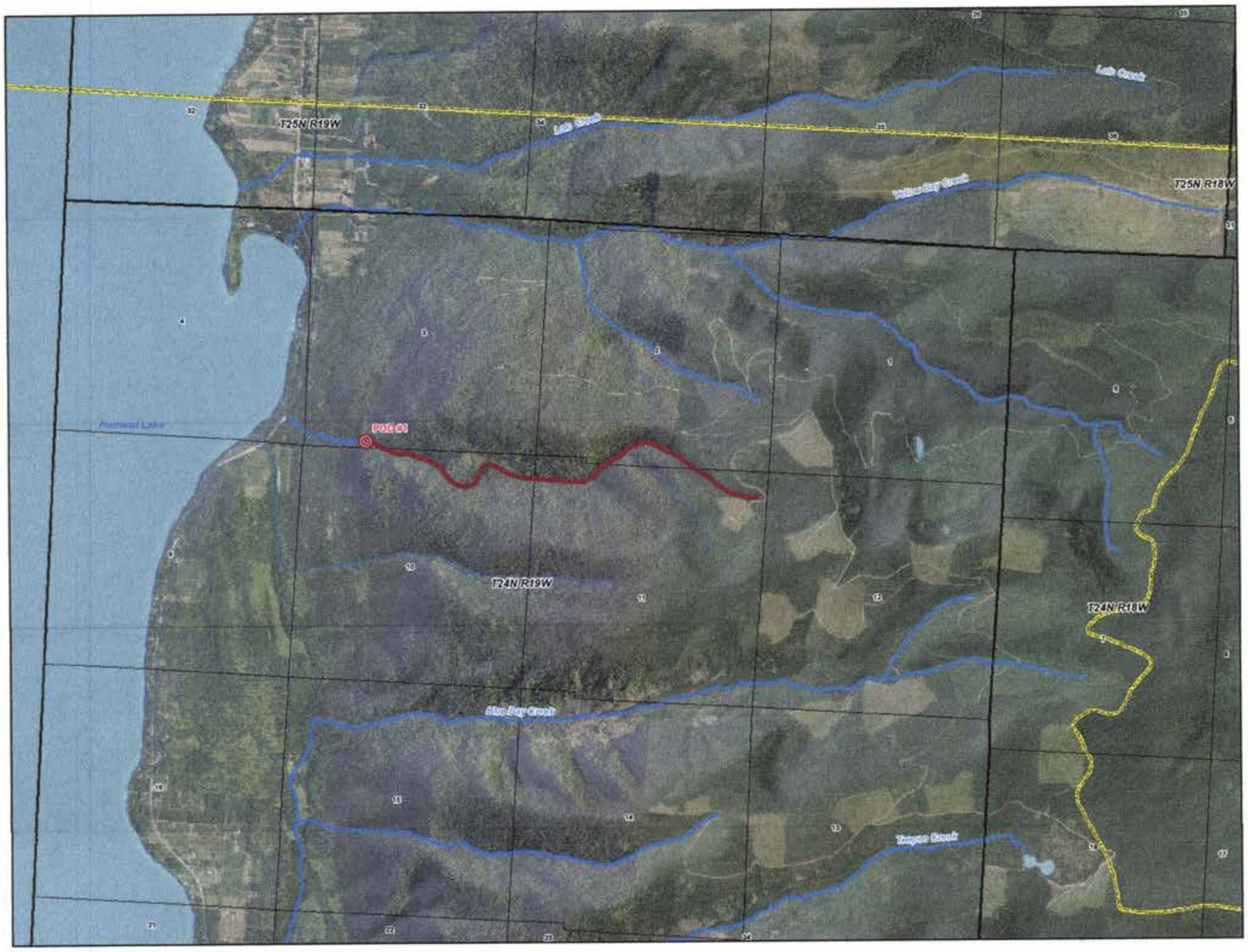
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T25N R19W
Lolo Creek
Lolo Creek
Yellow Bay Creek
T25N R18W
Flathead Lake
POD #1
T24N R19W
T24N R18W
Blue Bay Creek
32
33
34
35
36
31
26
25
4
3
2
1
6
5
9
10
11
12
7
8
16
15
14
13
18
17
21
22
23
24

Place of Use and Point of Diversion

Instream Flow Natural Streams

76LJ
30052676
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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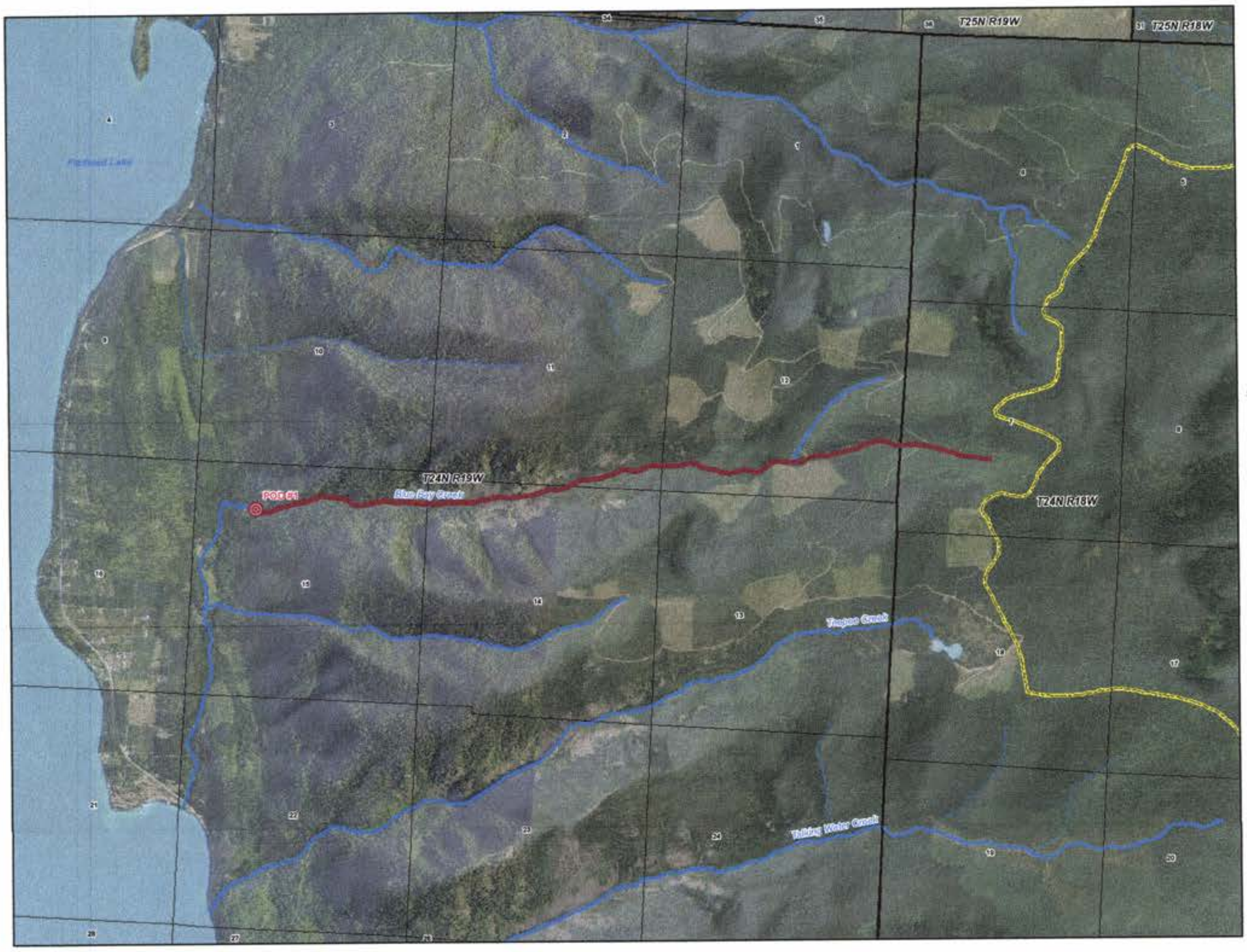

T25N R19W
T25N R18W
Flathead Lake
T24N R19W
POD #1
Blue Bay Creek
T24N R18W
Talking Water Creek

Place of Use and Point of Diversion *Instream Flow Natural Streams*

76LJ 30052677

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

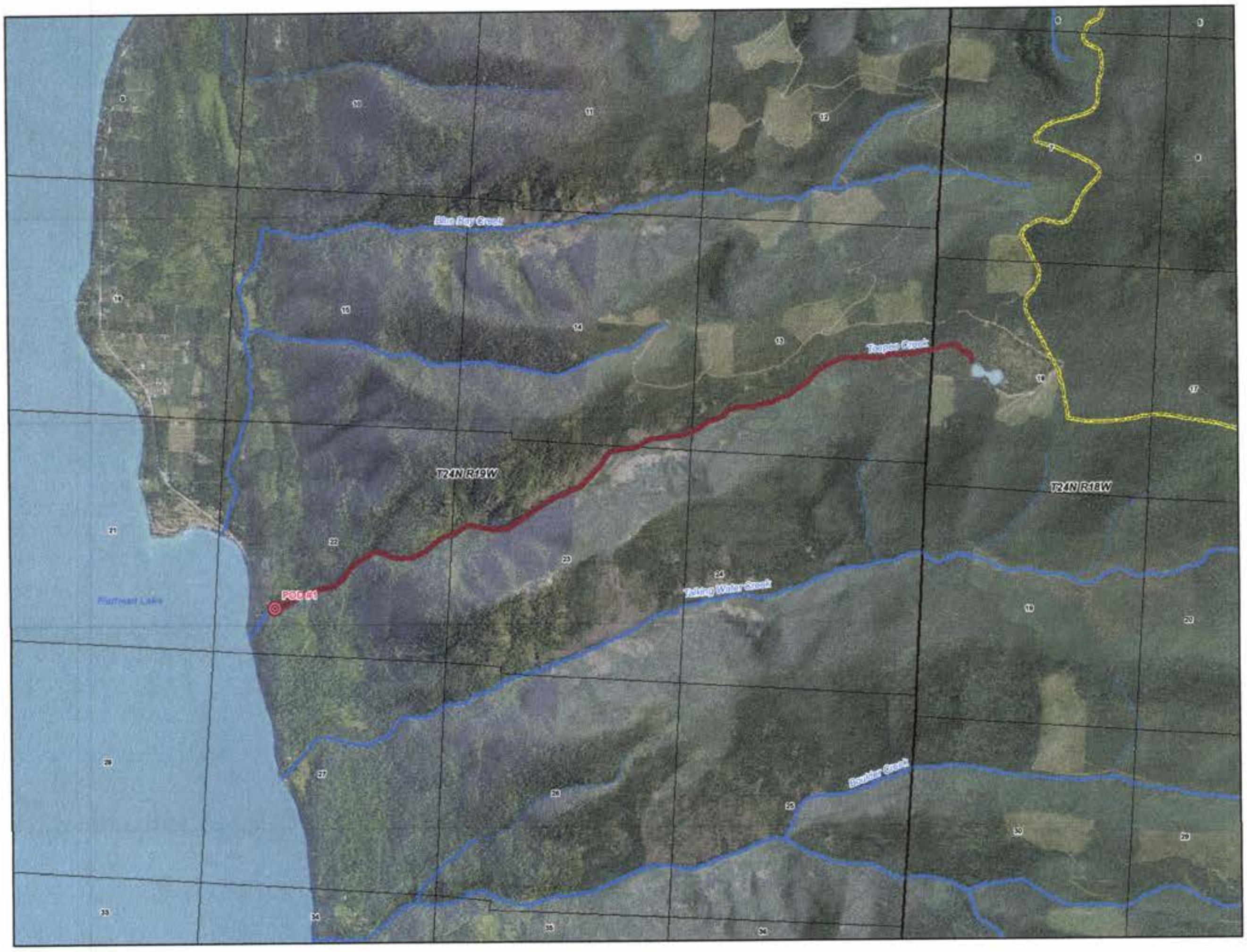
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Blue Bay Creek
Toopee Creek
T24N R19W
T24N R18W
POD #1
Flathead Lake
Talking Water Creek
Boulder Creek

Place of Use and Point of Diversion *Instream Flow Natural Streams* 76LJ 30052678 Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

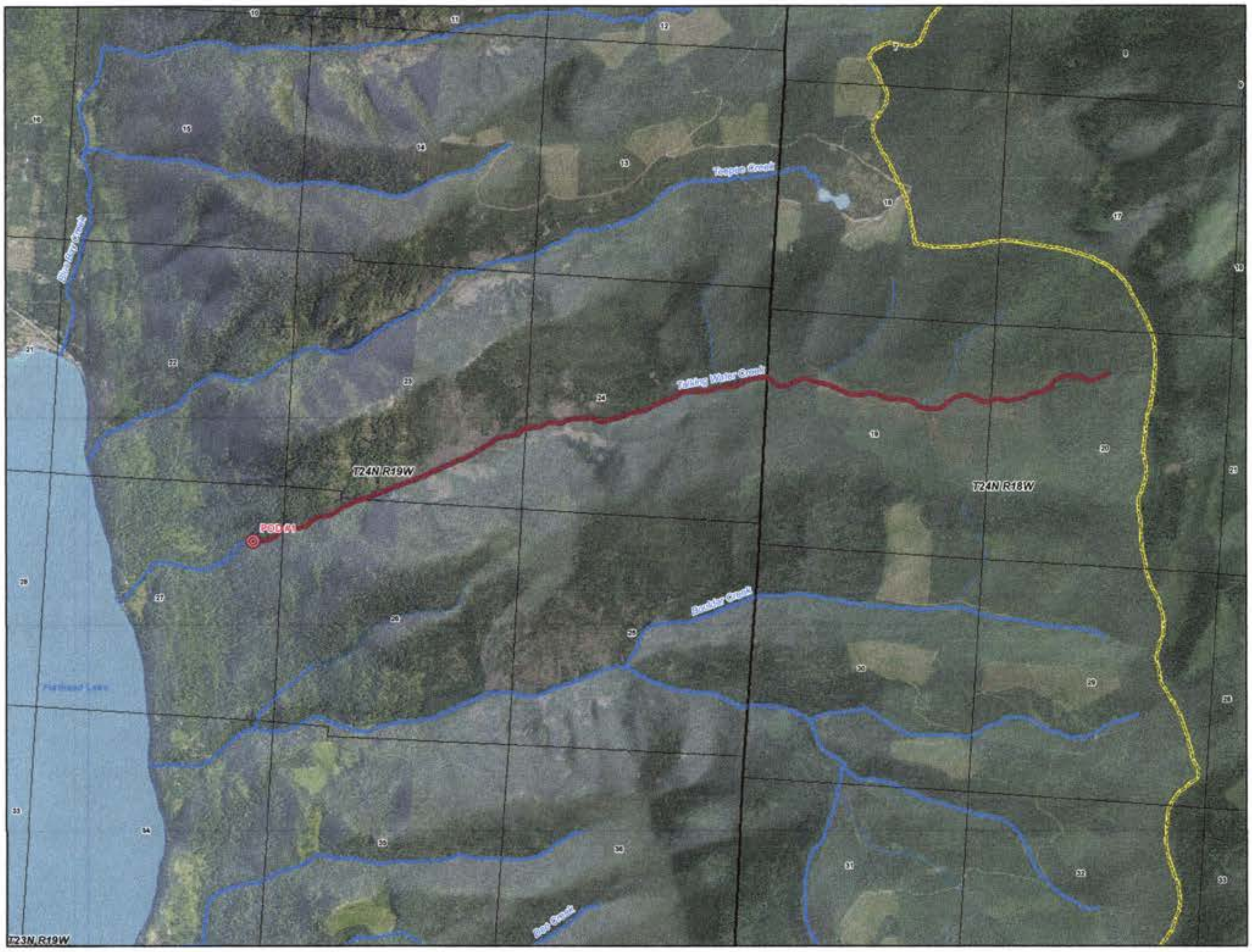
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Blue Bay Creek
Teepee Creek
Talking Water Creek
Boulder Creek
Doe Creek
Flathead Lake
POD #1
T24N R19W
T24N R18W
T23N R19W
10
11
12
16
15
14
13
18
17
21
22
23
24
19
20
28
27
26
25
30
29
33
34
35
36
31
32

Place of Use and Point of Diversion

Instream Flow Natural Streams

76LJ 30052679

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

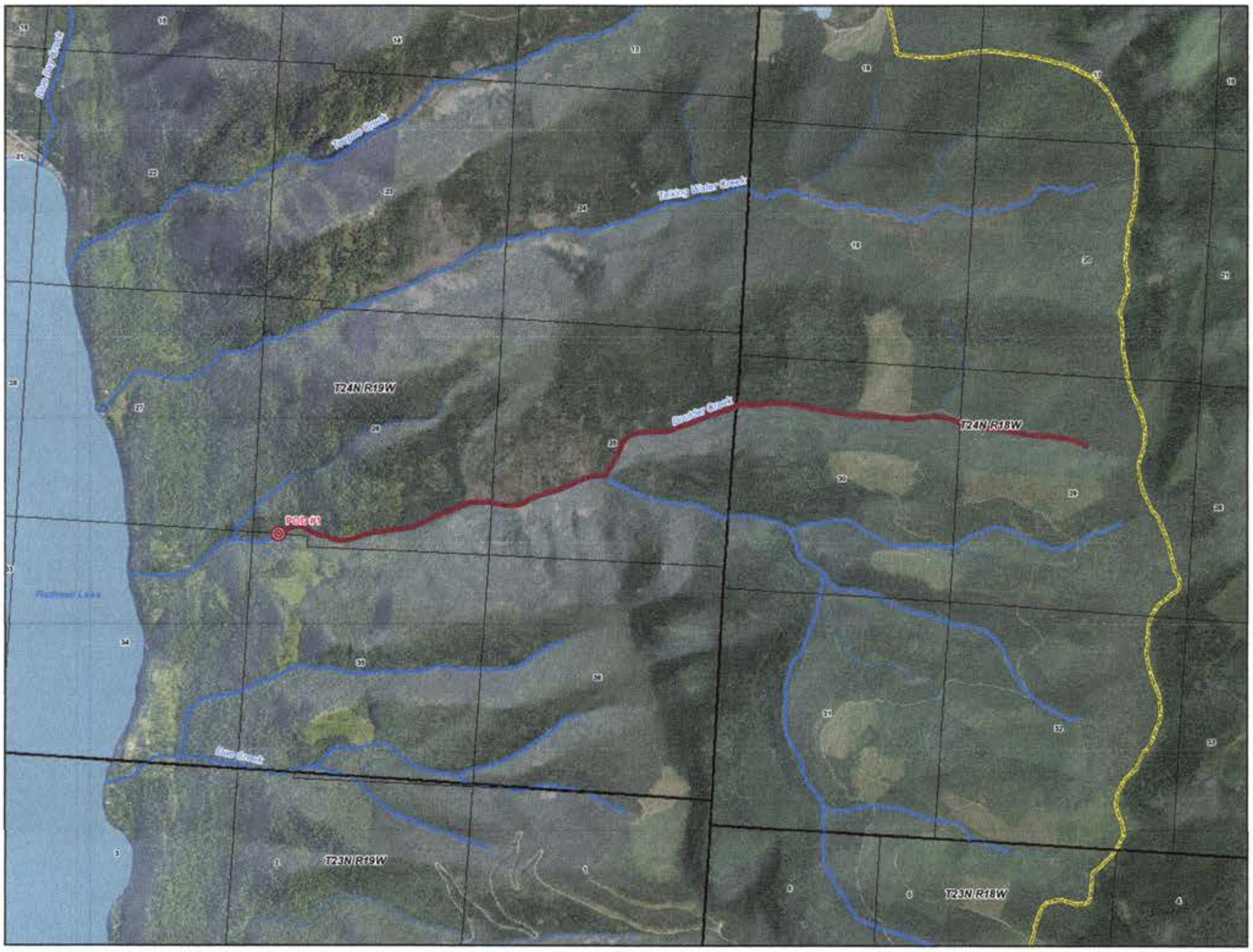
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Blue Bay Creek
Teepee Creek
Talking Water Creek
T24N R19W
Boulder Creek
T24N R18W
POD #1
Flathead Lake
Dee Creek
T23N R19W
T23N R18W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76LJ

30052680

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

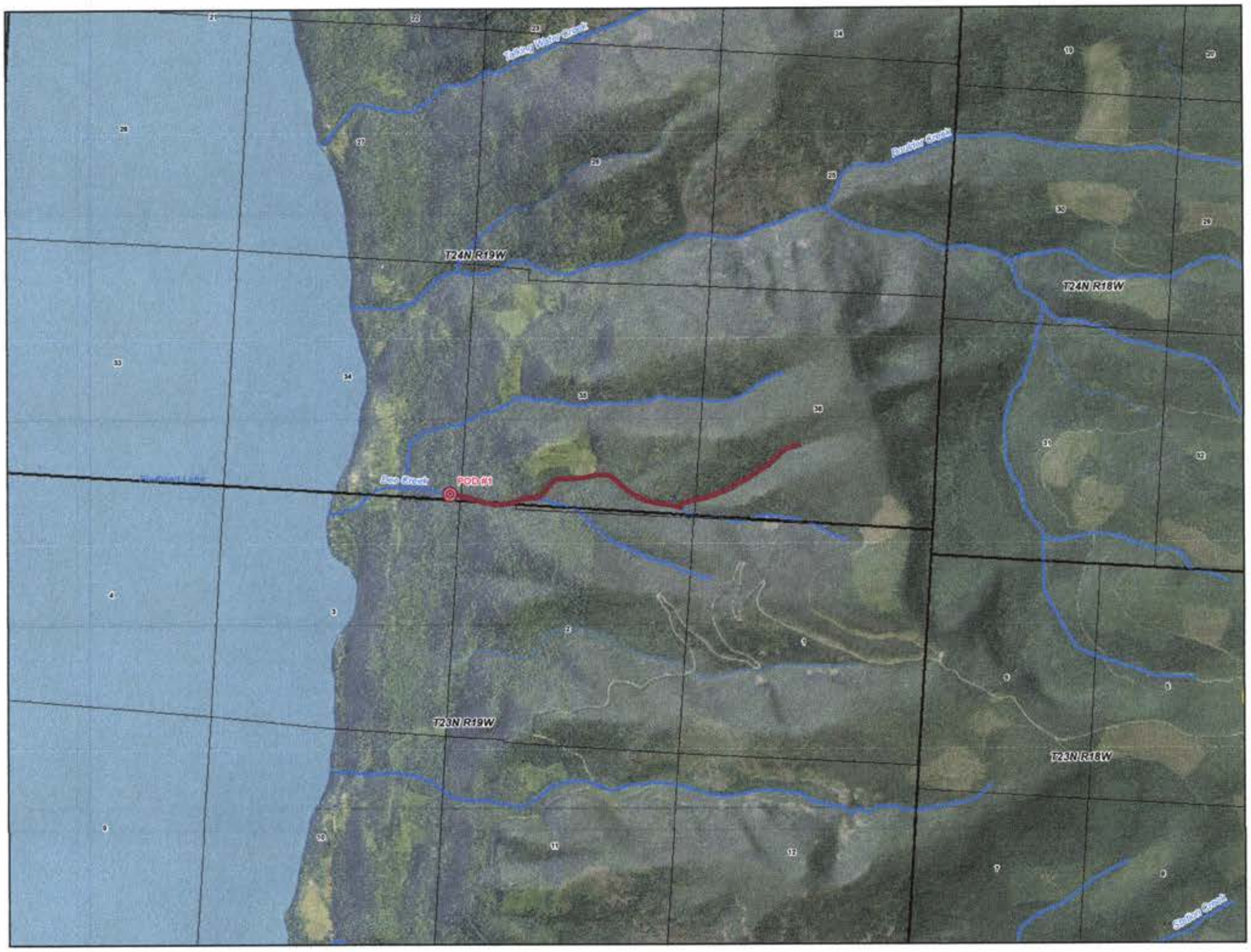
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
▨	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Talking Water Creek
Boulder Creek
T24N R19W
T24N R18W
Flathead Lake
Dee Creek
POD #1
T23N R19W
T23N R18W

Place of Use and Point of Diversion

Instream Flow
Natural Streams

76LJ
30052681
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

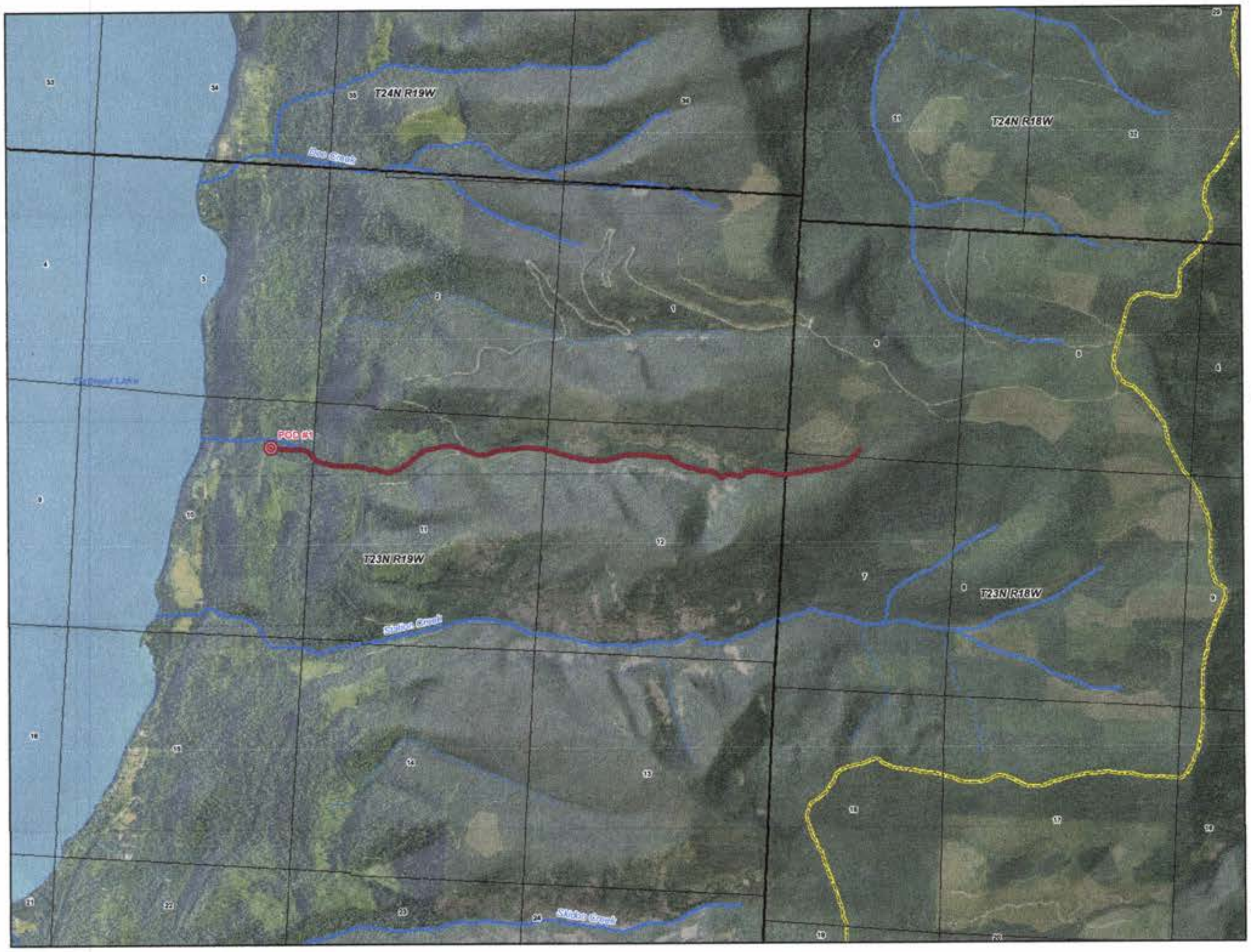
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T24N R19W
T24N R18W
Doe Creek
Flathead Lake
POD #1
T23N R19W
T23N R18W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76LJ

30052682

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

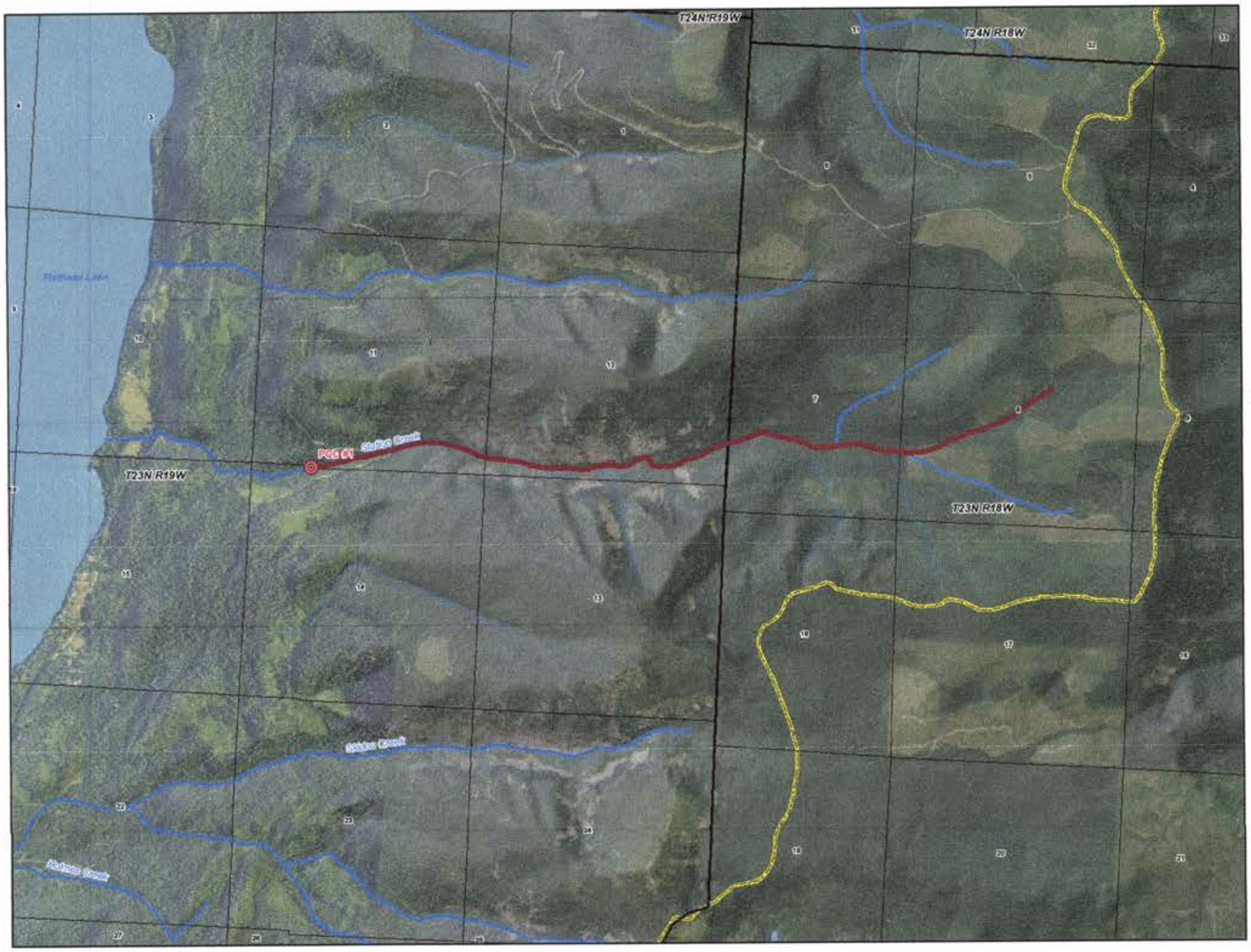
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nrls.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T24N R19W
T24N R18W
Flathead Lake
POD #1
Station Creek
T23N R19W
T23N R18W
Skidoo Creek

Place of Use and Point of Diversion

Instream Flow
Natural Streams

76LJ 30052683

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

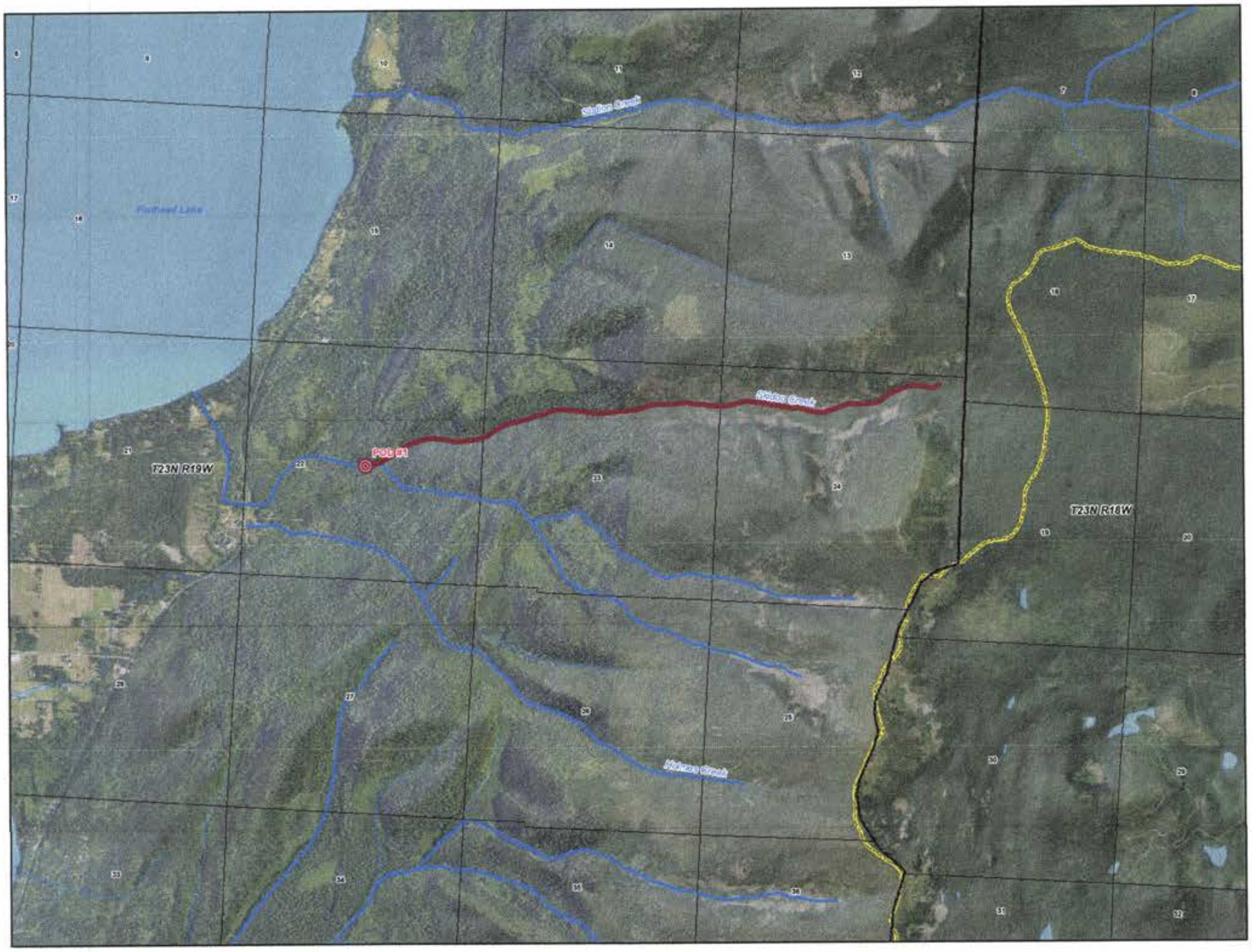
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Flathead Lake
Station Creek
POD #1
T23N R19W
T23N R18W
10
11
12
7
8
17
16
15
14
13
18
21
22
23
24
19
20
27
26
25
30
29
33
34
35
36
31
32

Place of Use
and Point of
Diversion
Instream Flow
Natural Streams
76LJ
30052684
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee

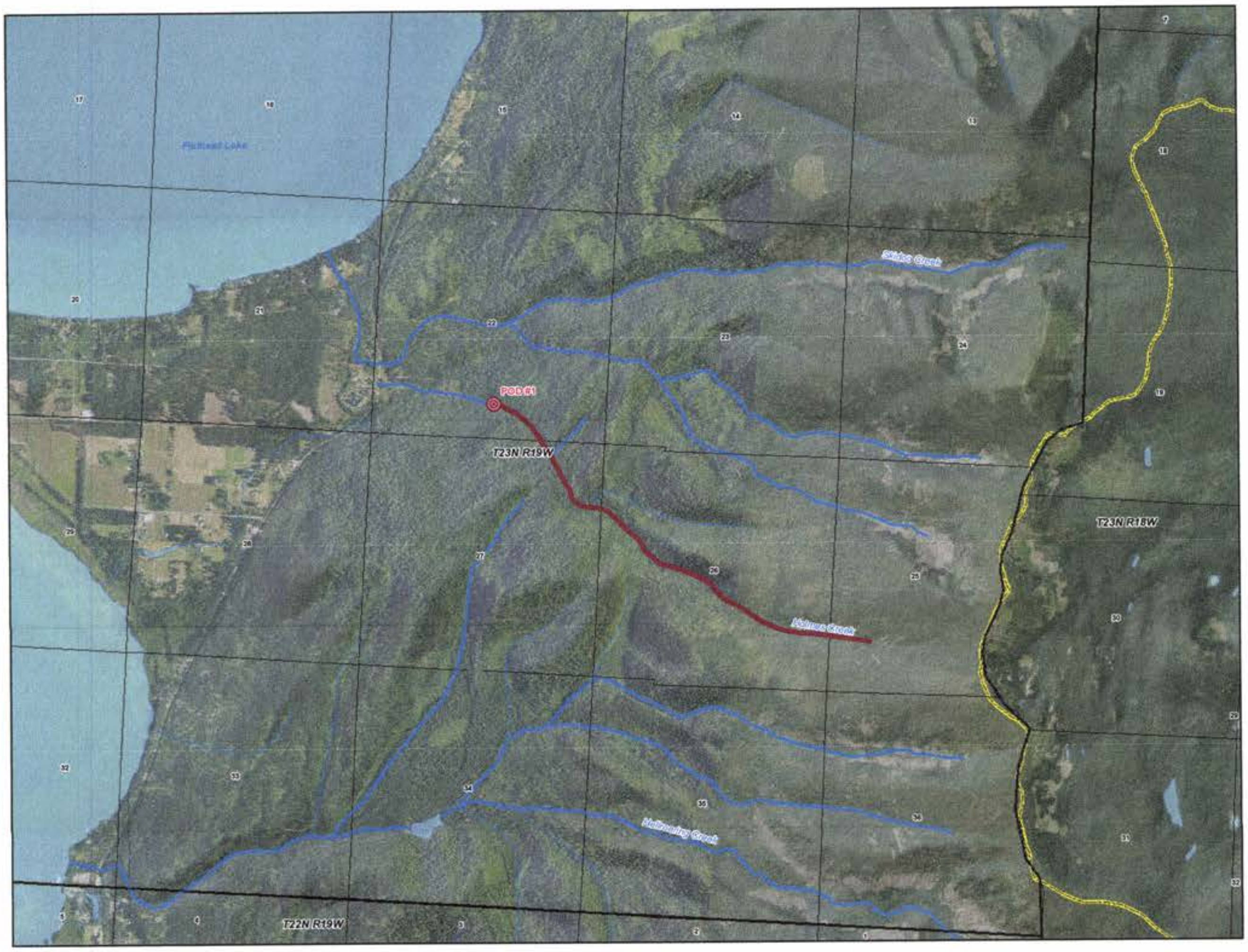
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Flathead Lake
Skidoo Creek
POD #1
T23N R19W
T23N R18W
Hellroaring Creek
T22N R19W
17
16
15
14
13
18
20
21
22
23
24
19
29
28
27
26
25
30
32
33
34
35
36
31
5
4
3
2
1

Place of Use and Point of Diversion

Instream Flow Natural Streams

76LJ 30052685

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

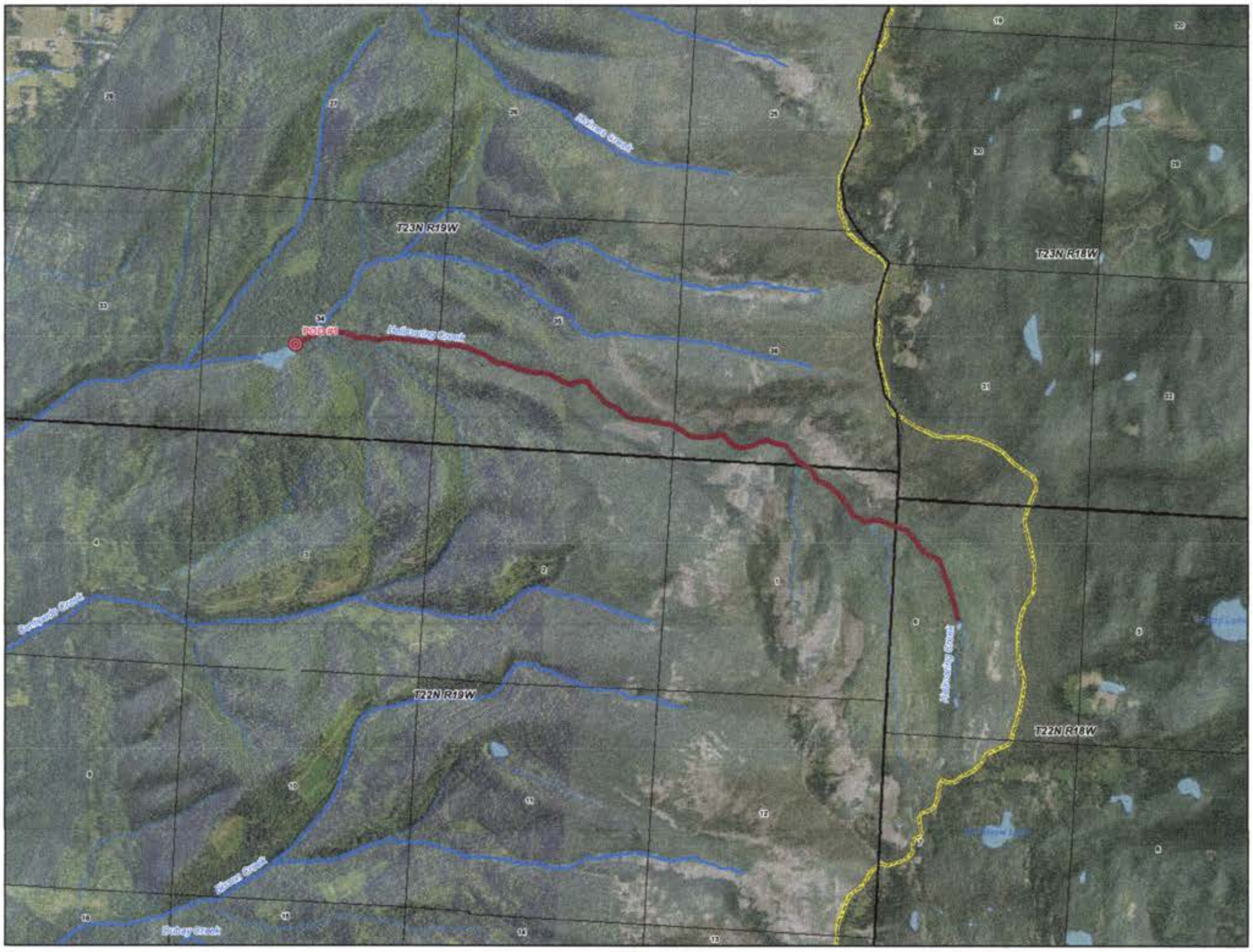
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R19W
T23N R18W
T22N R19W
T22N R18W
POD #1
Dubay Creek

Place of Use and Point of Diversion
Instream Flow Natural Streams
76LJ
30052686
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

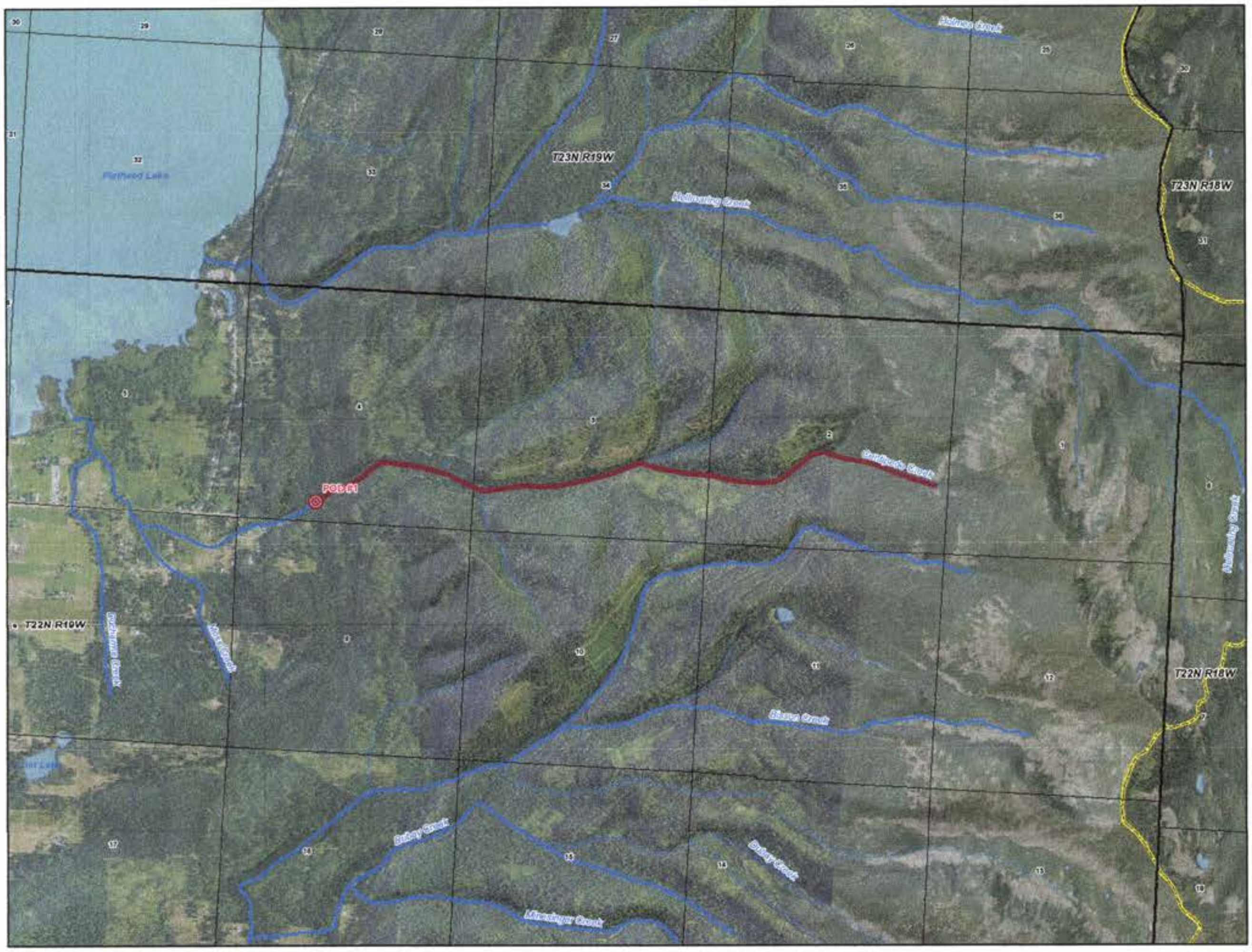
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Flathead Lake
T23N R19W
T23N R18W
T22N R19W
T22N R18W
POD #1
Hellroaring Creek
Bisson Creek
Dubay Creek
Dubay Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76LJ 30052687

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

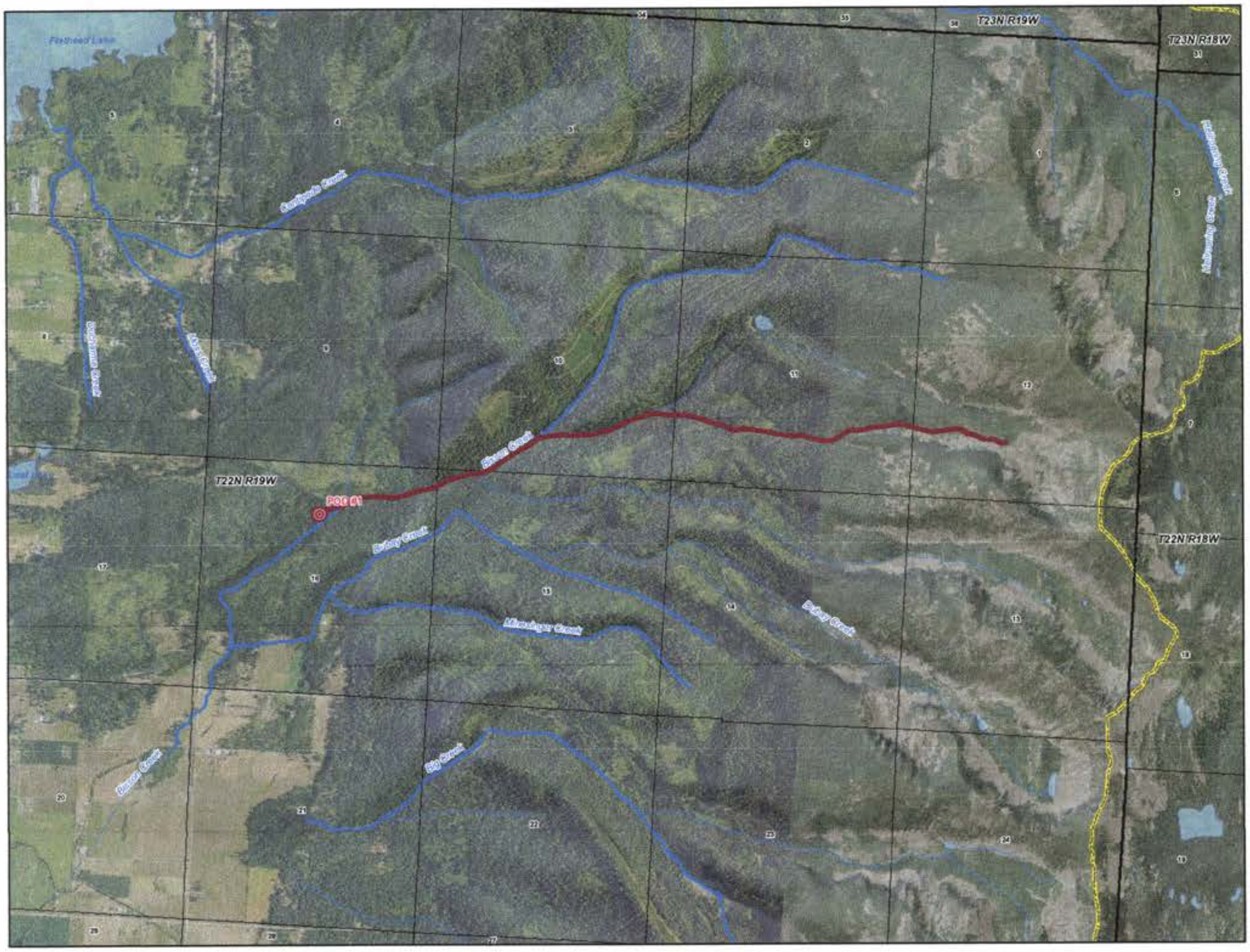
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Flathead Lake
T23N R19W
T23N R18W
T22N R19W
T22N R18W
POD #1
Bisson Creek
Dubay Creek
Big Creek

Place of Use and Point of Diversion

Instream Flow
Natural Streams

76L
30052688
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

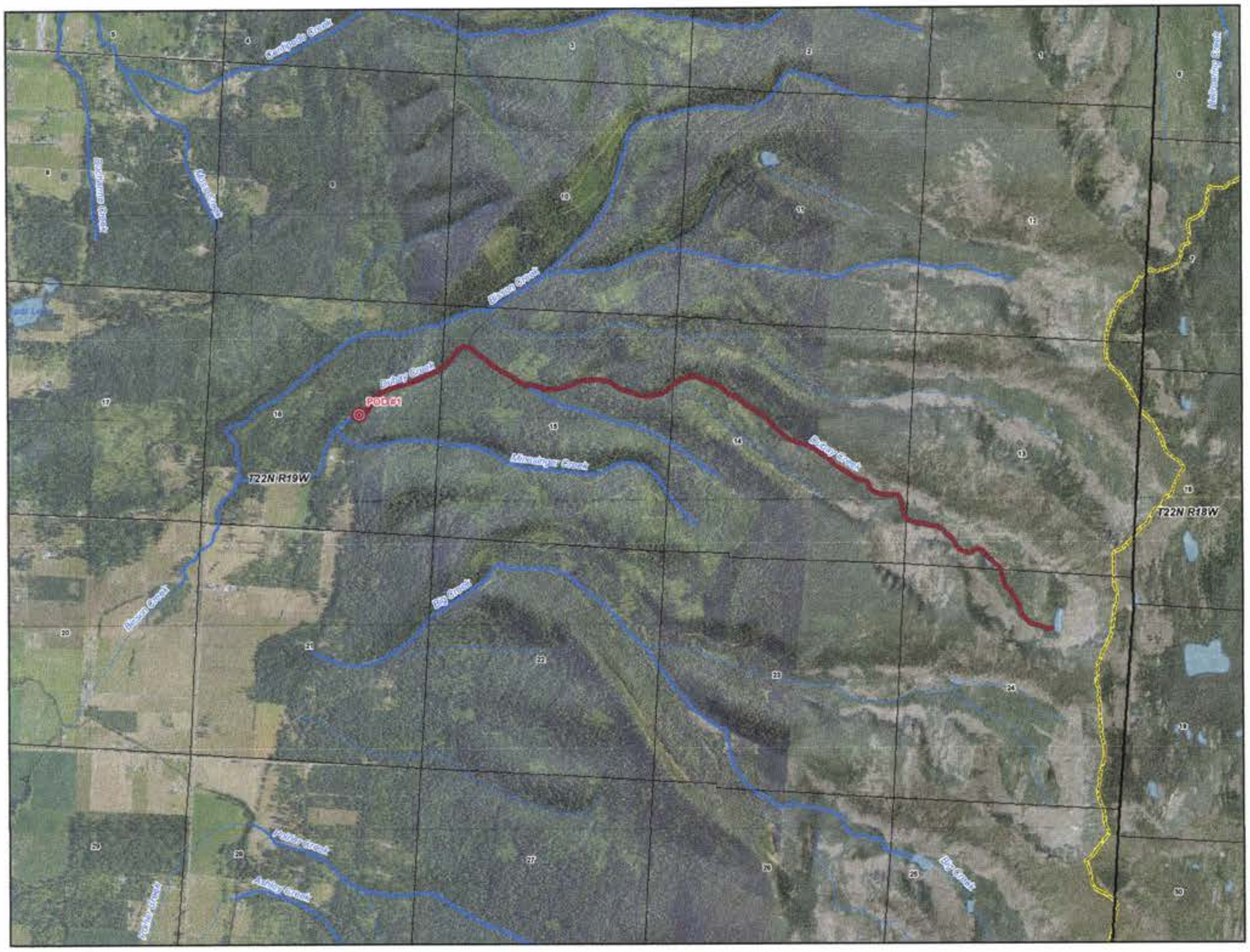
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
Dubay Creek
Bisson Creek
Minesinger Creek
Big Creek
T22N R19W
T22N R18W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052689

Exhibit 1

Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

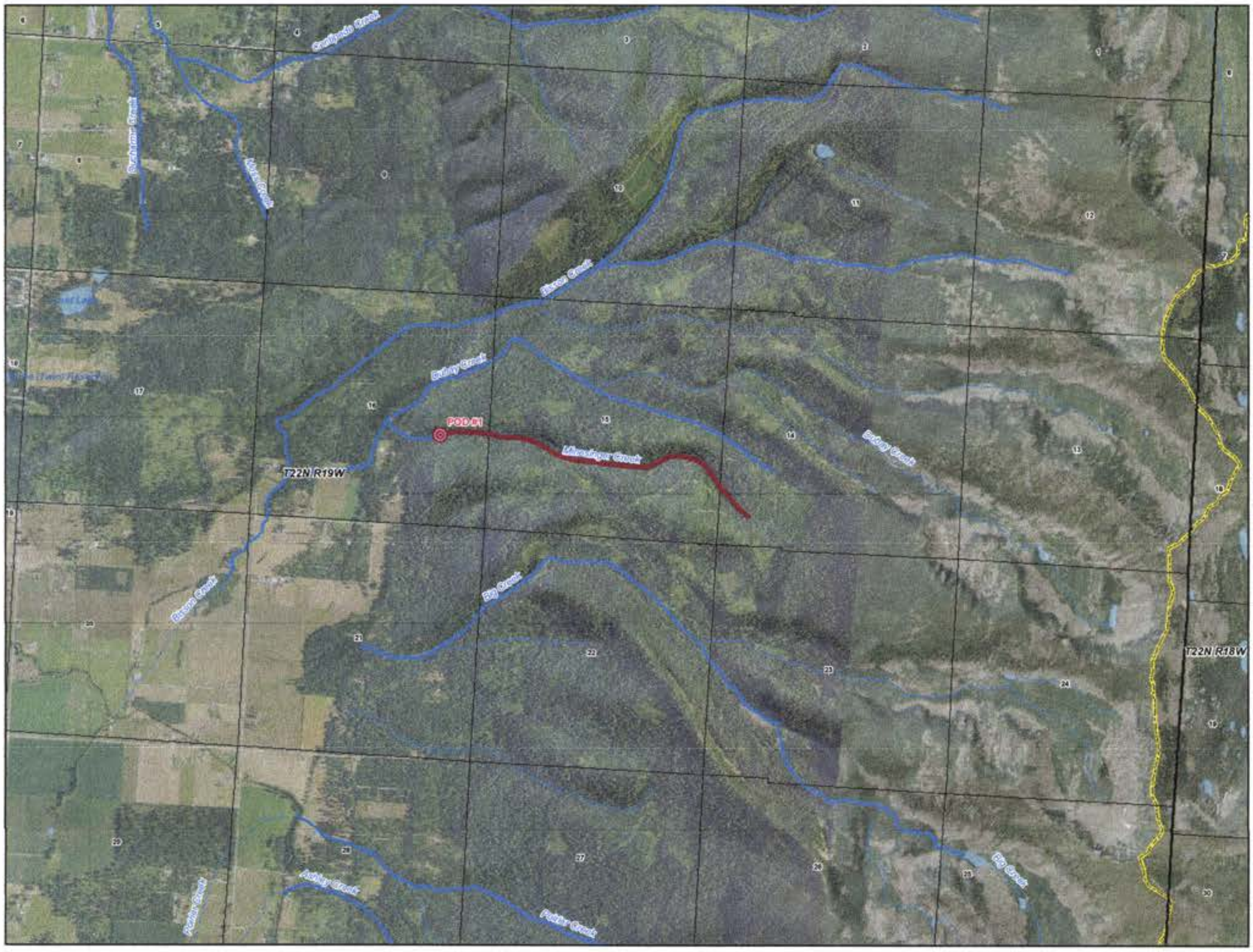
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
Minesinger Creek
Dubay Creek
Bisson Creek
Big Creek
T22N R19W
T22N R18W

Place of Use and Point of Diversion

Instream Flow

Natural Streams

76L

30052690

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

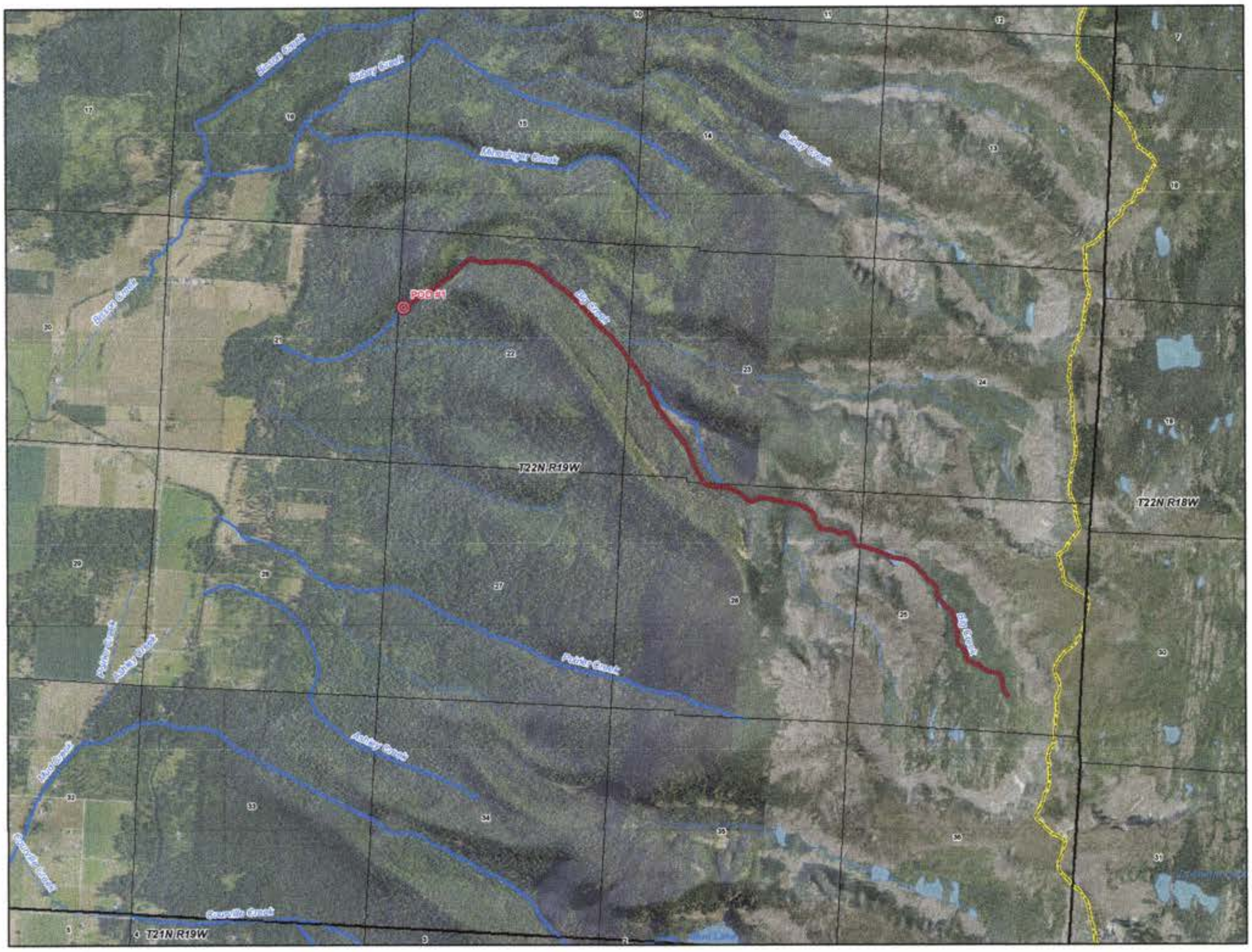
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
Big Creek
Big Creek
Minesinger Creek
T22N R19W
T22N R18W
T21N R19W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052691

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

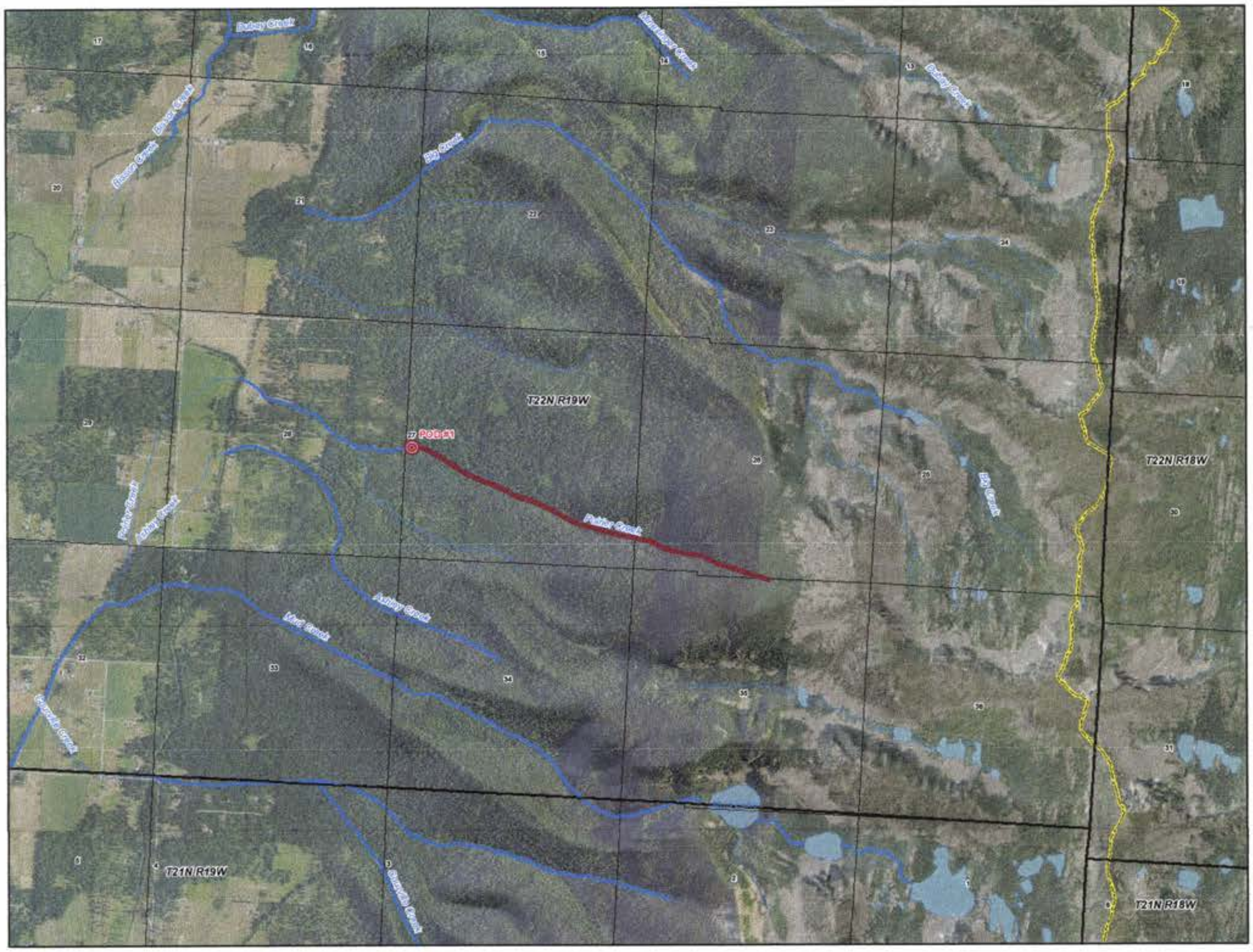
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Dubay Creek
Big Creek
T22N R19W
POD #1
Ashley Creek
Mud Creek
T22N R18W
T21N R19W
T21N R18W

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L
30052692
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

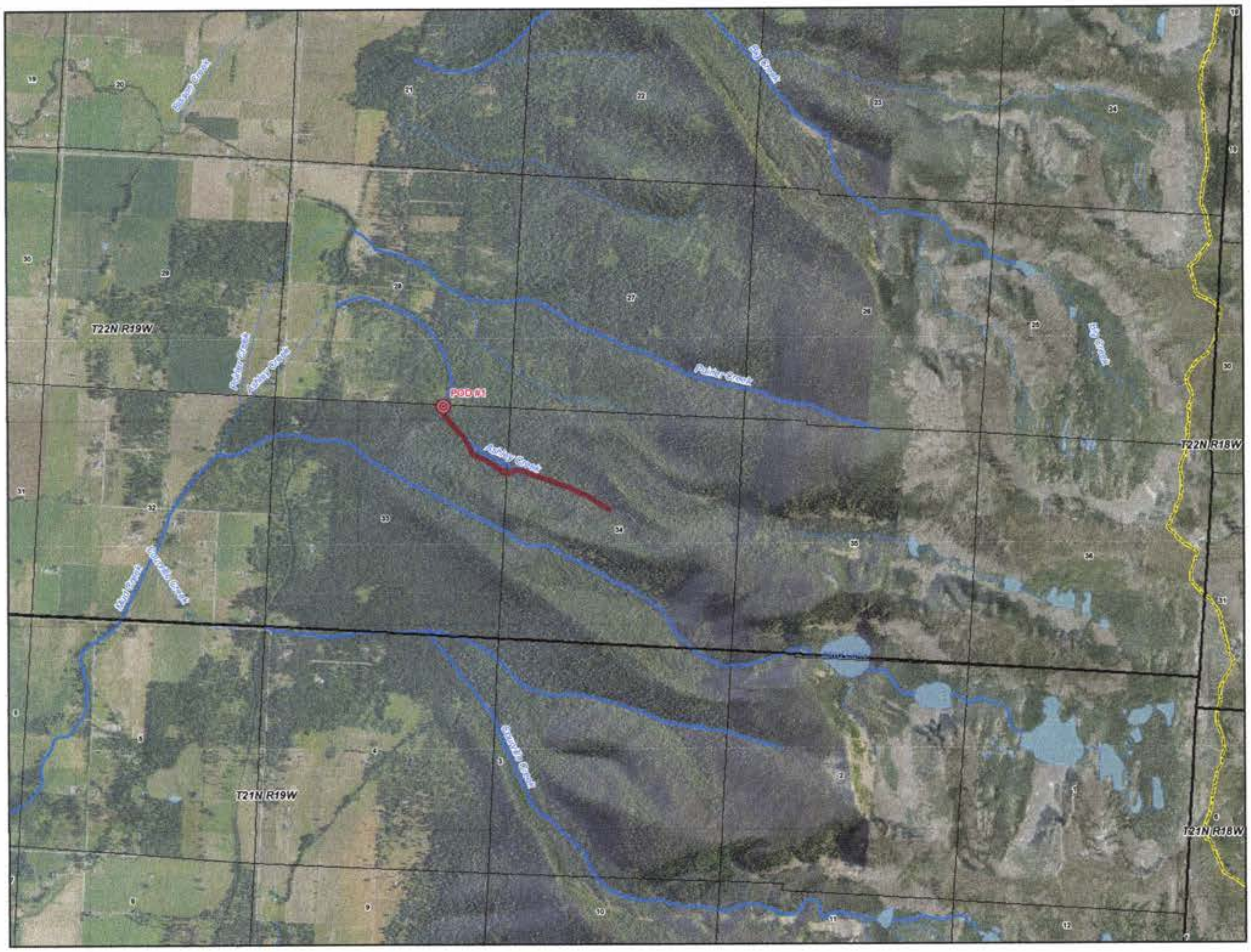
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nrls.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R19W
T22N R18W
T21N R19W
T21N R18W
POD #1
Ashley Creek
Mud Creek
Big Creek
Pablo Creek
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36
5
4
3
8
9
10
11
12

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052693

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

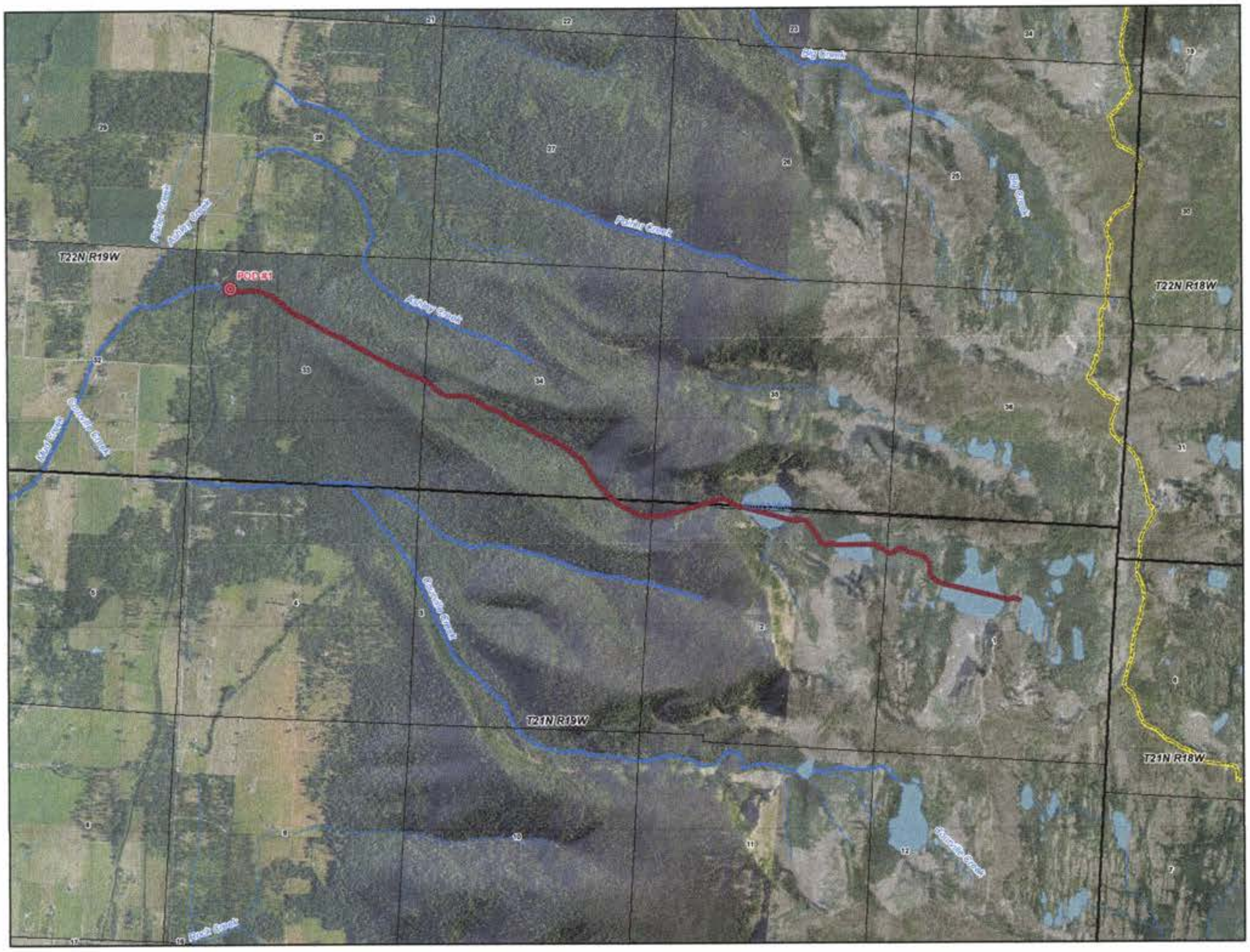
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Big Creek
Big Creek
Ashley Creek
Ashley Creek
Mud Creek
Rock Creek
T22N R19W
T22N R18W
T21N R19W
T21N R18W
POD #1

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052694

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

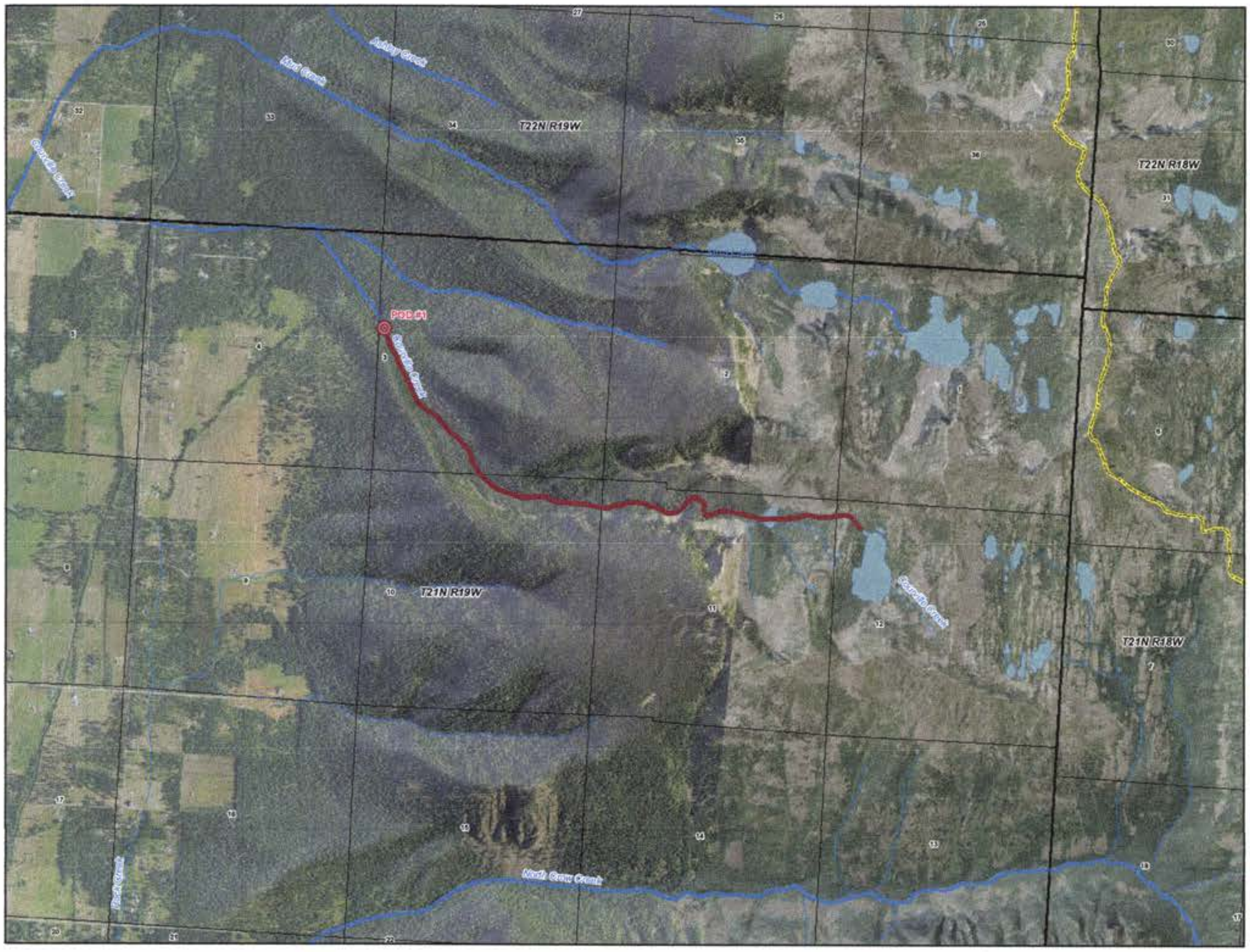
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


27
26
25
30
32
33
34
35
36
31
T22N R19W
T22N R18W
Ashley Creek
Mud Creek
POD #1
3
4
2
1
6
T21N R19W
T21N R18W
10
11
12
9
8
7
17
16
15
14
13
18
20
21
22
17

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052695
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

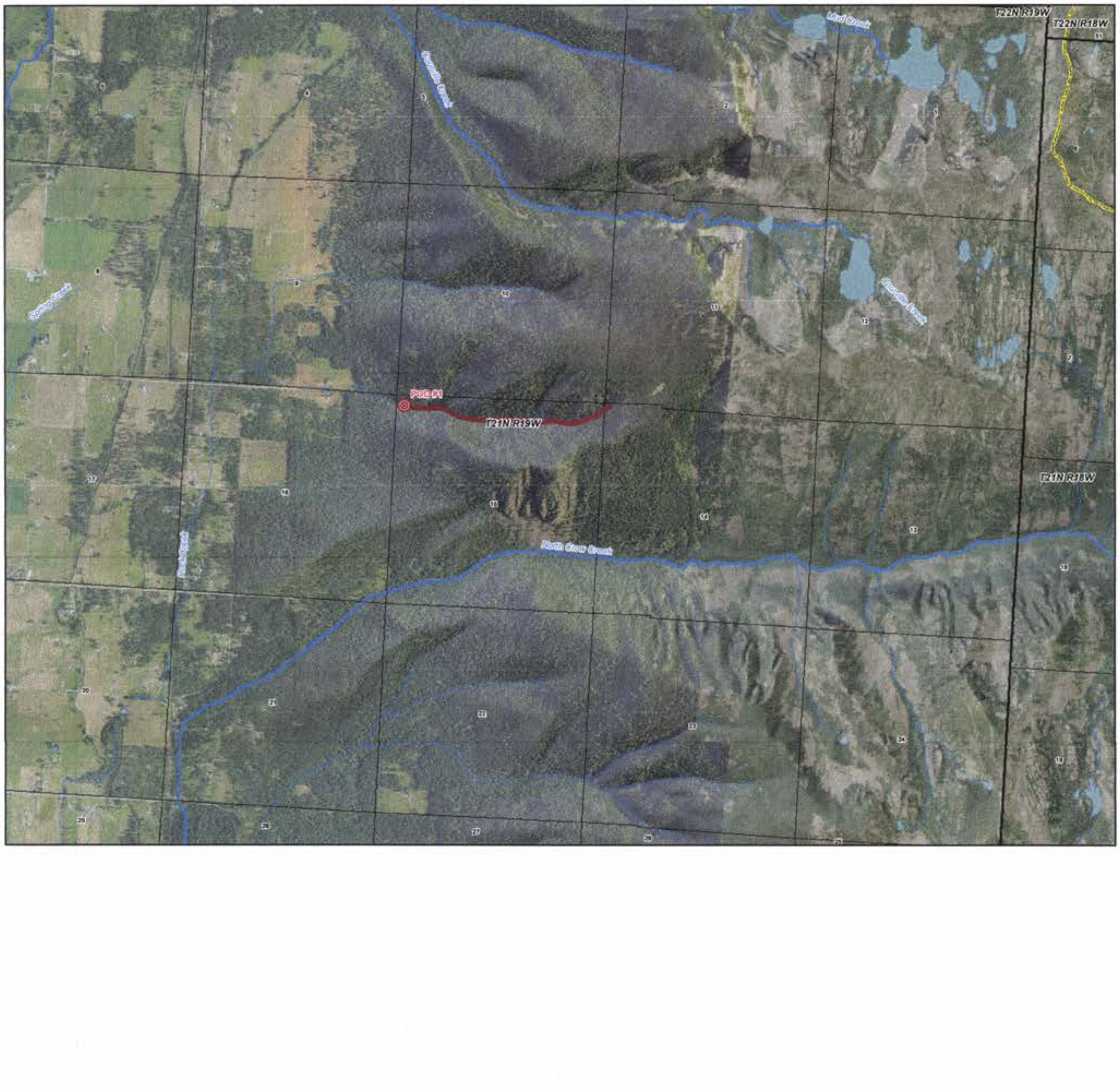
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ⬚ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R19W
T22N R18W
Mud Creek
Spring Creek
POD #1
T21N R19W
T21N R18W
North Crow Creek

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L 30052696
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

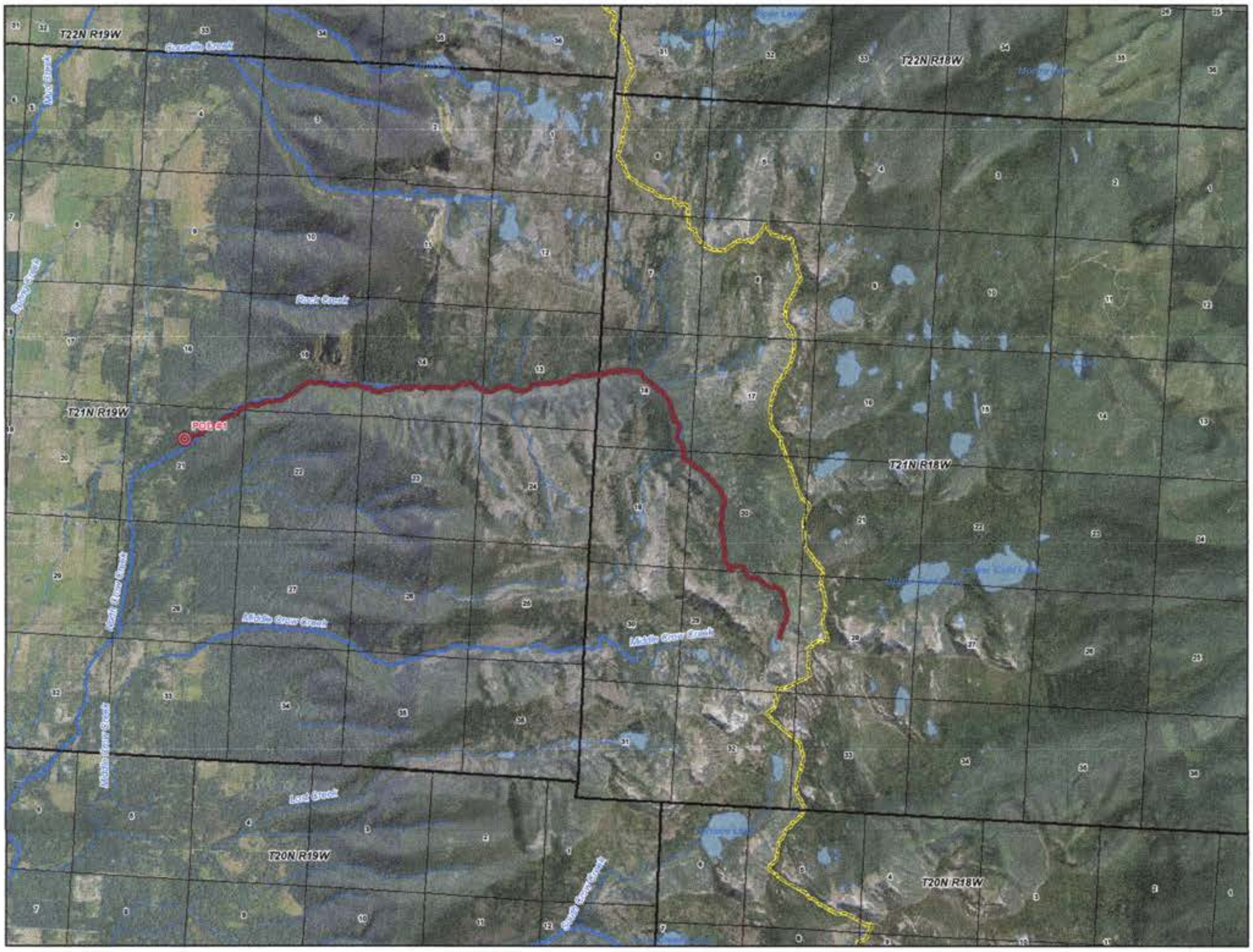
Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052697

Exhibit 1


T22N R19W
T22N R18W
T21N R19W
T21N R18W
T20N R19W
T20N R18W
Mud Creek
Rock Creek
POD #1
Middle Crow Creek
Middle Crow Creek
Lost Creek

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

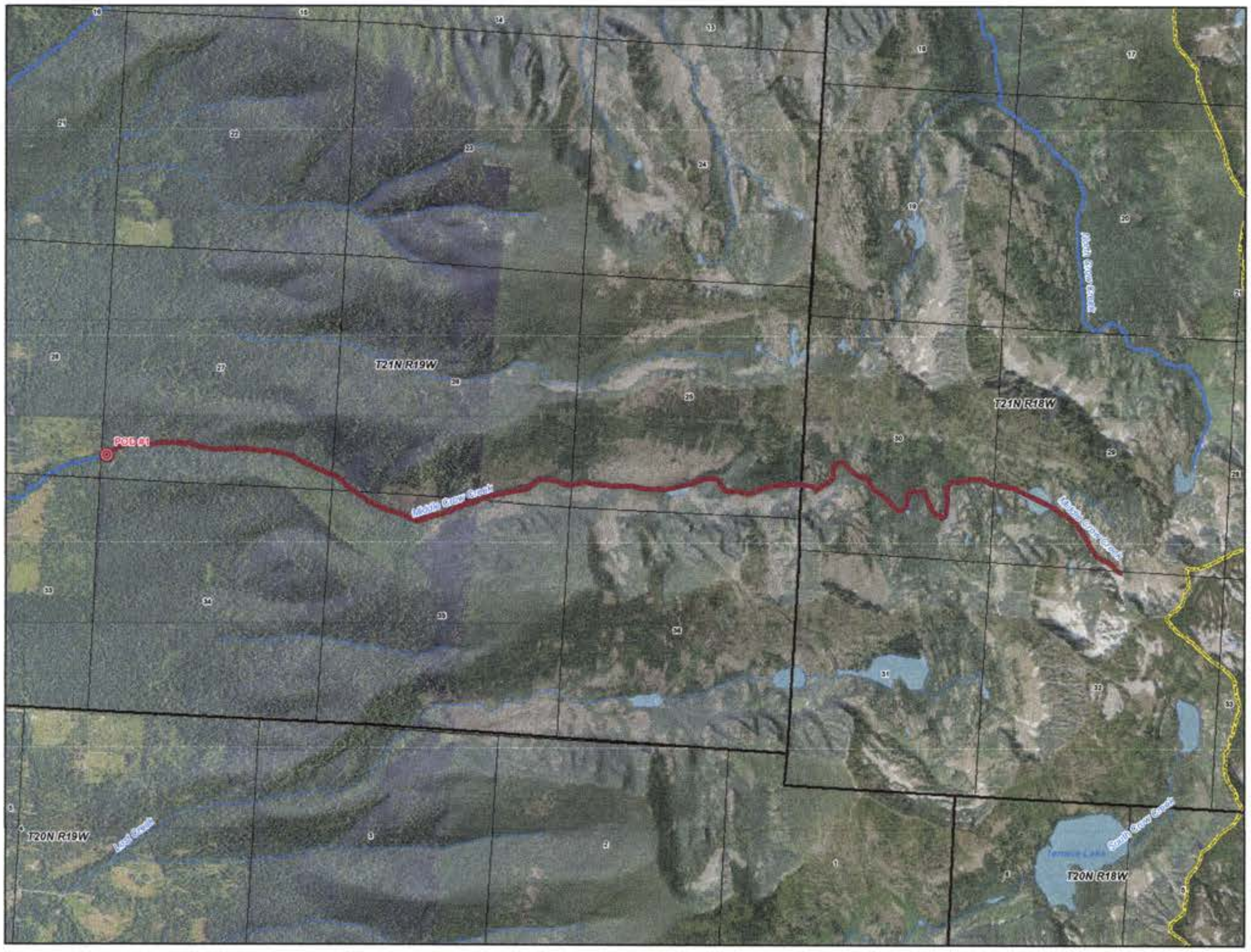
🟥 Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
Middle Crow Creek
Middle Crow Creek
North Crow Creek
T21N R19W
T21N R18W
T20N R19W
T20N R18W
Lost Creek
Terrace Lake
South Crow Creek

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L
30052698
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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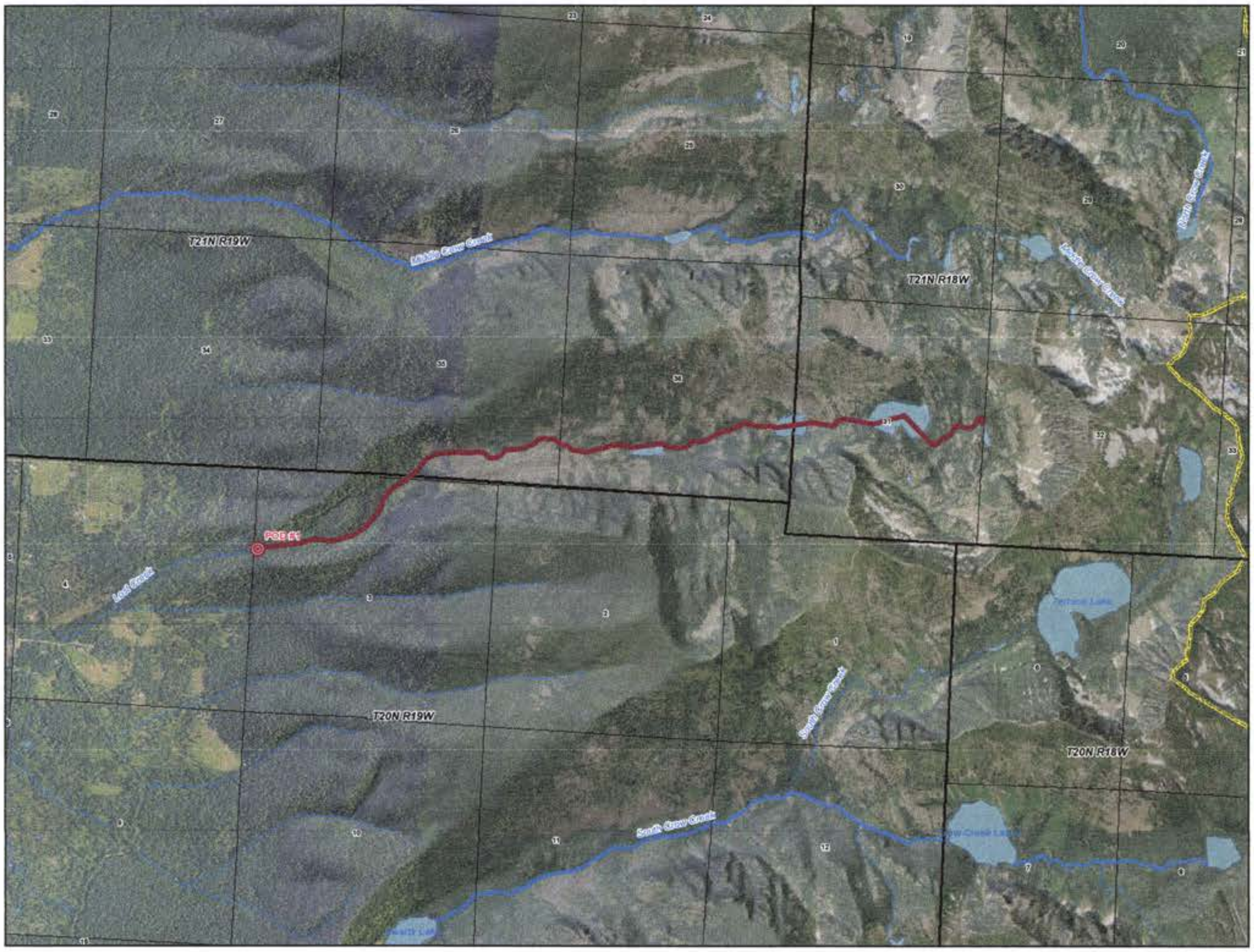

T21N R19W
Middle Crow Creek
T21N R18W
North Crow Creek
POD #1
Lost Creek
T20N R19W
South Crow Creek
Terrace Lake
T20N R18W

Place of Use and Point of Diversion
Instream Flow
Natural Streams
76L
30052699
Exhibit 1

Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

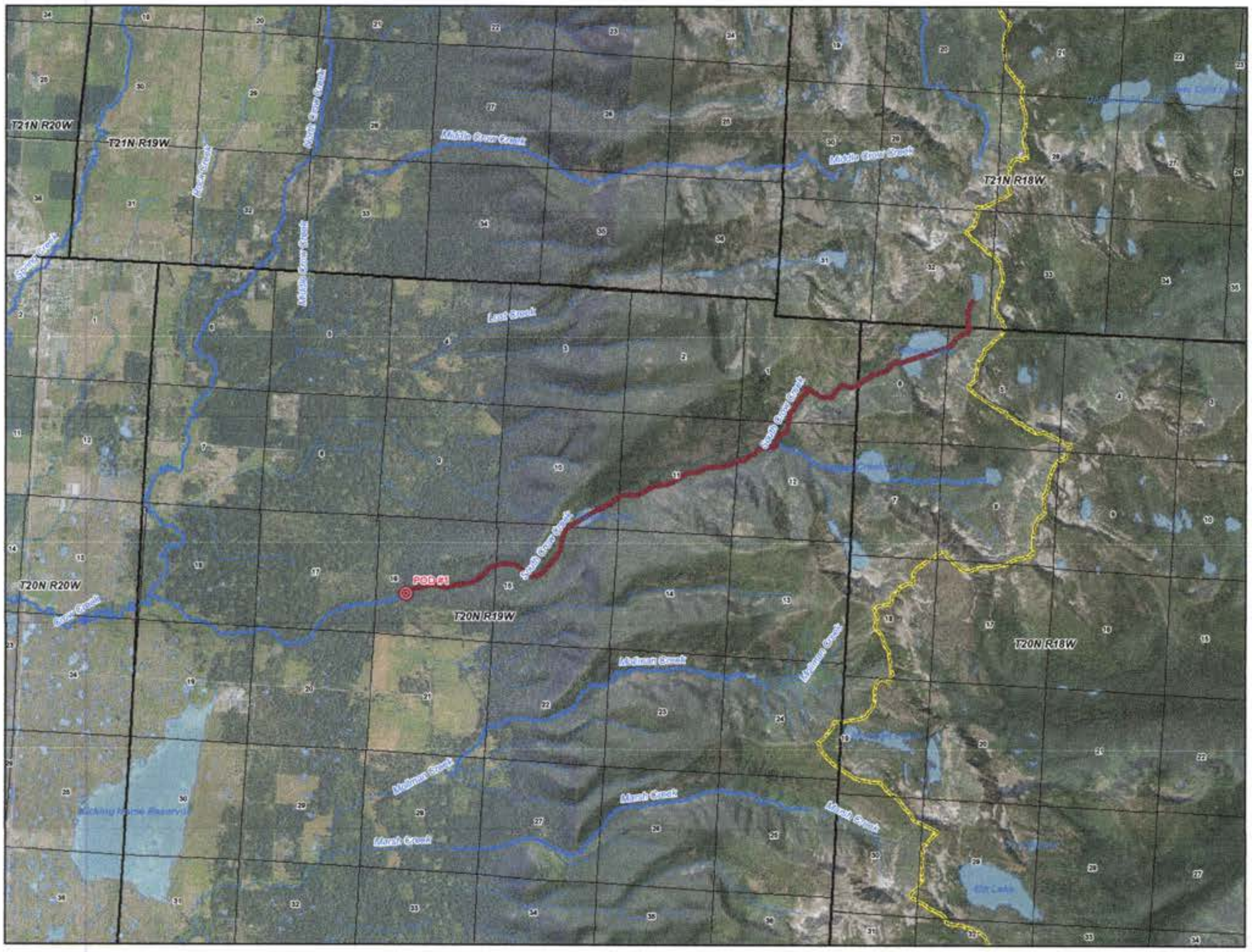
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R20W
T21N R19W
Middle Crow Creek
T21N R18W
Lost Creek
South Crow Creek
POD #1
T20N R20W
Crow Creek
T20N R19W
T20N R18W
Mollman Creek
Marsh Creek
Kicking Horse Reservoir
Elk Lake

Place of Use and Point of Diversion *Instream Flow Natural Streams* 76L 30052700 Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

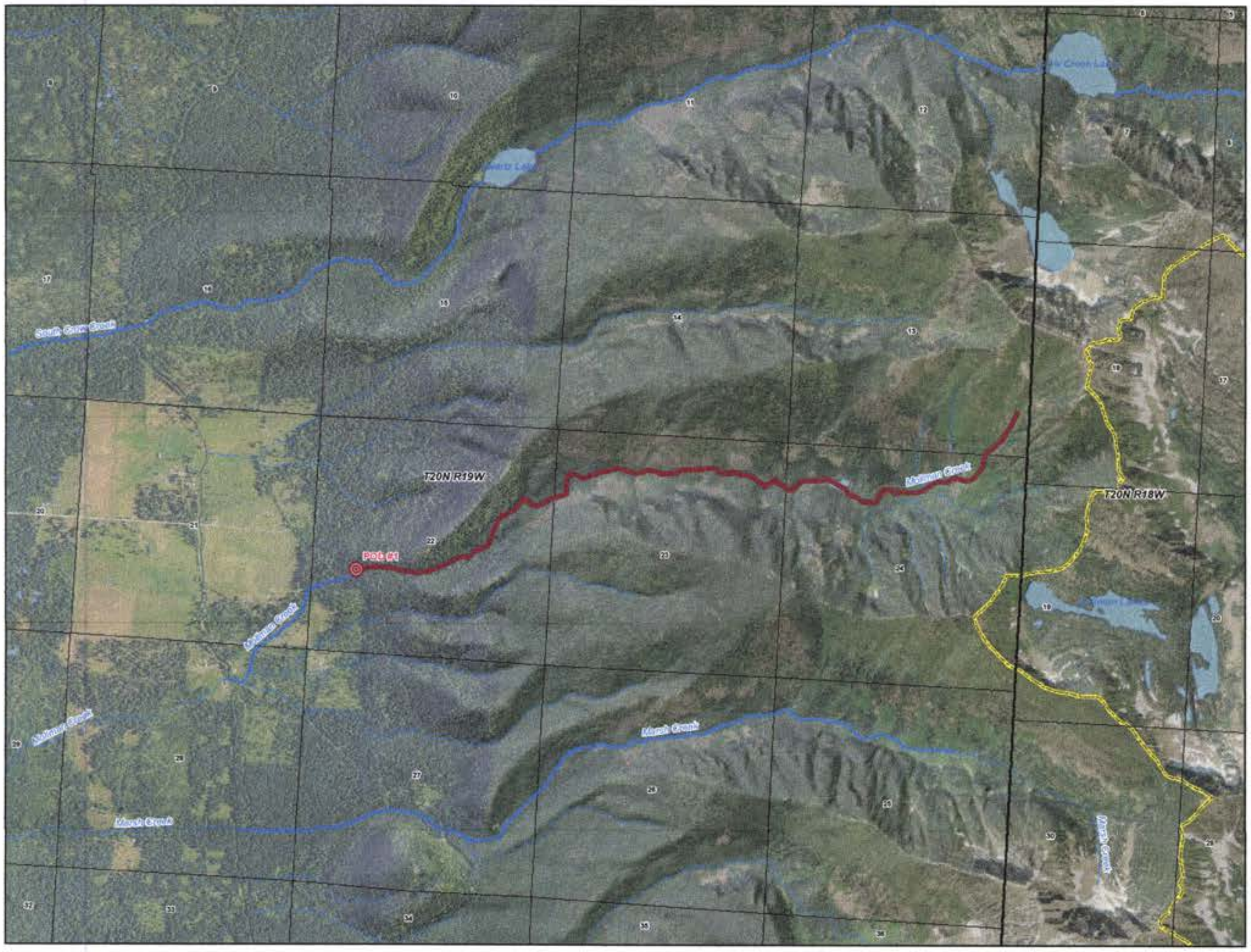
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


South Crow Creek
Mollman Creek
Marsh Creek
POD #1
T20N R19W
T20N R18W
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
32
33
34
35
36

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052701

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

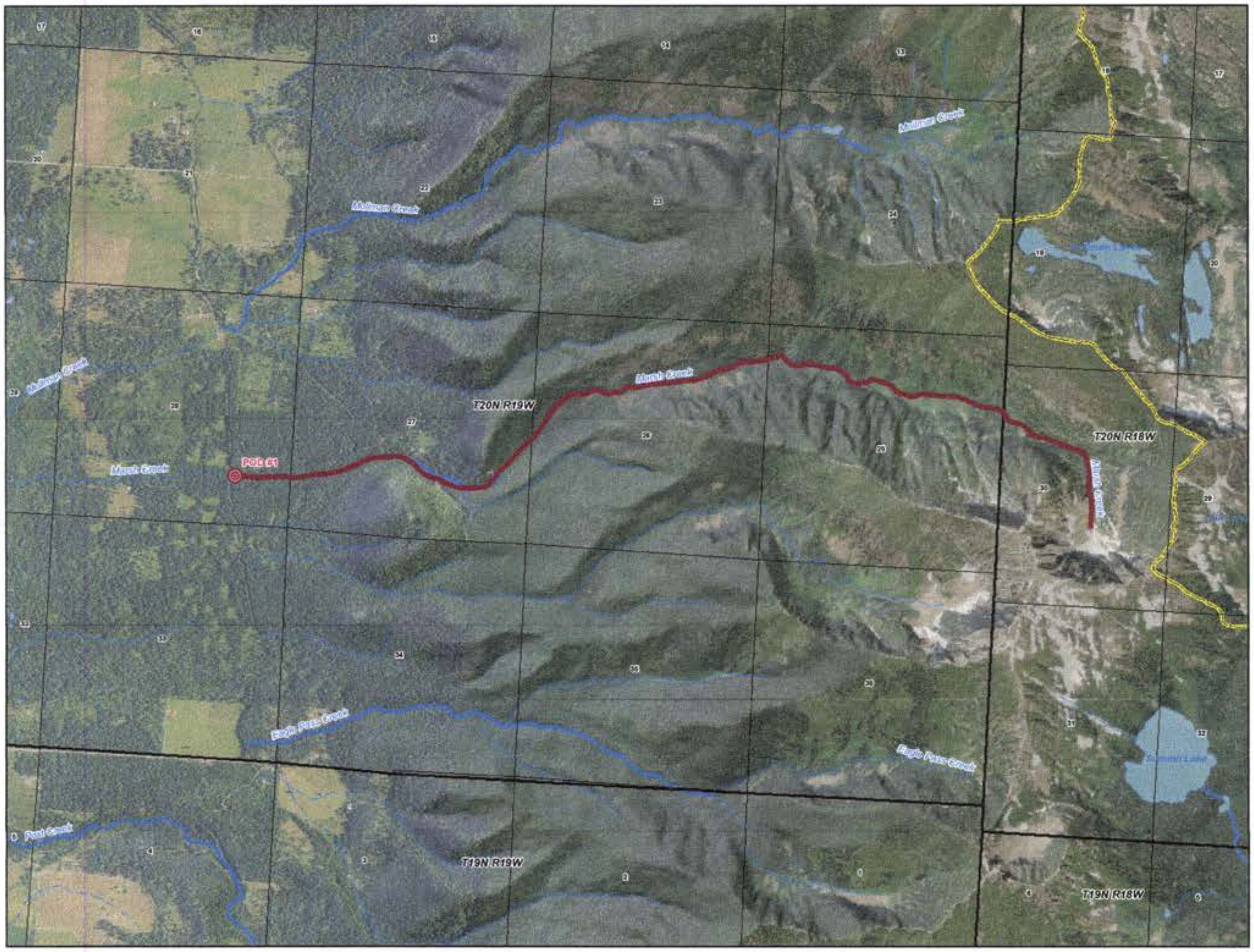
Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

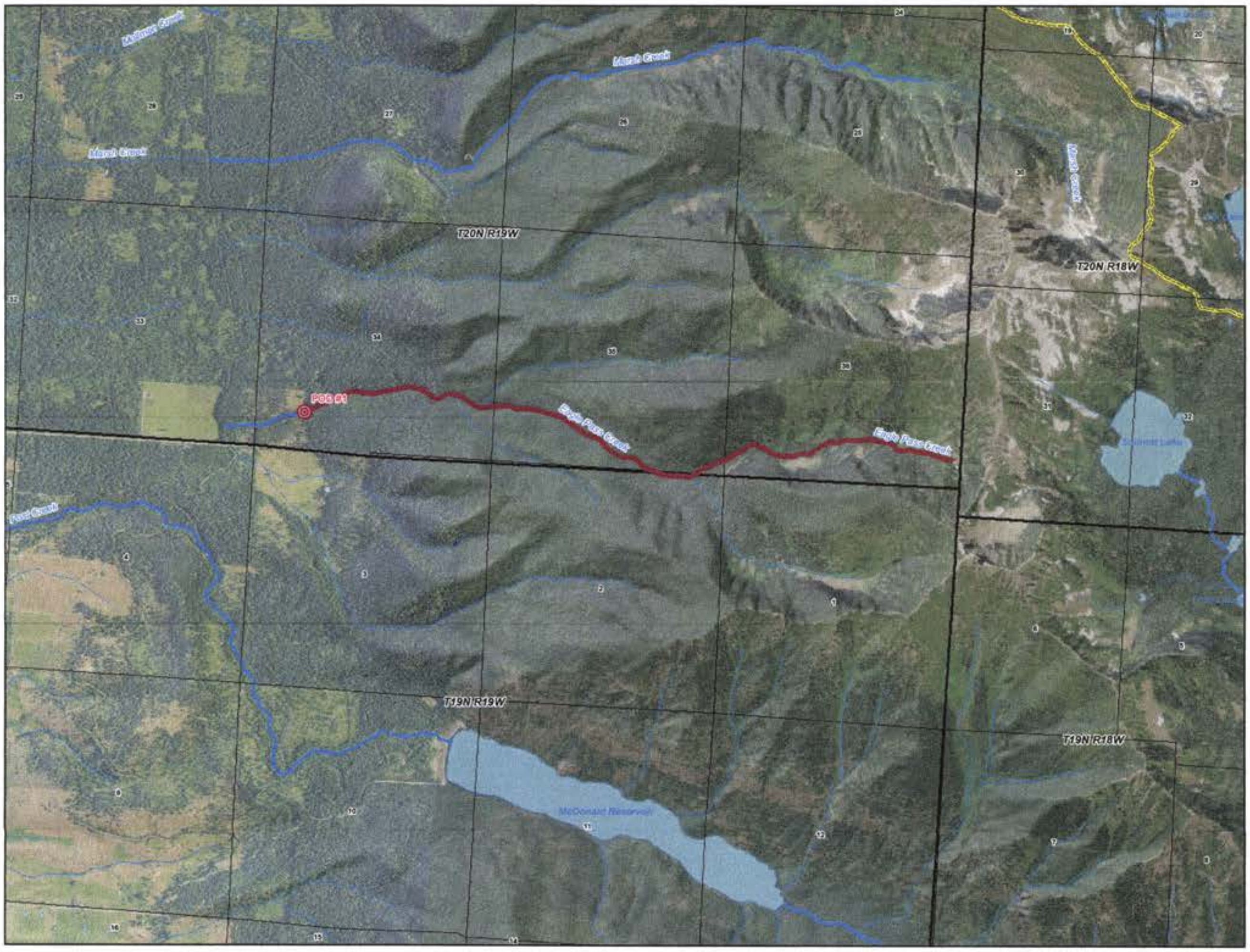
Place of Use
and Point of
Diversion
Instream Flow
Natural Streams
76L
30052702
Exhibit 1


Mollman Creek
Mollman Creek
Mollman Creek
Marsh Creek
Marsh Creek
Marsh Creek
POD #1
T20N R19W
T20N R18W
Eagle Pass Creek
Eagle Pass Creek
Post Creek
Summit Lake
T19N R19W
T19N R18W
Legend
Place of Use
Primary Point(s) of Diversion
Reservation Boundary
0
0.25
0.5
Miles

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

Flathead Indian Reservation

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Mollman Creek
Marsh Creek
Marsh Creek
T20N R19W
T20N R18W
Marsh Creek
POD #1
Eagle Pass Creek
Eagle Pass Creek
Summit Lake
Post Creek
T19N R19W
T19N R18W
McDonald Reservoir

Place of Use and Point of Diversion *Instream Flow Natural Streams*

76L

30052703

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

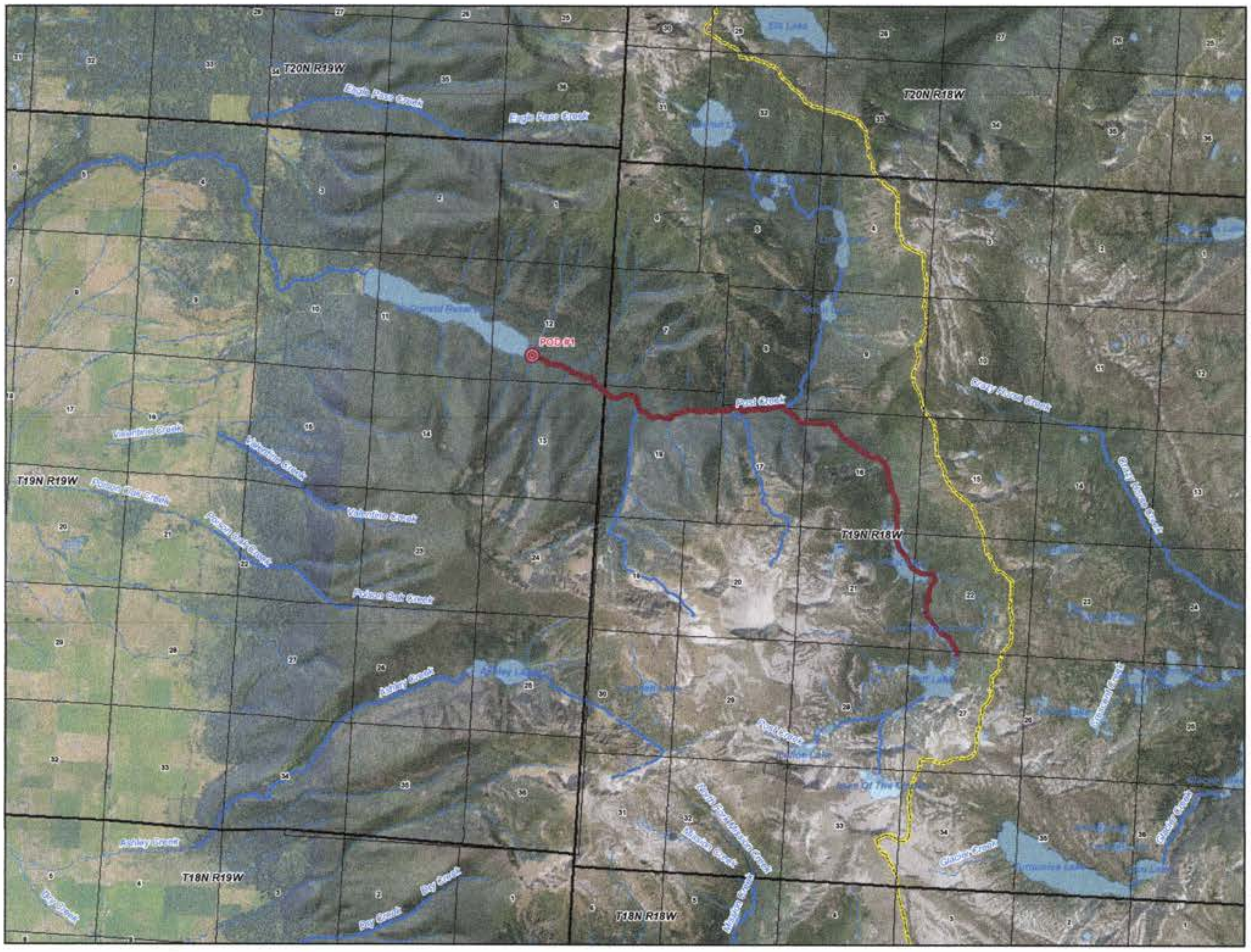
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T20N R19W
Eagle Pass Creek
Eagle Pass Creek
T20N R18W
Elk Lake
POD #1
Post Creek
Crazy Horse Creek
Crazy Horse Creek
Valentine Creek
Valentine Creek
Valentine Creek
T19N R19W
Poison Oak Creek
Poison Oak Creek
Poison Oak Creek
T19N R18W
Ashley Creek
Ashley Creek
Post Creek
Glacier Creek
Glacier Creek
Dry Creek
Dry Creek
Dry Creek
T18N R19W
T18N R18W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052704

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

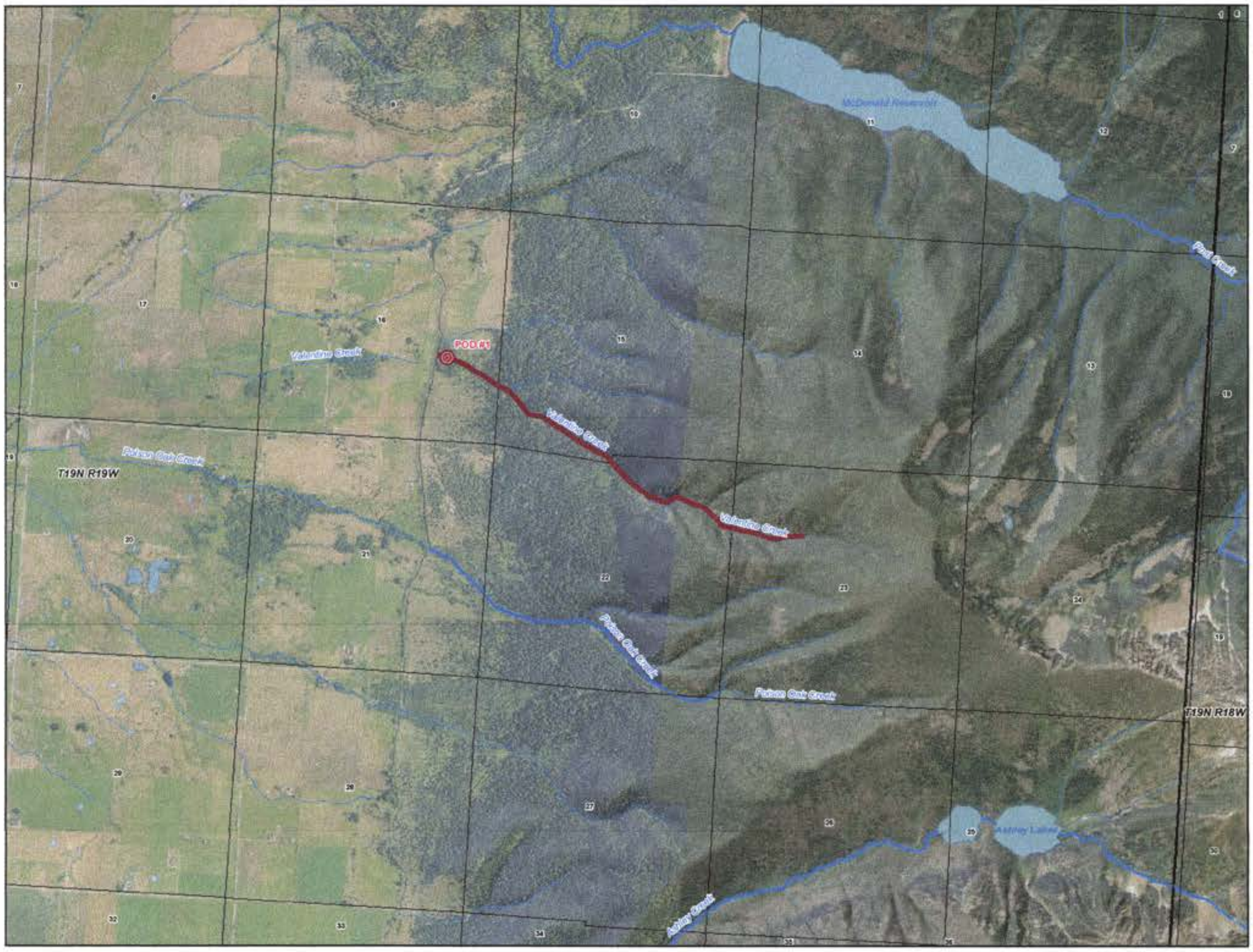
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


McDonald Reservoir
Post Creek
Valentine Creek
POD #1
Valentine Creek
Valentine Creek
Poison Oak Creek
T19N R19W
Poison Oak Creek
Poison Oak Creek
T19N R18W
Ashley Lakes
Ashley Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052705
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

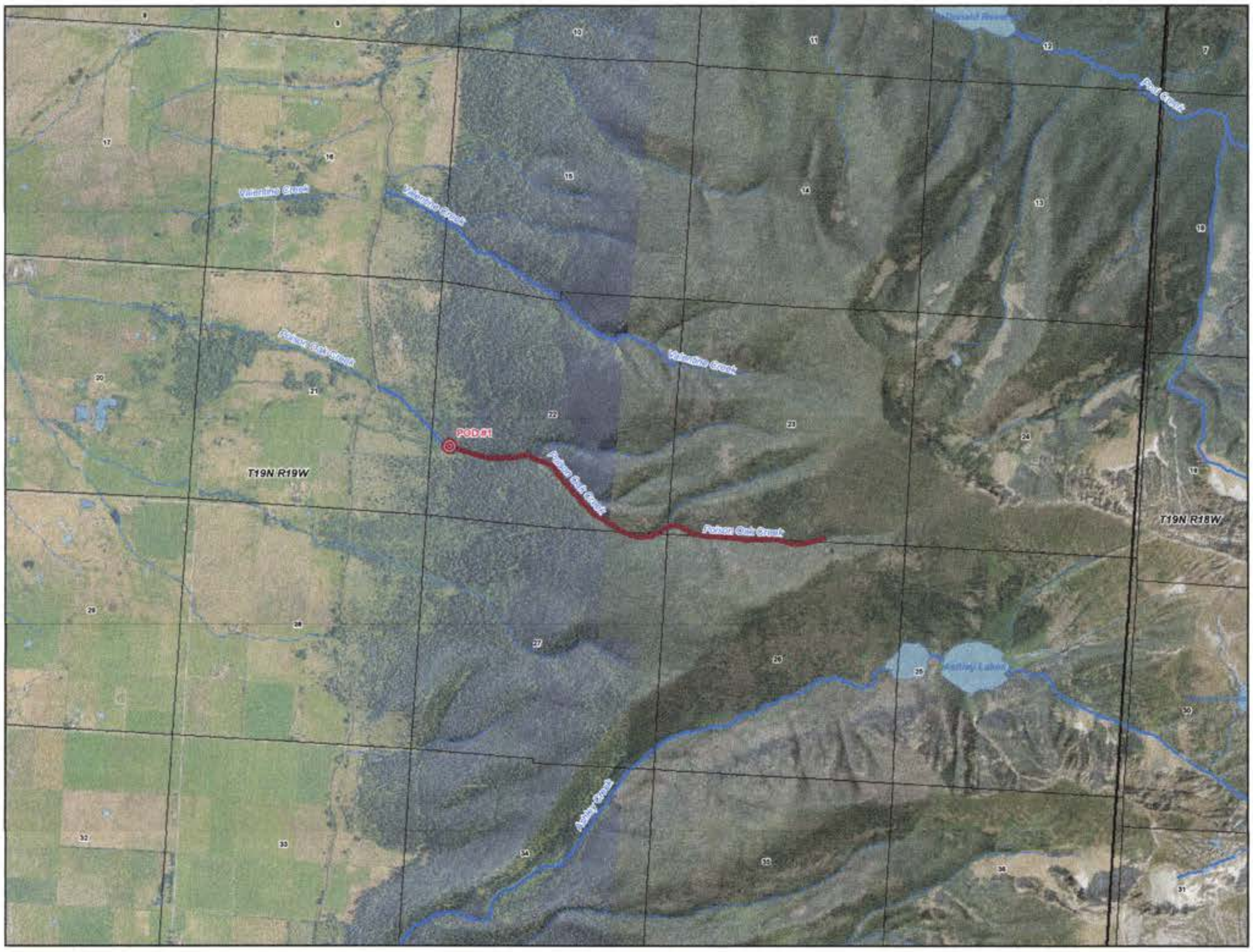
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Valentine Creek
Valentine Creek
Valentine Creek
Poison Oak Creek
Poison Oak Creek
Poison Oak Creek
POD #1
T19N R19W
T19N R18W
Post Creek
Ashley Lakes
Ashley Creek
17
16
15
14
13
12
11
10
9
8
7
18
20
21
22
23
24
19
29
28
27
26
25
30
32
33
34
35
36
31

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052706

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

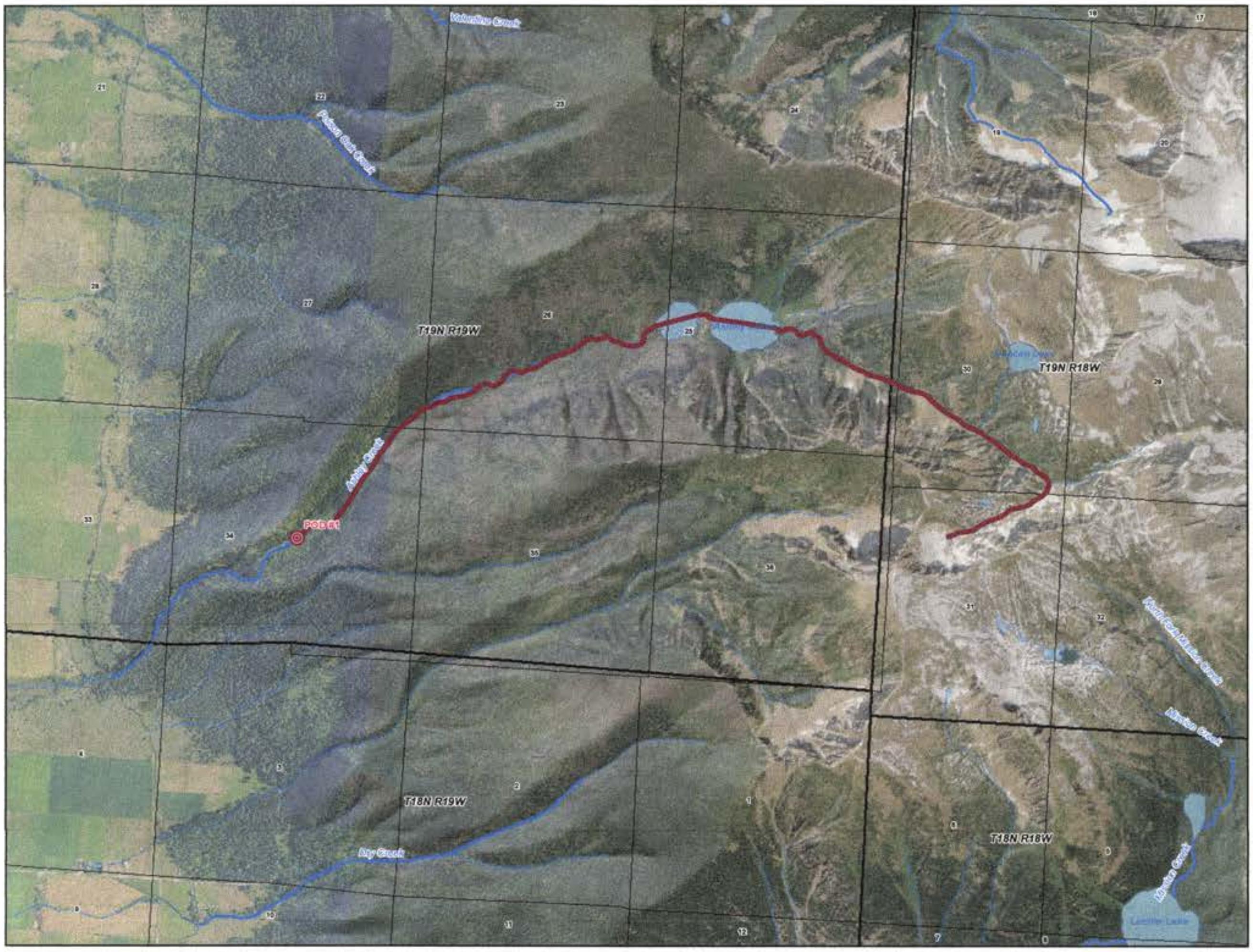
🟥 Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R19W
T19N R18W
T18N R19W
T18N R18W
POD #1
Ashley Creek
Dry Creek
Mission Creek
21
22
23
24
18
17
19
20
28
27
26
25
30
29
33
34
35
36
31
32
3
2
1
6
5
10
11
12
7
8

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052707

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

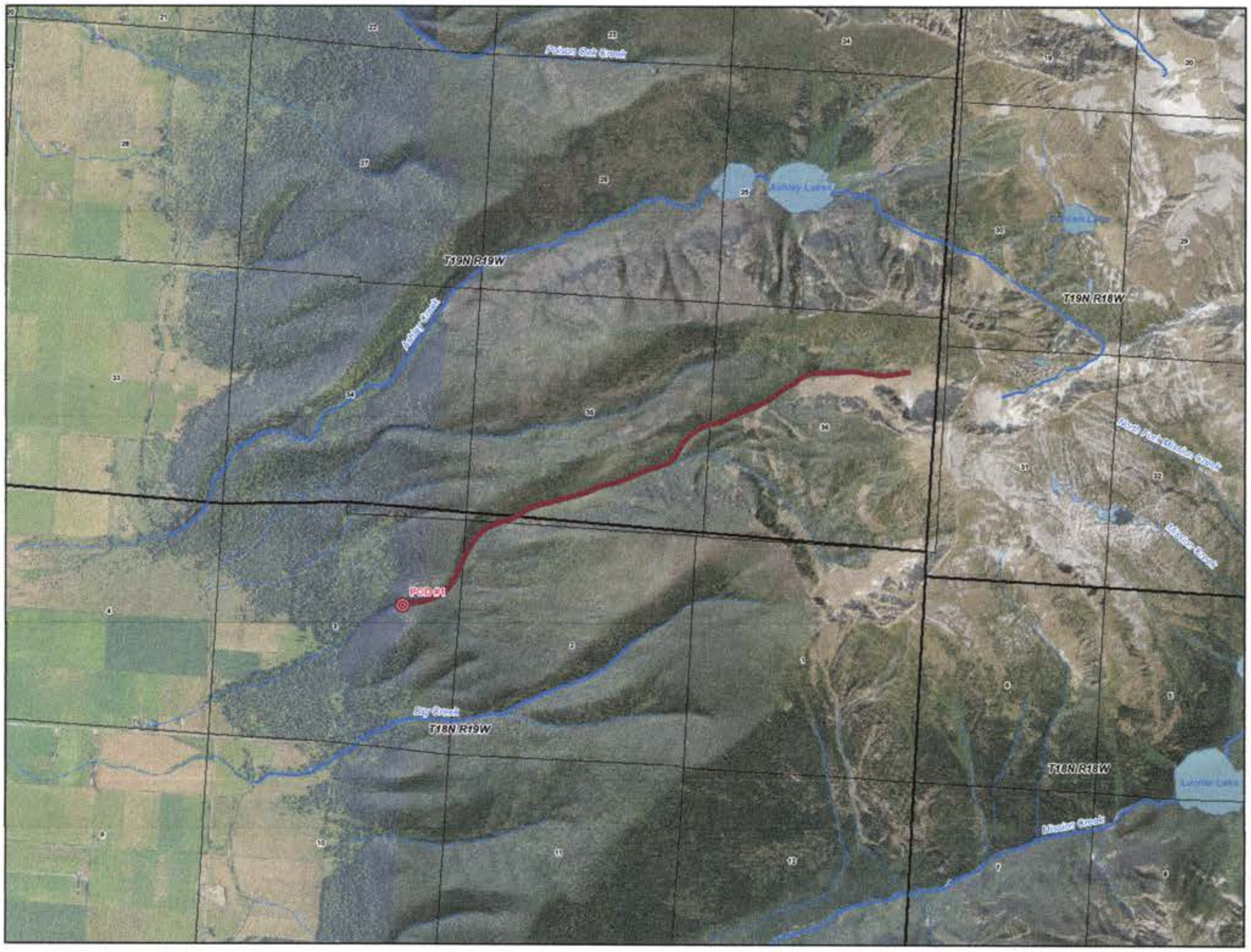
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T19N R19W
Ashley Lakes
Ashley Creek
T19N R18W
North Fork Mission Creek
Mission Creek
POD #1
Dry Creek
T18N R19W
T18N R18W
Mission Creek

Place of Use and Point of Diversion *Instream Flow Natural Streams*

76L 30052708

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

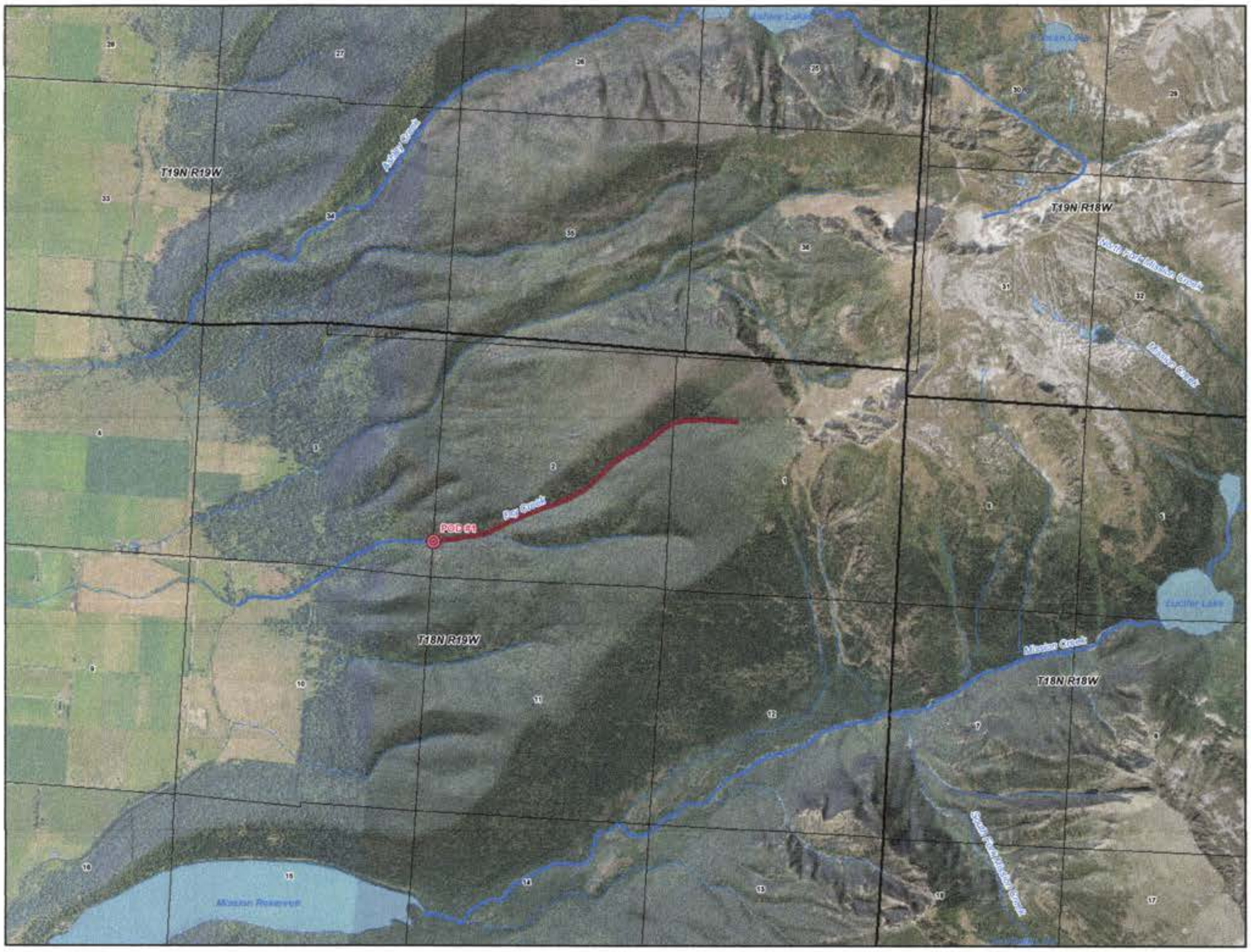
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R19W
Ashley Creek
T19N R18W
North Fork Mission Creek
Mission Creek
POD #1
Dry Creek
T18N R19W
Mission Reservoir
Lucifer Lake
Mission Creek
T18N R18W
South Fork Mission Creek

Place of Use and Point of Diversion
Instream Flow
Natural Streams
76L
30052709
Exhibit 1

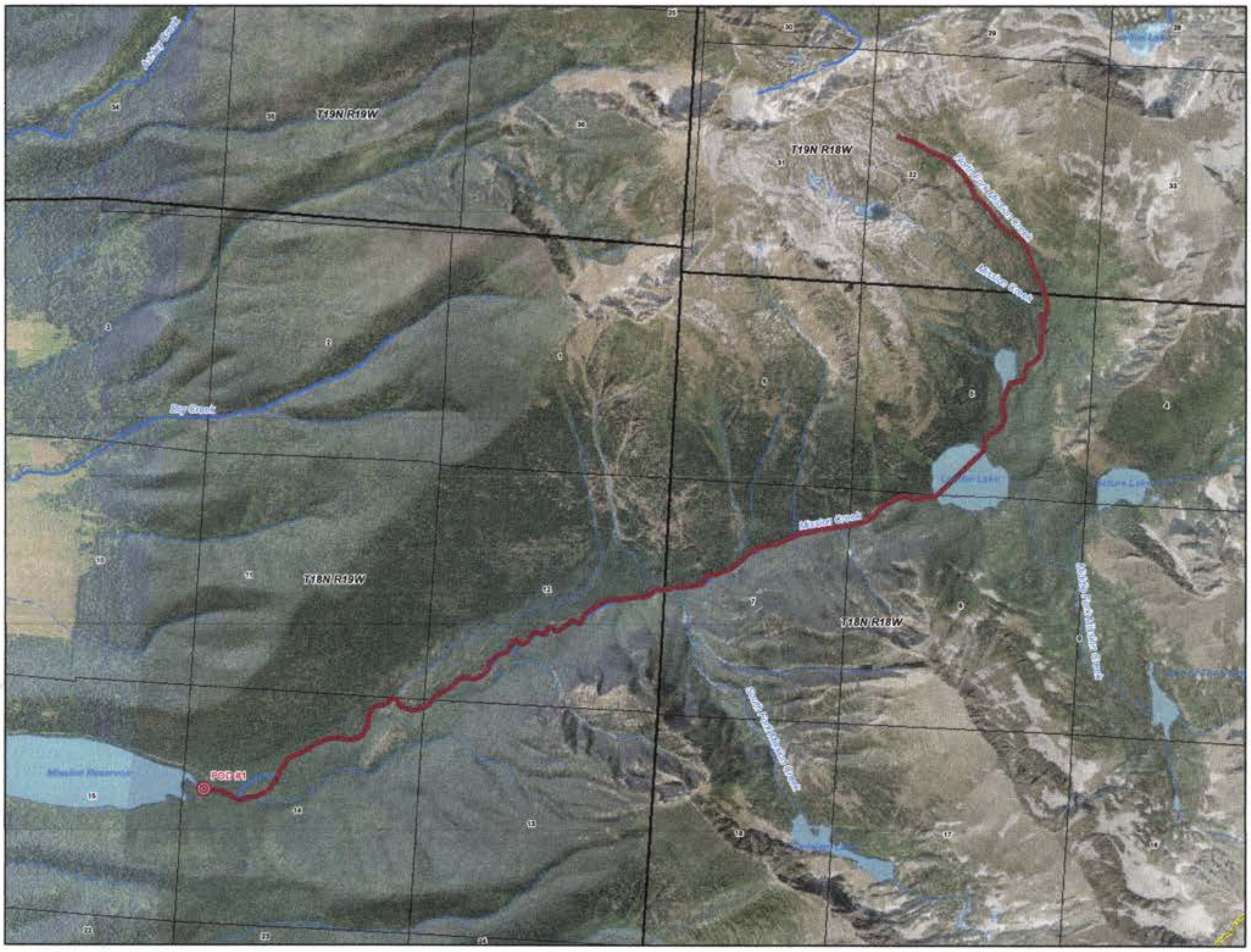
Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend
Place of Use
Primary Point(s) of Diversion
Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Ashley Creek
T19N R19W
T19N R18W
North Fork Mission Creek
Mission Creek
Dry Creek
Mission Creek
T18N R19W
T18N R18W
Middle Fork Mission Creek
South Fork Mission Creek
POD #1
Mission Reservoir
25
30
29
28
34
35
36
31
32
33
3
2
1
6
5
4
10
11
12
7
8
9
15
14
13
18
17
16
22
23
24

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052710
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

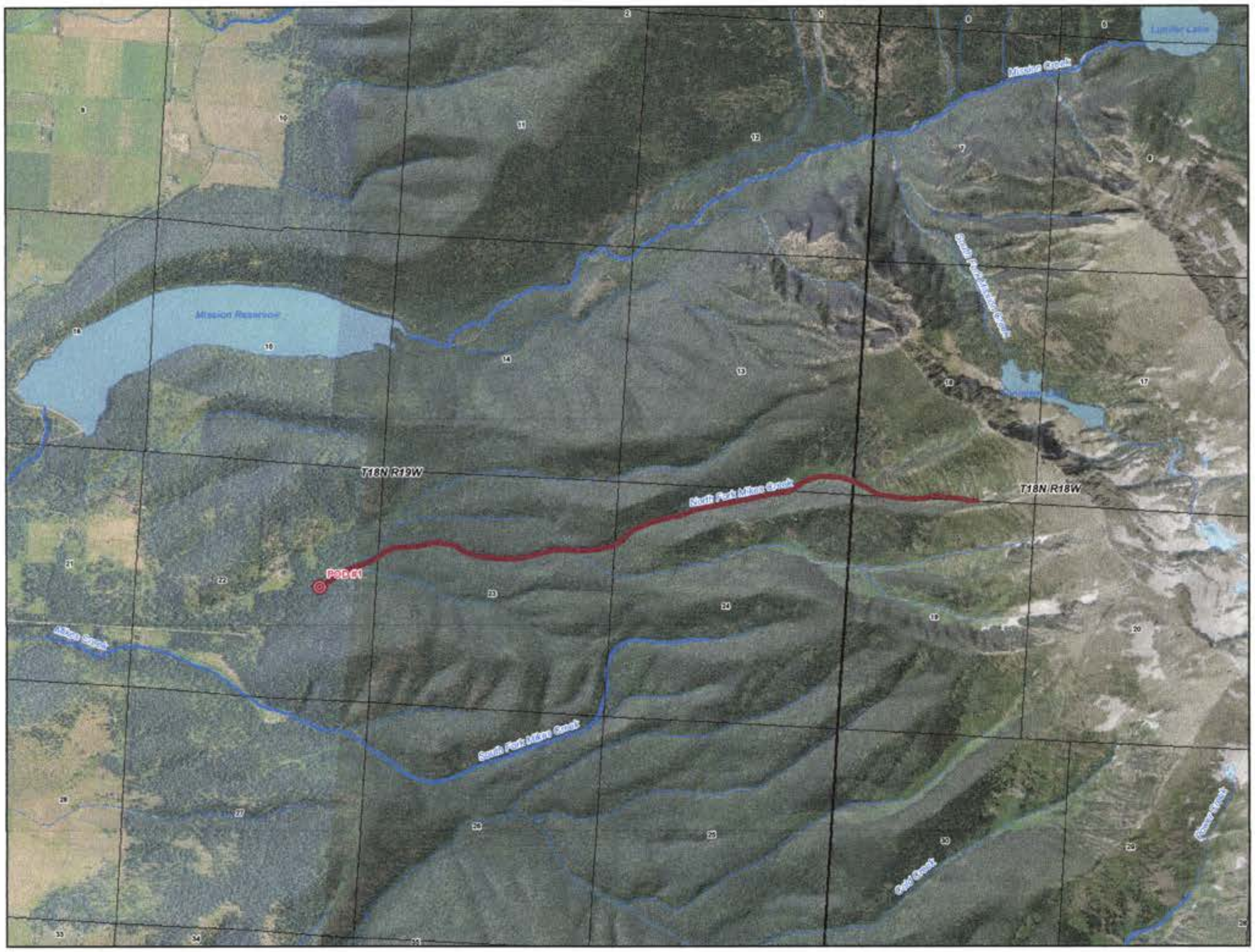
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second).


Mission Reservoir
Mission Creek
T18N R19W
T18N R18W
PoD #1

Place of Use and Point of Diversion

Instream Flow

Natural Streams

76L

30052711

Exhibit 1

Hot Springs
Polson
Pablo
St Ignatius
Arlee
Area of Interest

Flathead Indian Reservation

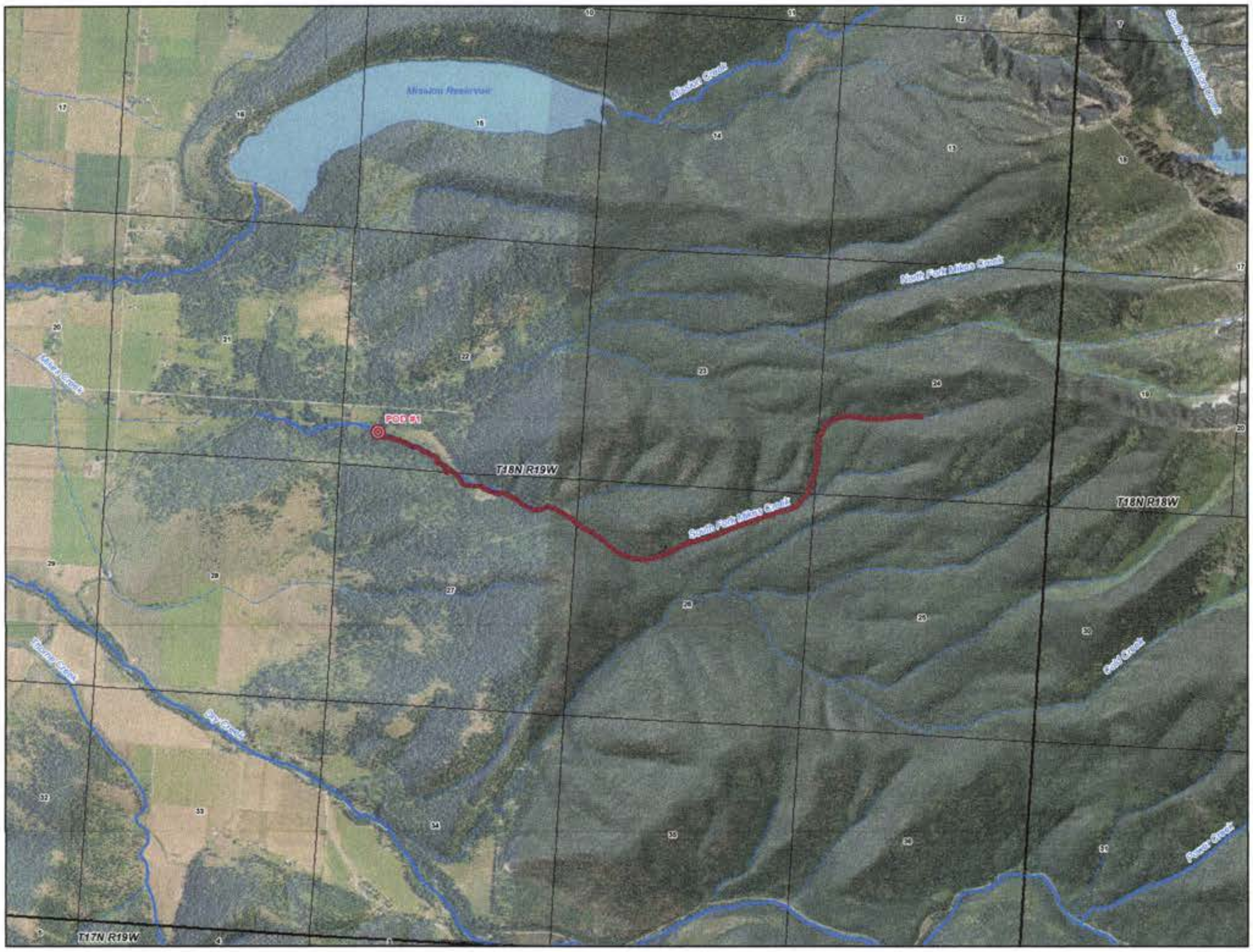
Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L
30052712
Exhibit 1


Mission Reservoir
Mission Creek
South Fork Mission Creek
North Fork Mikes Creek
Mikes Creek
POD #1
T18N R19W
South Fork Mikes Creek
T18N R18W
Cold Creek
Dry Creek
Power Creek
T17N R19W

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

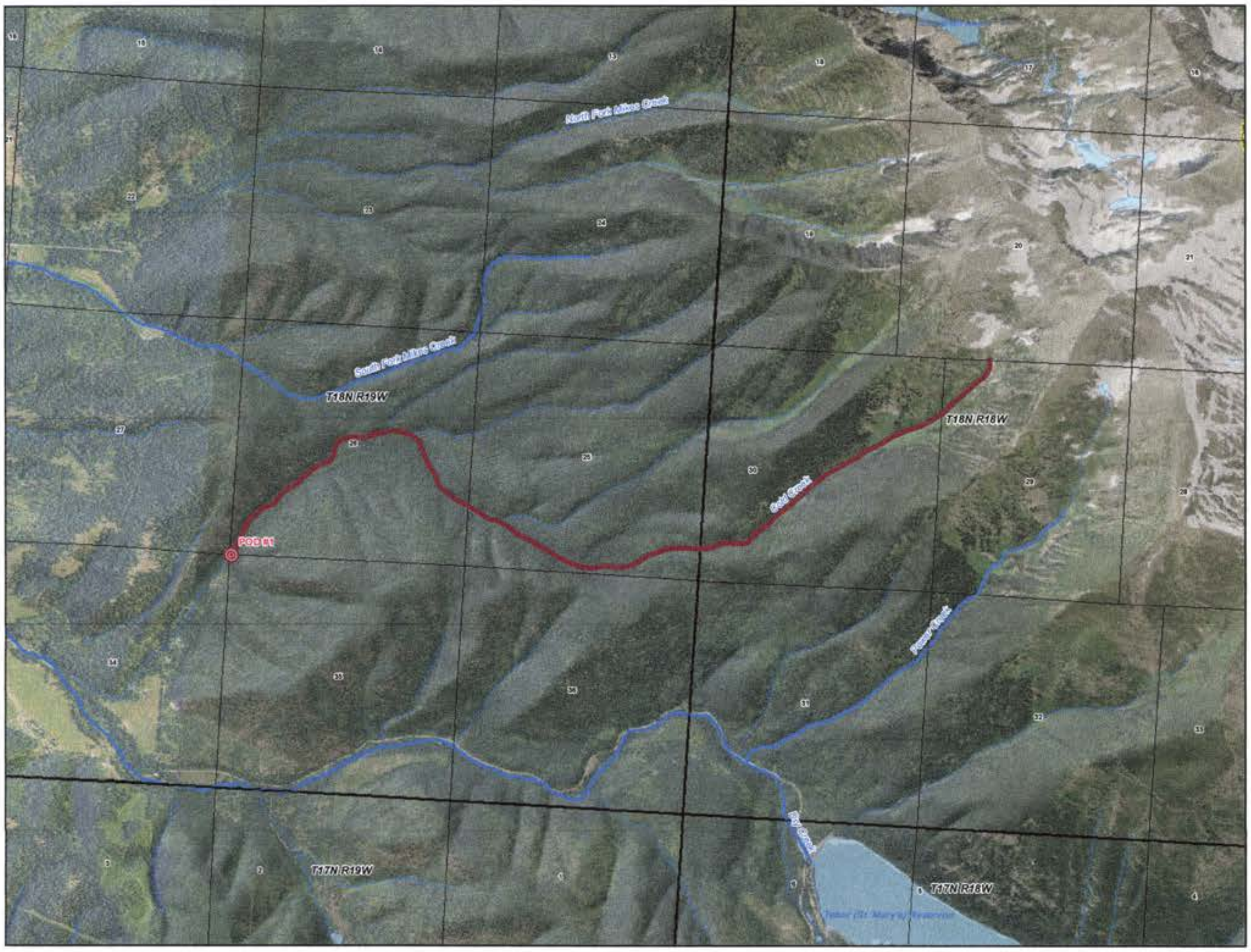
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


North Fork Mikes Creek
South Fork Mikes Creek
T18N R19W
T18N R18W
POD #1
Gold Creek
T17N R19W
T17N R18W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052713

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

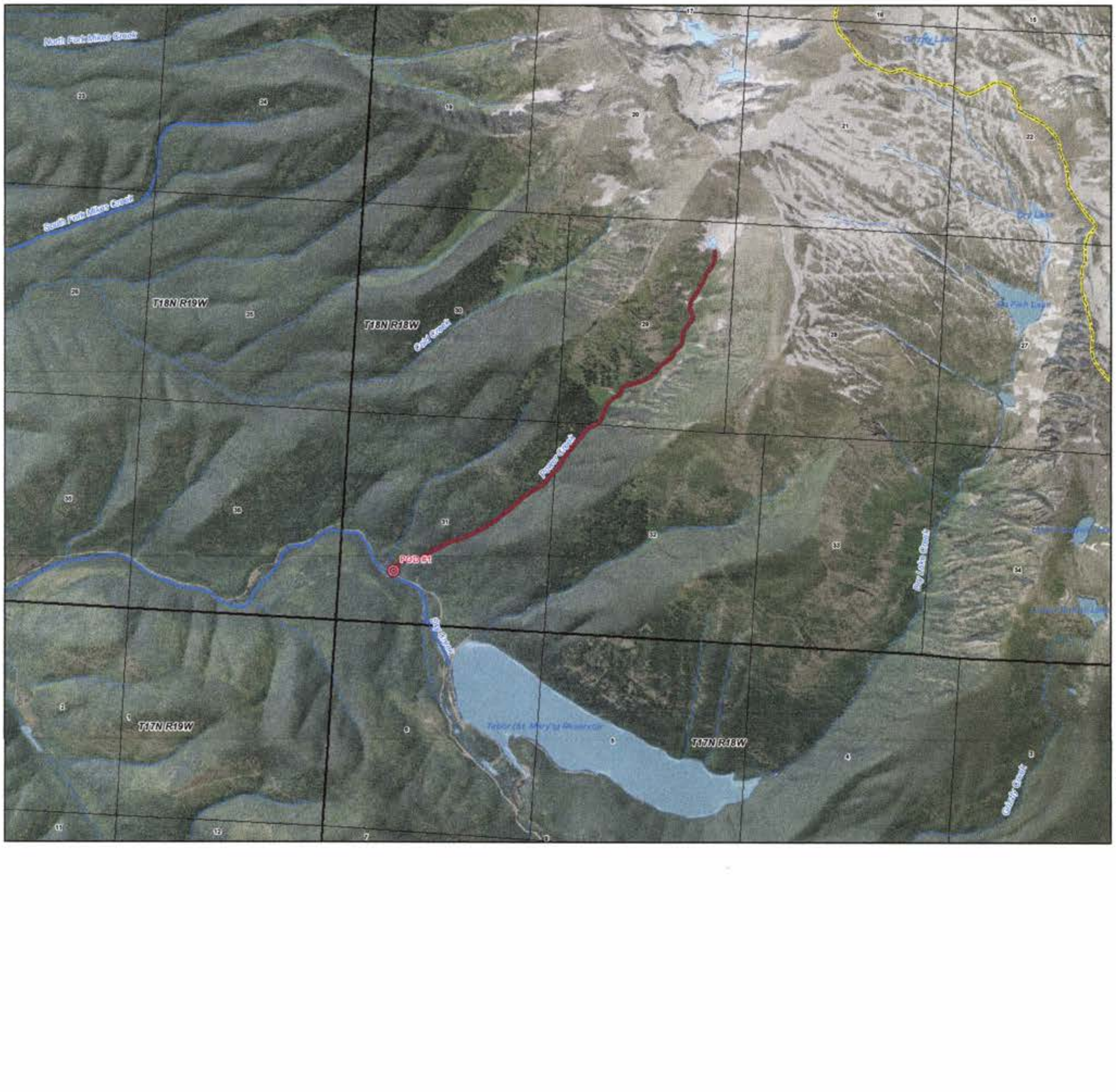
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R19W
T18N R18W
T17N R19W
T17N R18W
POD #1
Power Creek
Tabor (St. Mary's) Reservoir
Dry Lake
17
18
15
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
1
2
3
4
5
6
7
8
11
12

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052714

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

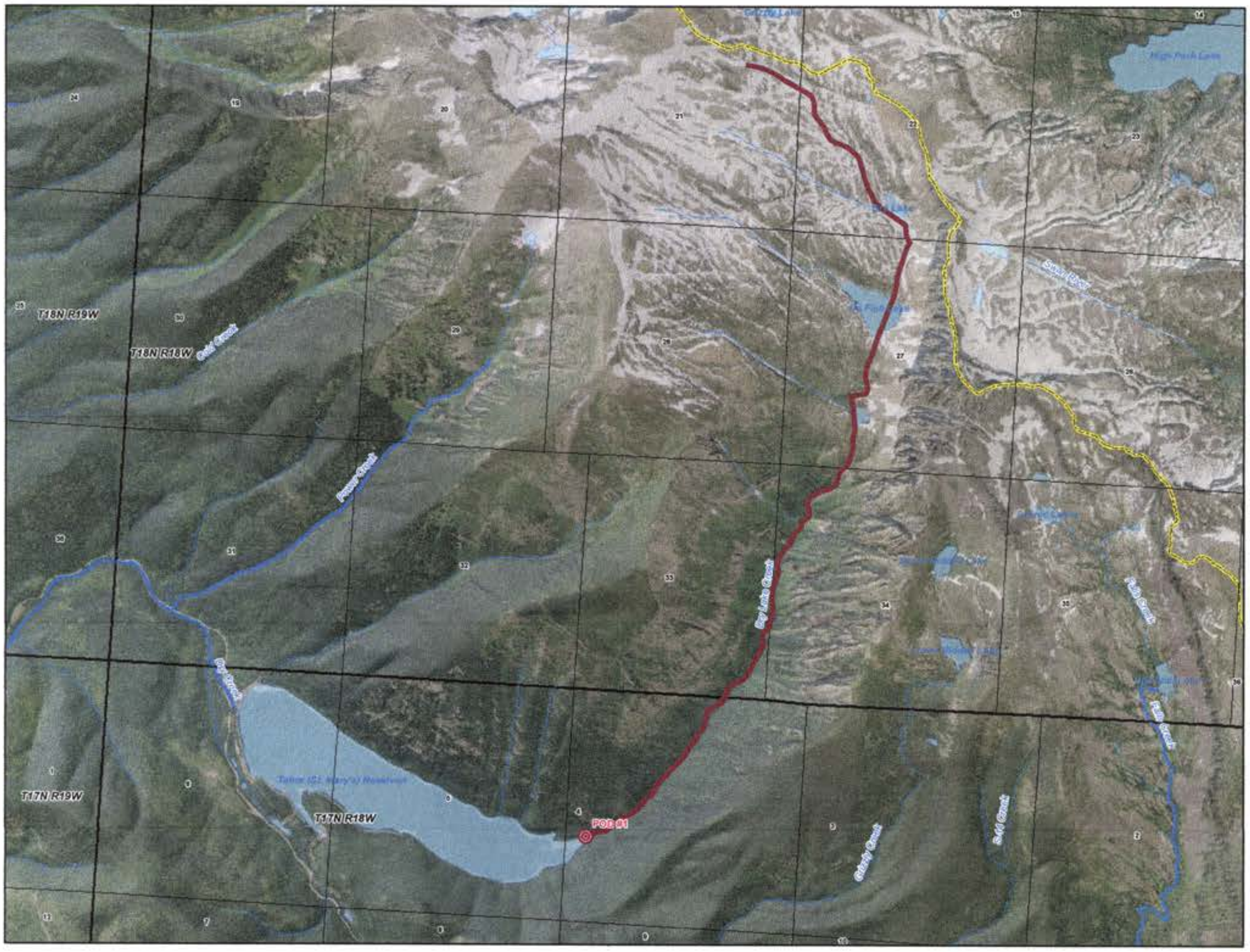
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Grizzly Lake
High Park Lake
T18N R19W
T18N R18W
Cold Creek
Power Creek
Dry Creek
Dry Lake
Fish Lake
Swan River
Dry Lake Creek
Falls Creek
Tabor (St. Mary's) Reservoir
T17N R19W
T17N R18W
POD #1
Grizzly Creek
20
21
22
23
26
27
28
29
30
31
32
33
34
35
36
4
5
6
9
10

Place of Use and Point of Diversion

Instream Flow

Natural Streams

76L

30052715

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

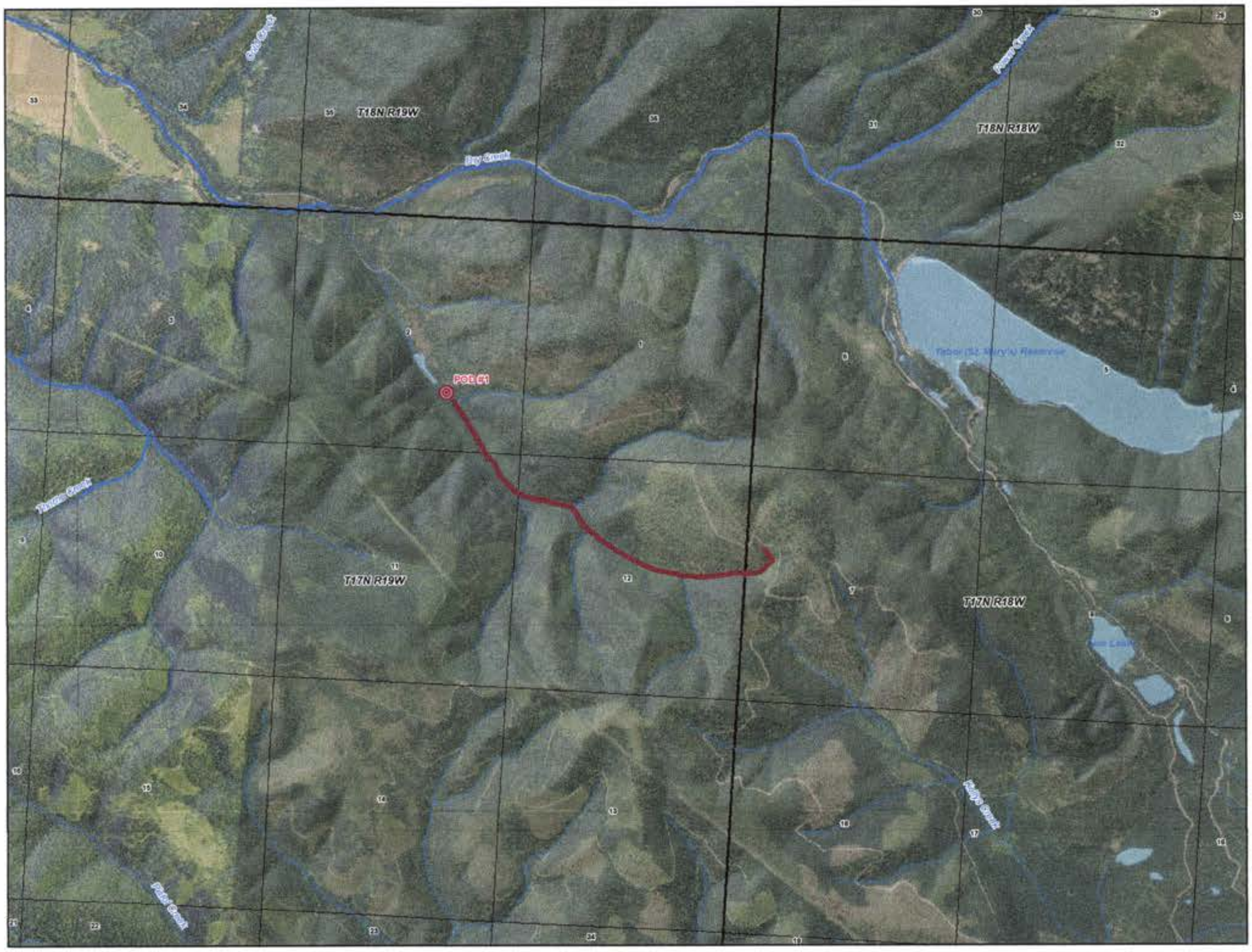
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R19W
T18N R18W
T17N R19W
T17N R18W
Dry Creek
Tabor (St. Mary's) Reservoir
POD #1
33
34
35
36
31
32
30
29
28
33
4
3
2
1
6
5
4
9
10
11
12
7
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15
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23
24
19

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052716

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

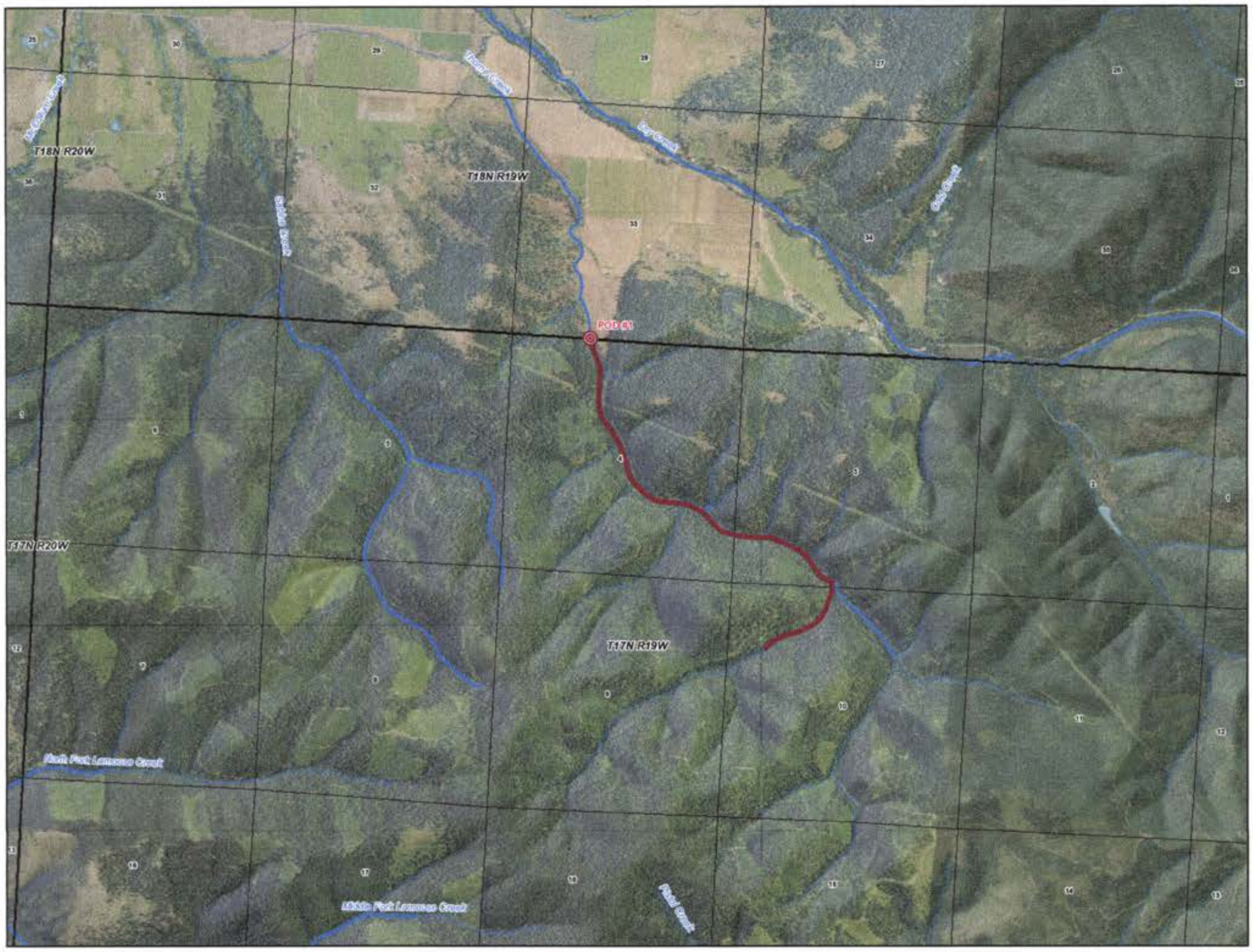
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R20W
T18N R19W
T17N R20W
T17N R19W
POD #1

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052717

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

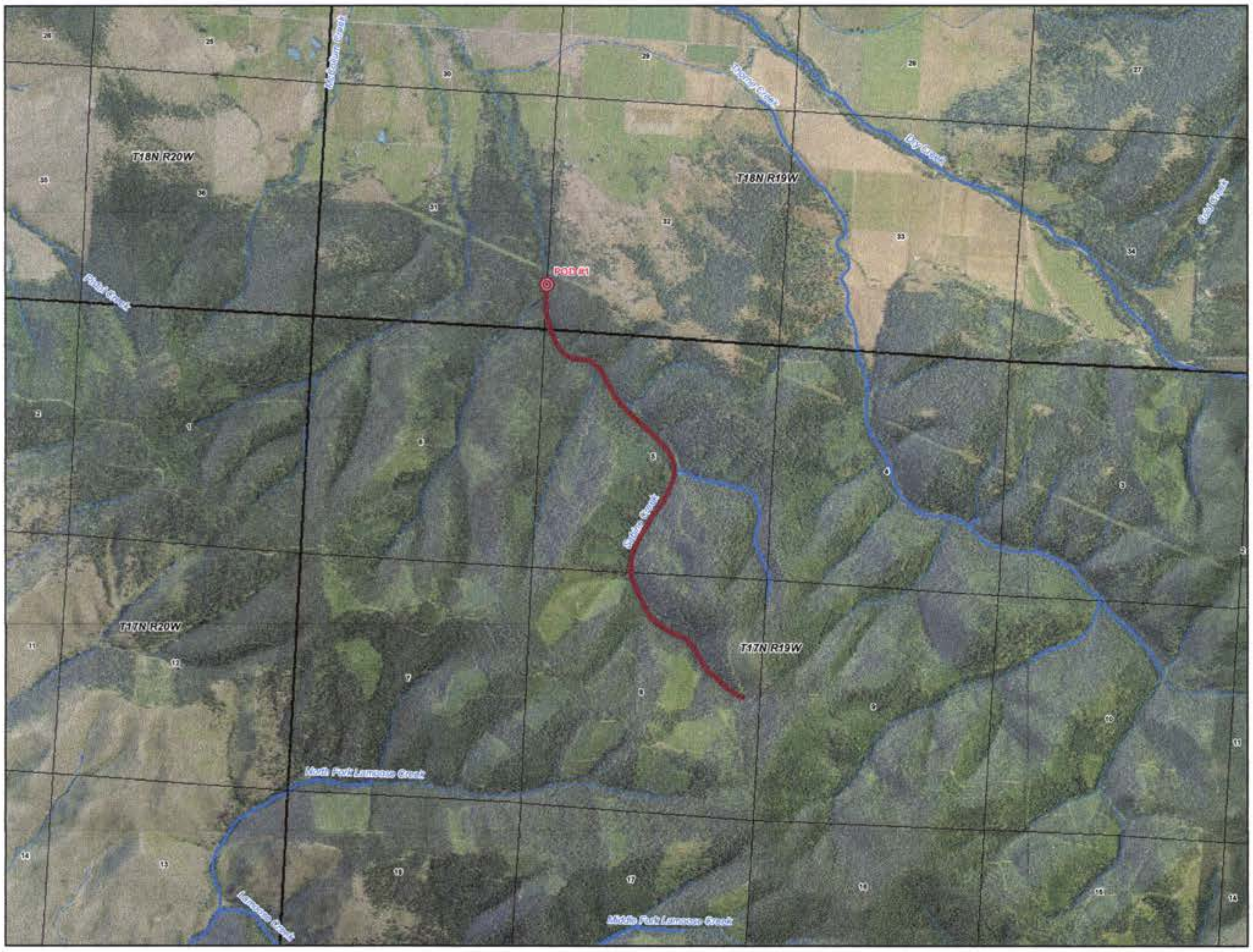
Flathead Indian Reservation

Legend

- Place of Use
- ◎ Primary Point(s) of Diversion
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
T18N R20W
T18N R19W
T17N R20W
T17N R19W
Dry Creek
North Fork Lamoose Creek
Lamoose Creek
Middle Fork Lamoose Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052718
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

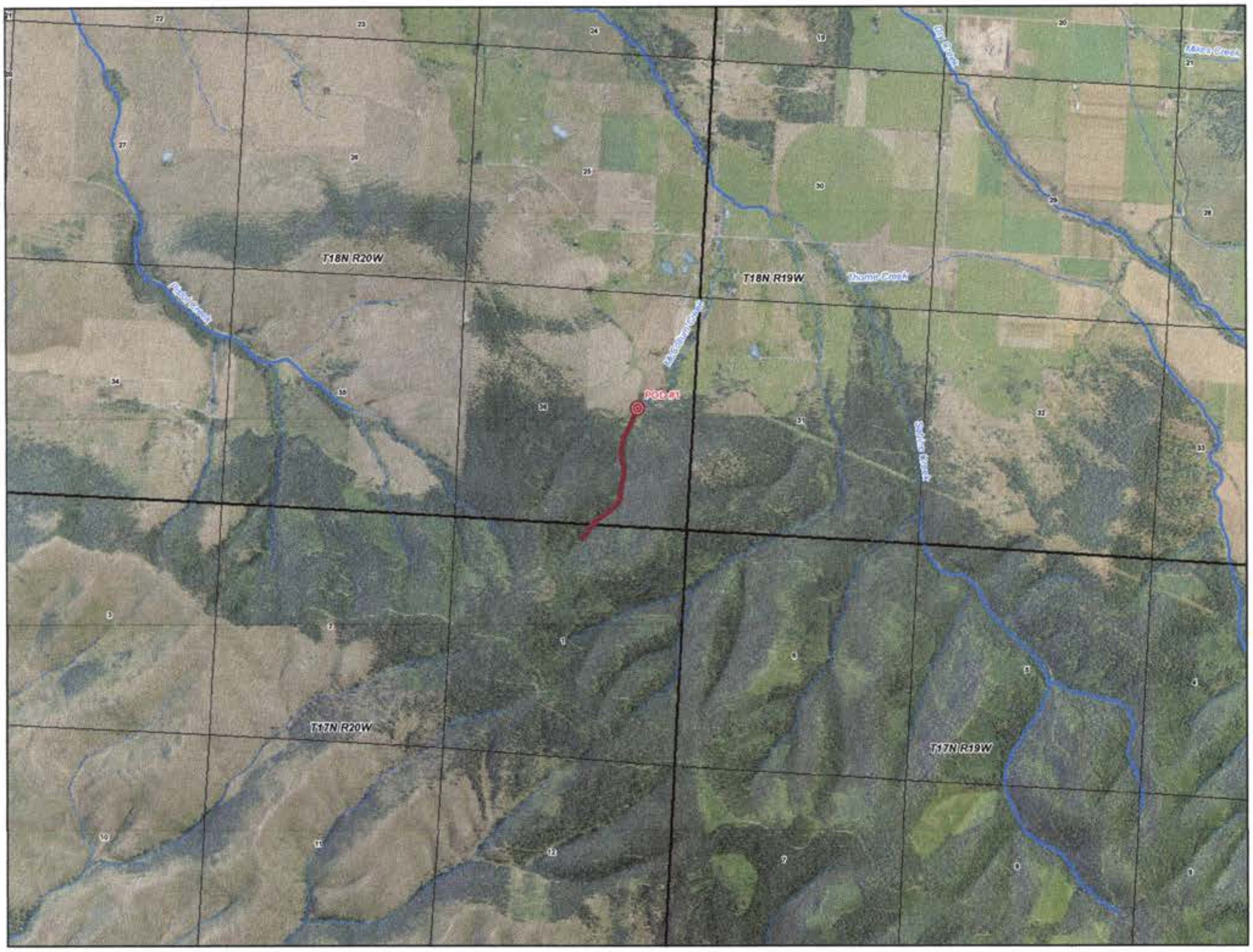
Flathead Indian Reservation

Legend

- Place of Use
- ◎ Primary Point(s) of Diversion
- Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2005 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R20W
T18N R19W
T17N R20W
T17N R19W
POD #1

Place of Use and Point of Diversion *Instream Flow Natural Streams* 76L 30052719 Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

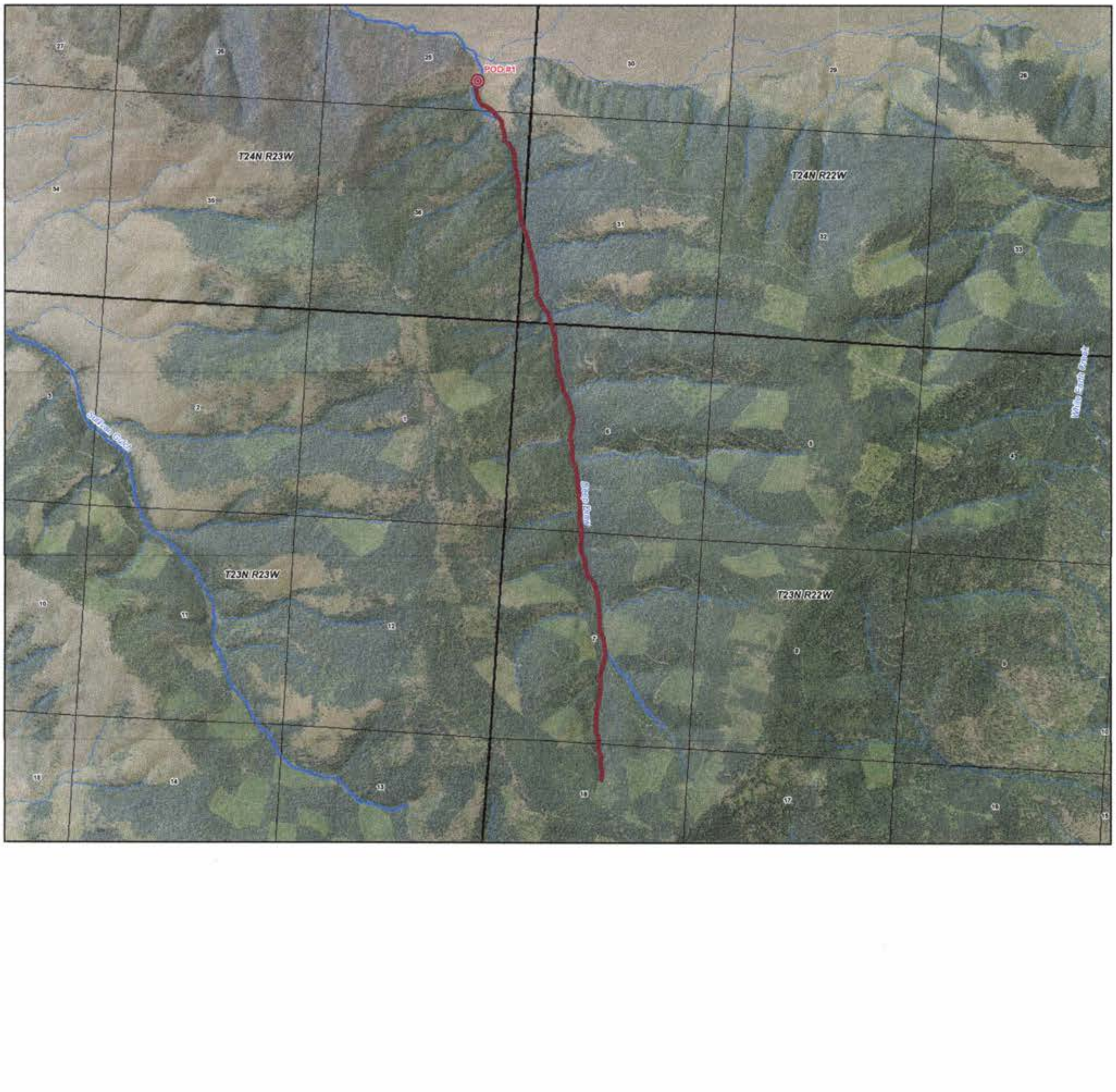
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
T24N R23W
T24N R22W
T23N R23W
T23N R22W
White Earth Creek
27
26
25
30
29
28
34
35
36
31
32
33
3
2
1
6
5
4
10
11
12
7
8
9
15
14
13
18
17
16

Place of Use and Point of Diversion *Instream Flow Natural Streams* 76L 30052720 Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

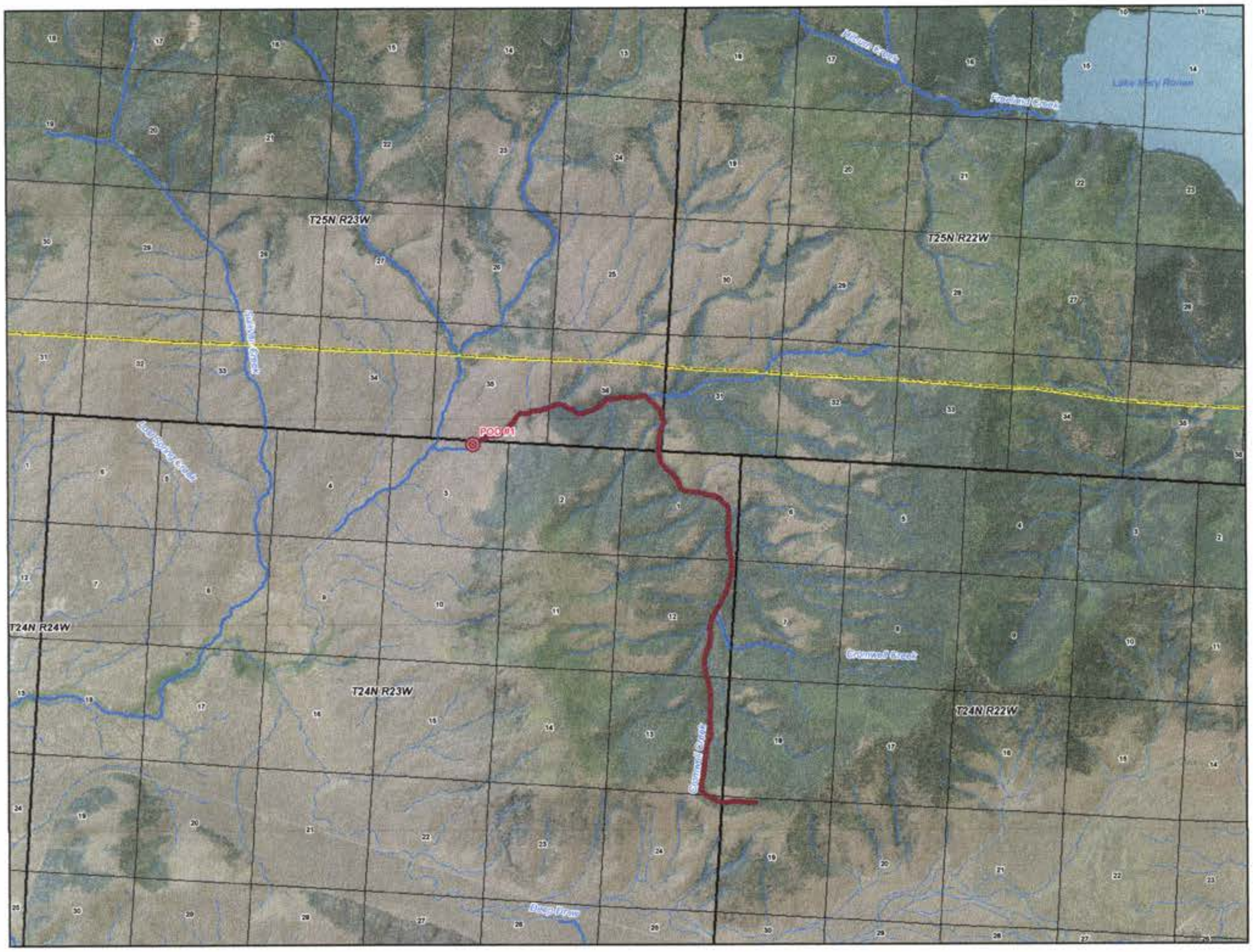
🟥 Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T25N R23W
T25N R22W
T24N R24W
T24N R23W
T24N R22W
POD #1
Lake Mary Ronan
Cromwell Creek
Deep Draw

Place of Use and Point of Diversion

Instream Flow
Natural Streams

76L
30052721
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

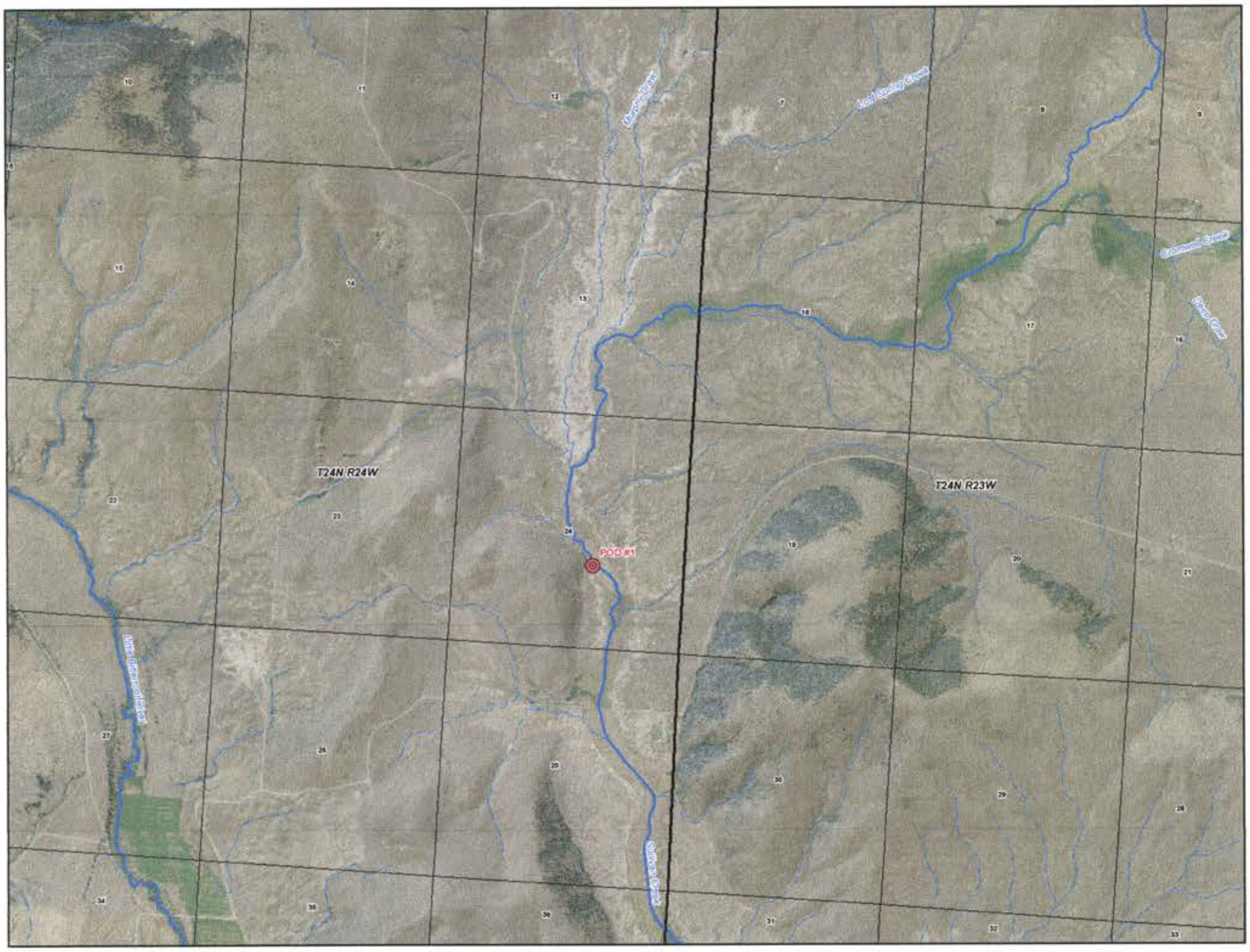
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0
0.5
1
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


10
11
12
Murphy Draw
7
Lost Spring Creek
8
9
15
14
13
18
17
Cromwell Creek
16
T24N R24W
T24N R23W
22
23
24
POD #1
19
20
21
Little Bitterroot River
27
26
25
30
29
28
Sullivan Creek
34
35
36
31
32
33

Place of Use
and Point of
Diversion
Instream Flow
Natural Streams
76L
30052722
Exhibit 1

Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

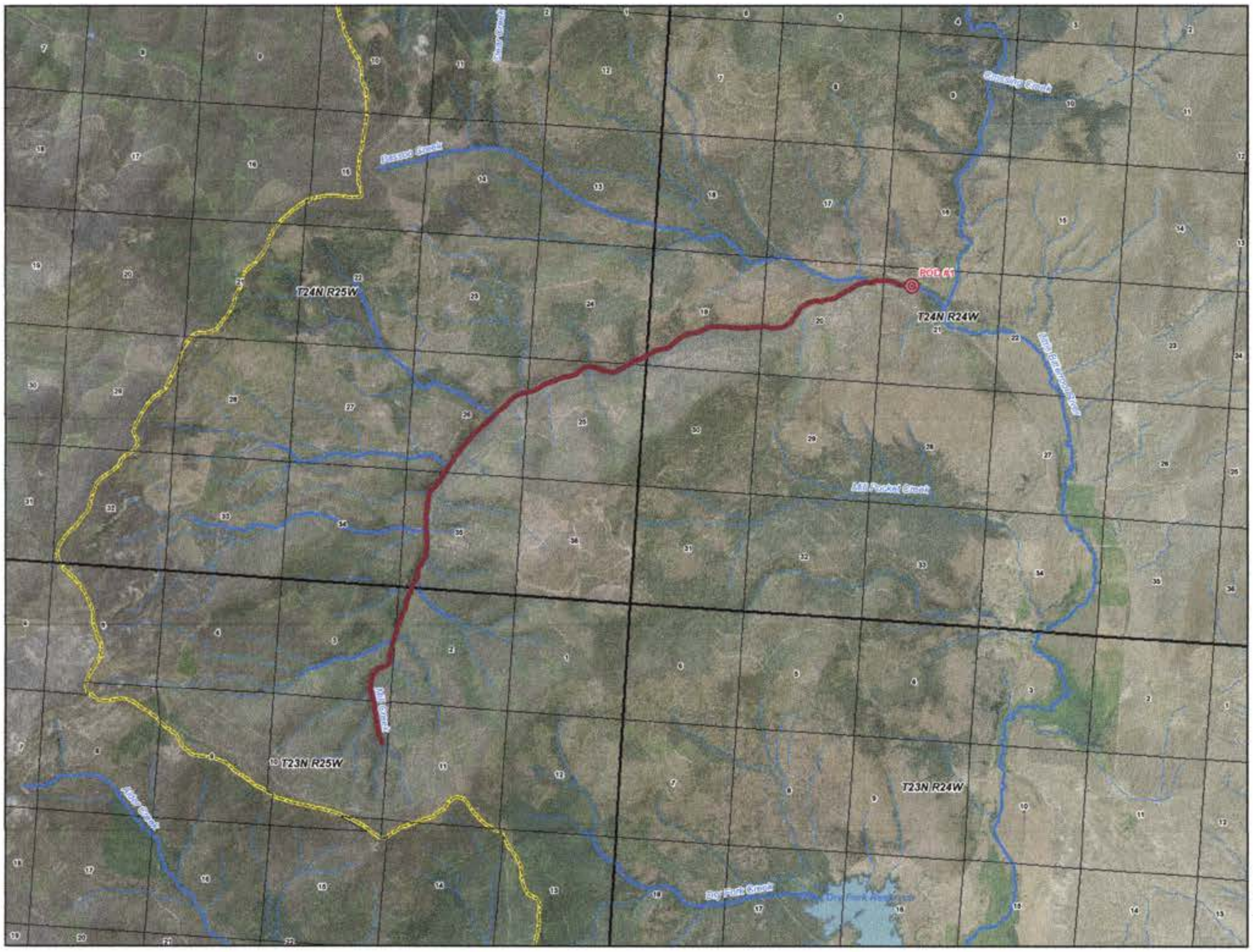
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
T24N R25W
T24N R24W
T23N R25W
T23N R24W
Mill Pocket Creek
Dry Fork Creek

Place of Use and Point of Diversion *Instream Flow Natural Streams*

76L

30052723

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

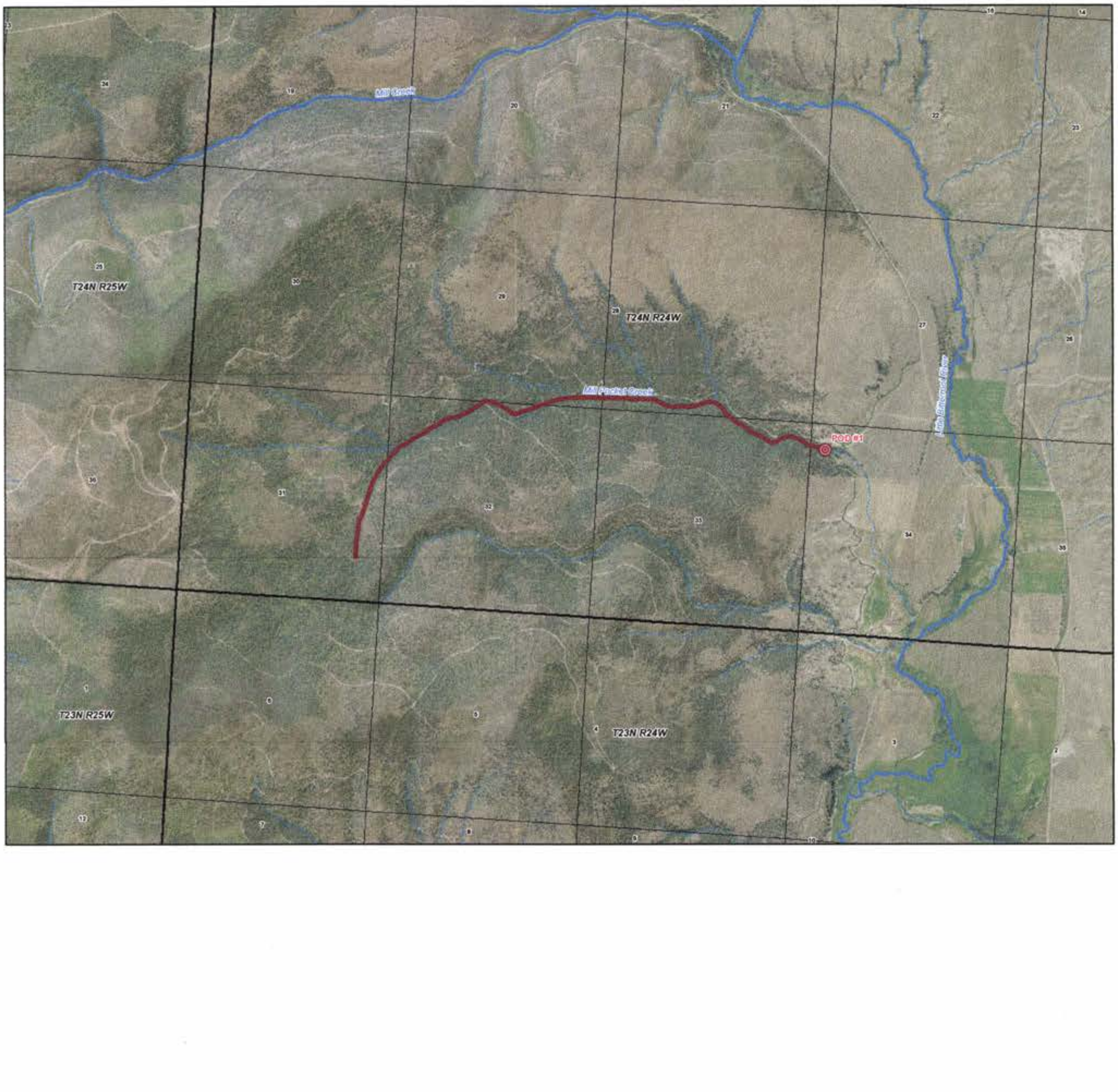
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Mill Creek
Mill Pocket Creek
POD #1
Little Bitterroot River
T24N R25W
T24N R24W
T23N R25W
T23N R24W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052724

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

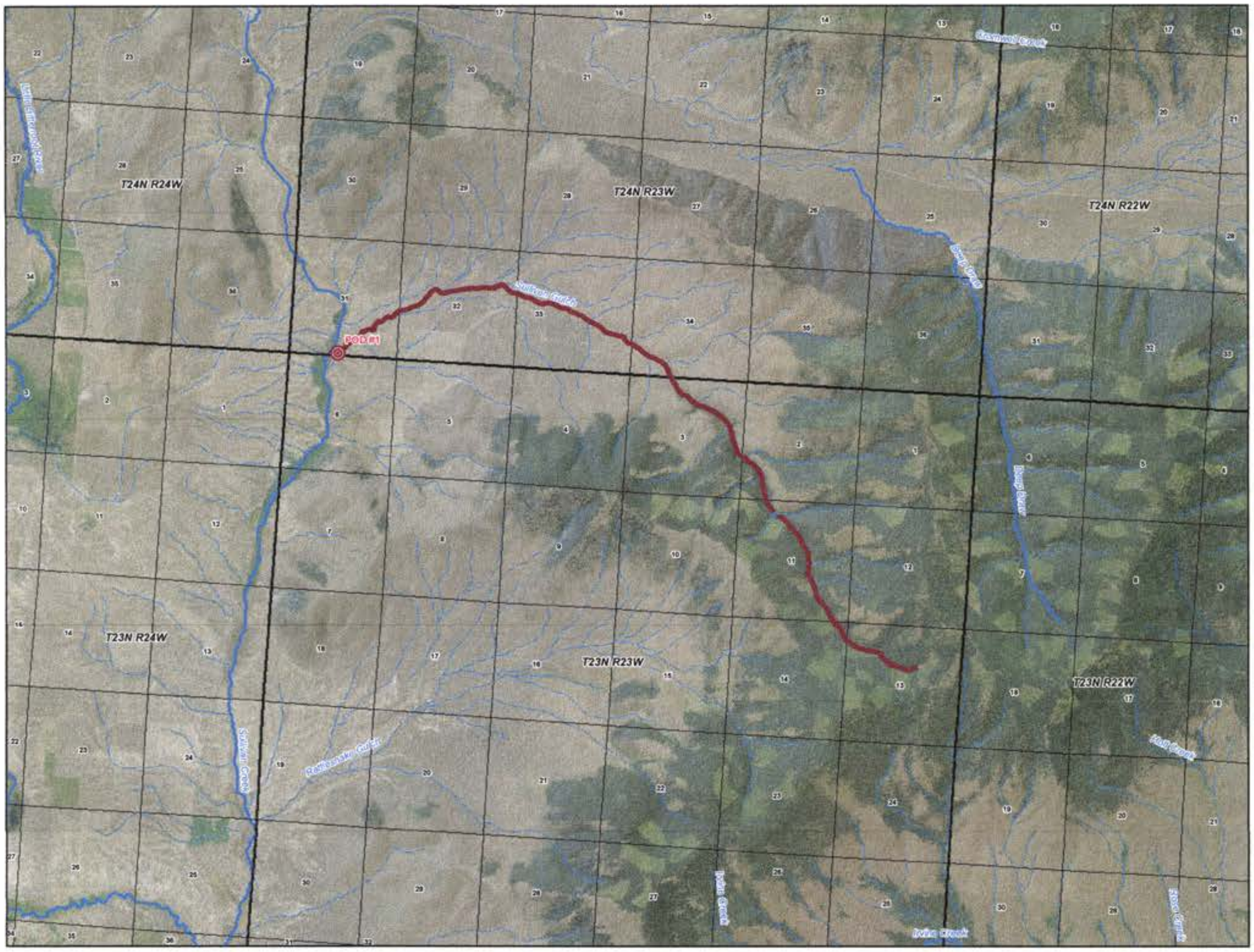
▬ Place of Use

◎ Primary Point(s) of Diversion

☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T24N R24W
T24N R23W
T24N R22W
T23N R24W
T23N R23W
T23N R22W
POD #1
Sullivan Creek
Irving Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052725

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

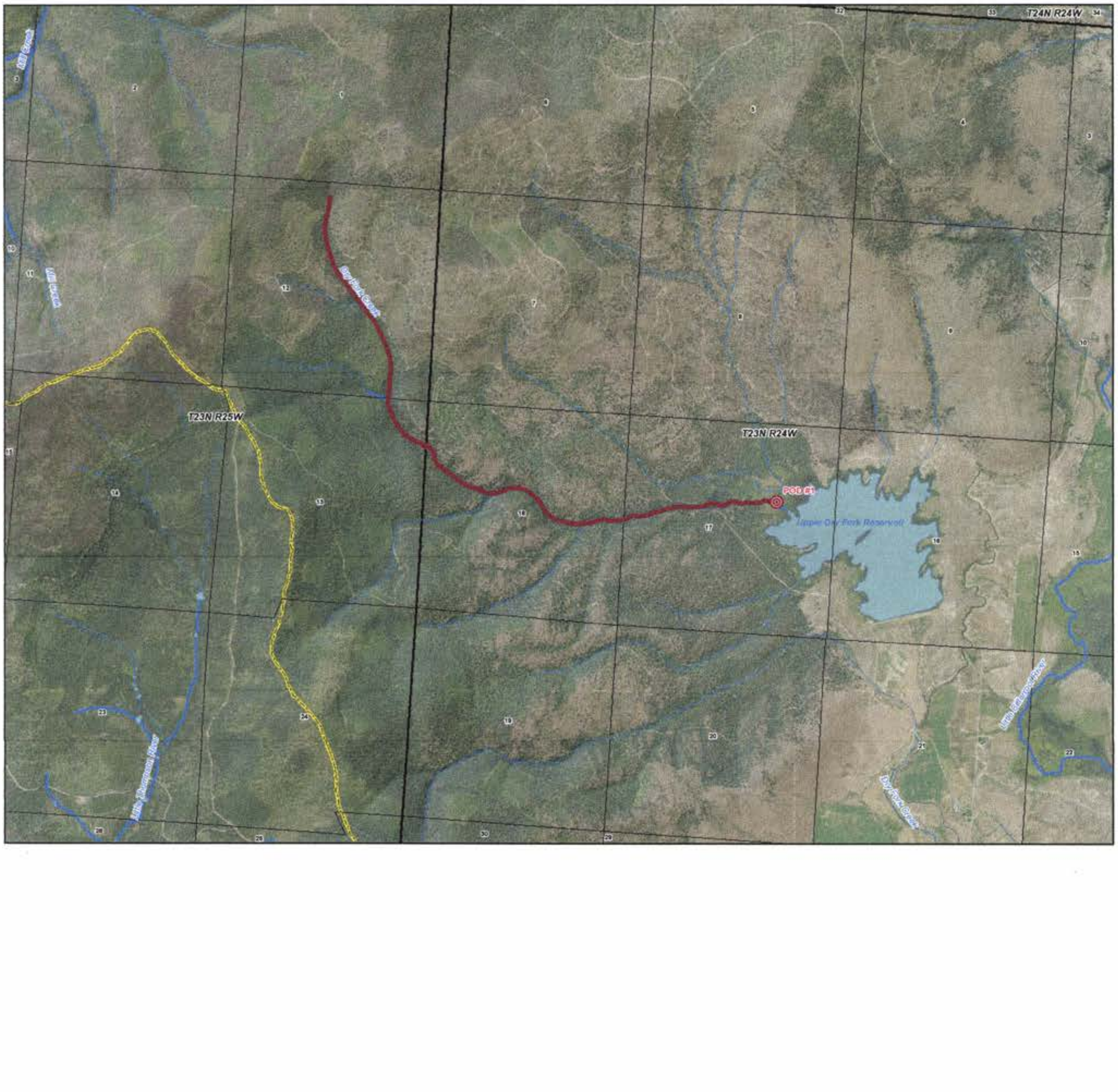
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T24N R24W
T23N R25W
T23N R24W
POD #1
Upper Dry Fork Reservoir
Dry Fork Creek
Mill Creek
Little Bitterroot River
Dry Fork Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052726

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

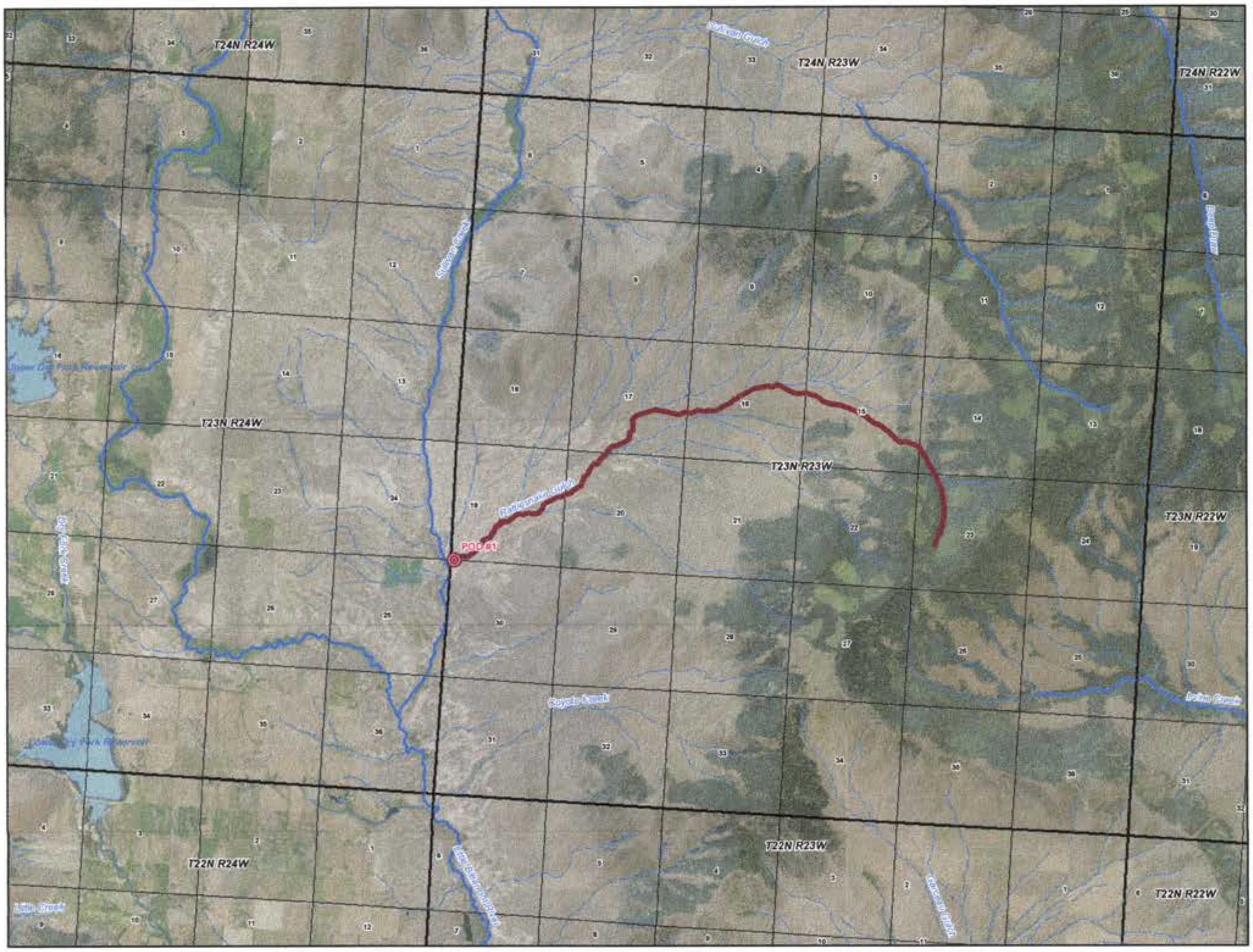
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T24N R24W
T24N R23W
T24N R22W
T23N R24W
T23N R23W
T23N R22W
T22N R24W
T22N R23W
T22N R22W
Sullivan Gulch
Sullivan Creek
Upper Dry Fork Reservoir
Dry Fork Creek
Rattlesnake Gulch
POD #1
Coyote Creek
Lower Dry Fork Reservoir
Little Bitterroot River
Little Creek

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L
30052727
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

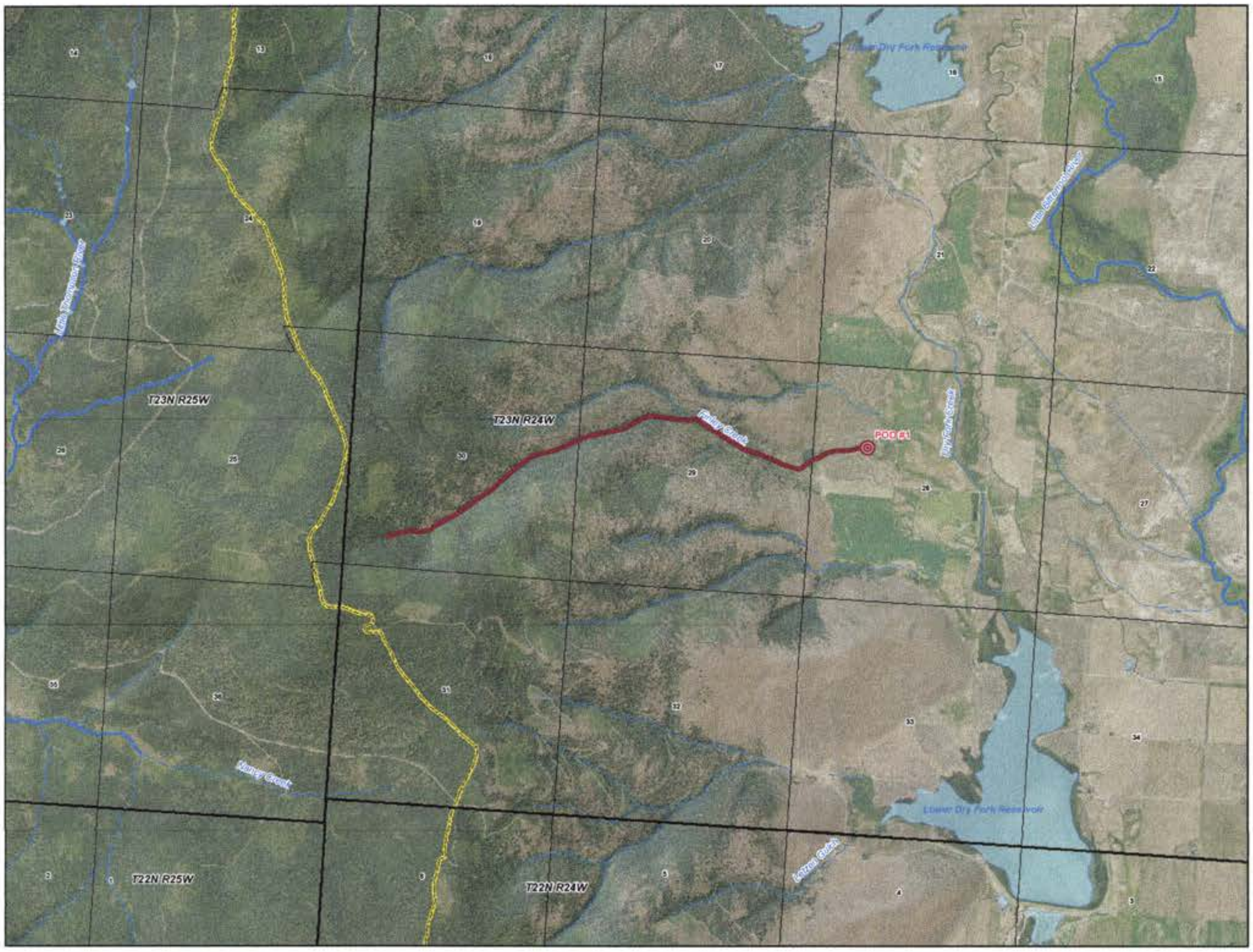
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Upper Dry Fork Reservoir
Little Thompson River
Little Bitterroot River
T23N R25W
T23N R24W
Finley Creek
POD #1
Dry Fork Creek
Lower Dry Fork Reservoir
T22N R25W
T22N R24W
14
13
16
17
18
15
23
24
19
20
21
22
26
25
30
29
28
27
35
36
31
32
33
34
2
1
6
5
4
3

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052728

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

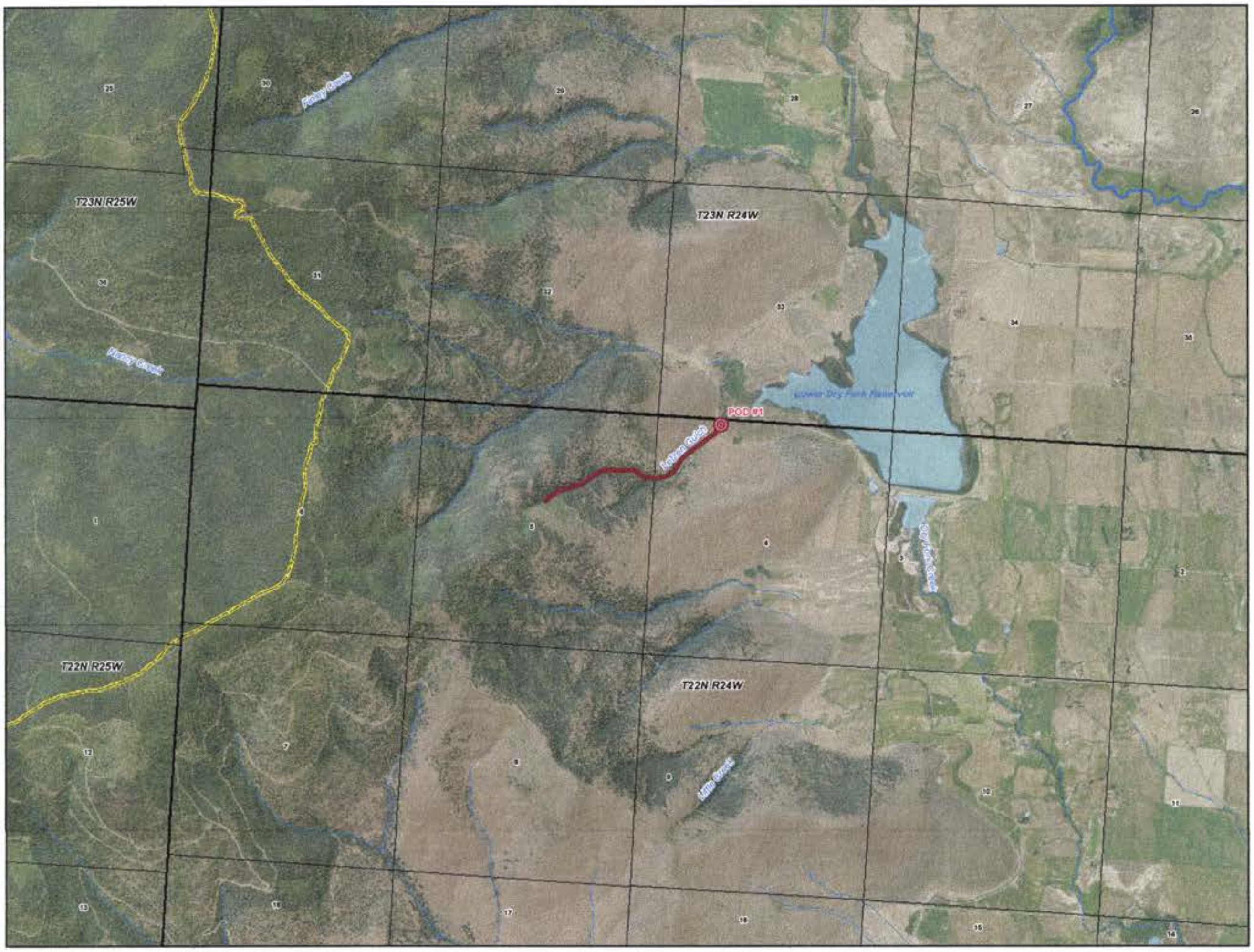
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
⬚	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R25W
T23N R24W
T22N R25W
T22N R24W
POD #1
Lower Dry Fork Reservoir
Dry Fork Creek
Little Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052729

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

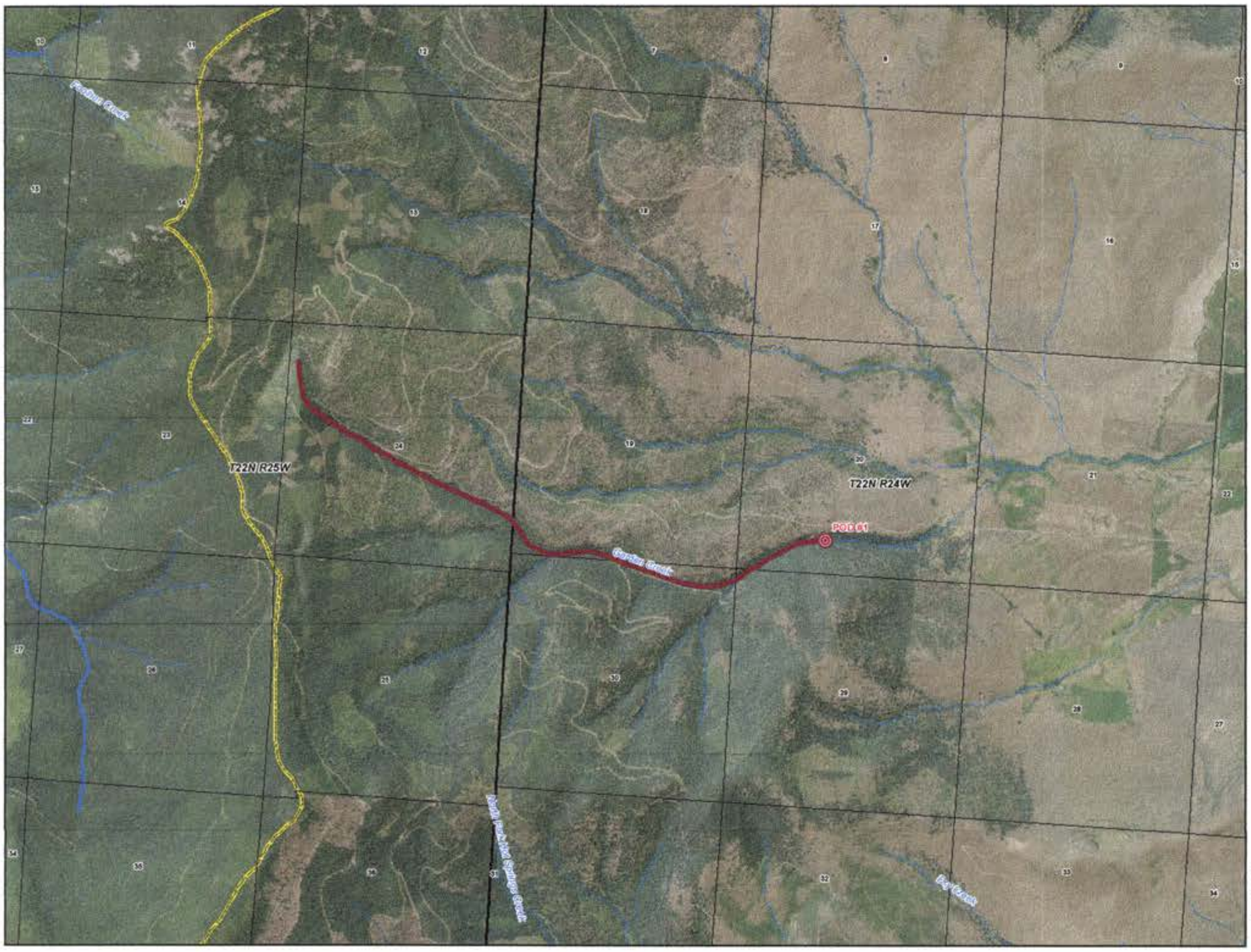
▬ Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R25W
T22N R24W
POD #1
Gordon Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052730

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

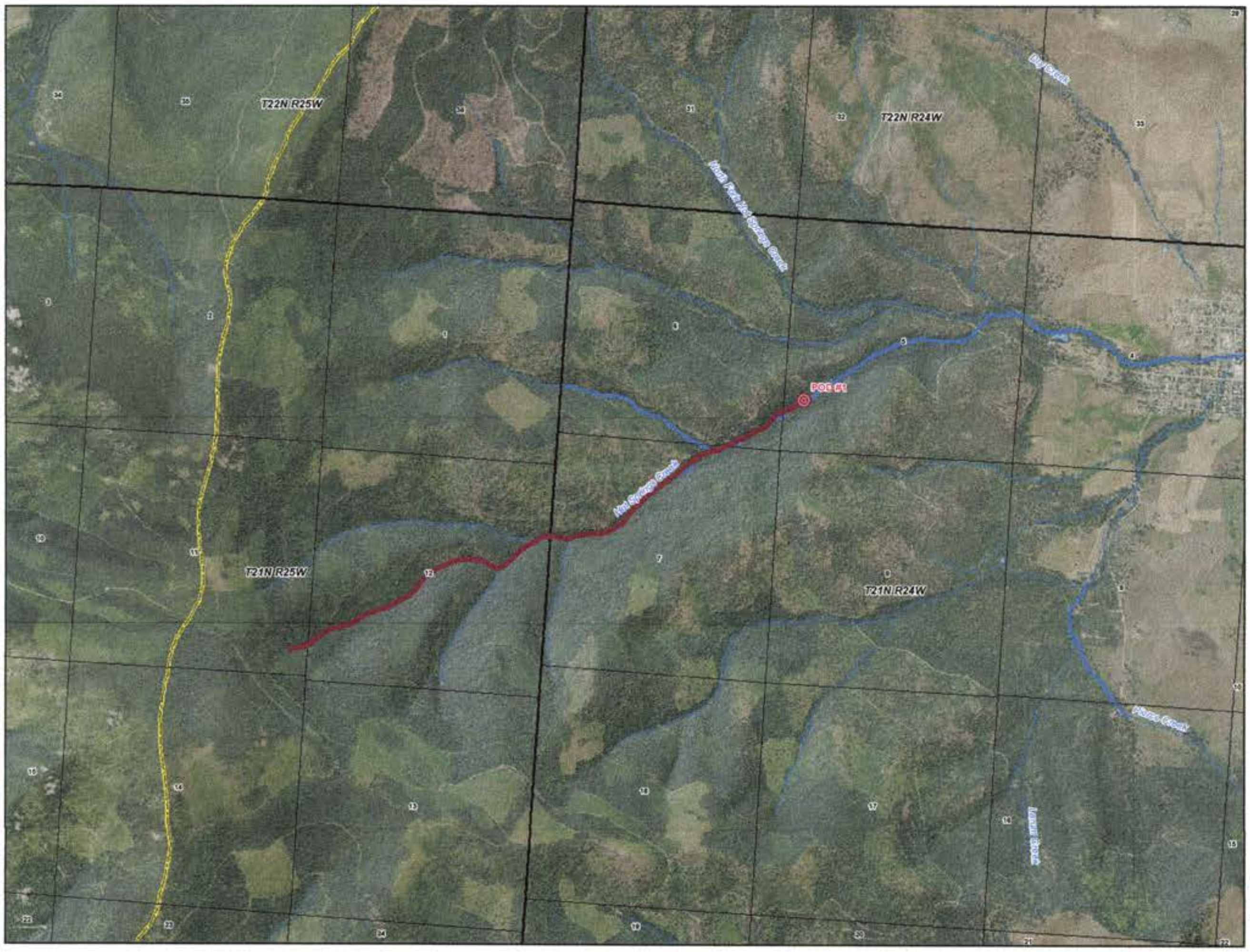
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T22N R25W
T22N R24W
T21N R25W
T21N R24W
Dry Creek
North Fork Hot Springs Creek
Hot Springs Creek
POD #1
34
35
36
31
32
33
28
3
2
1
6
5
4
10
11
12
7
8
9
15
14
13
18
17
16
22
23
24
19
20
21
22

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052731

Exhibit 1

Hot Springs
Polson
Pablo
St Ignatius
Arlee
Area of Interest

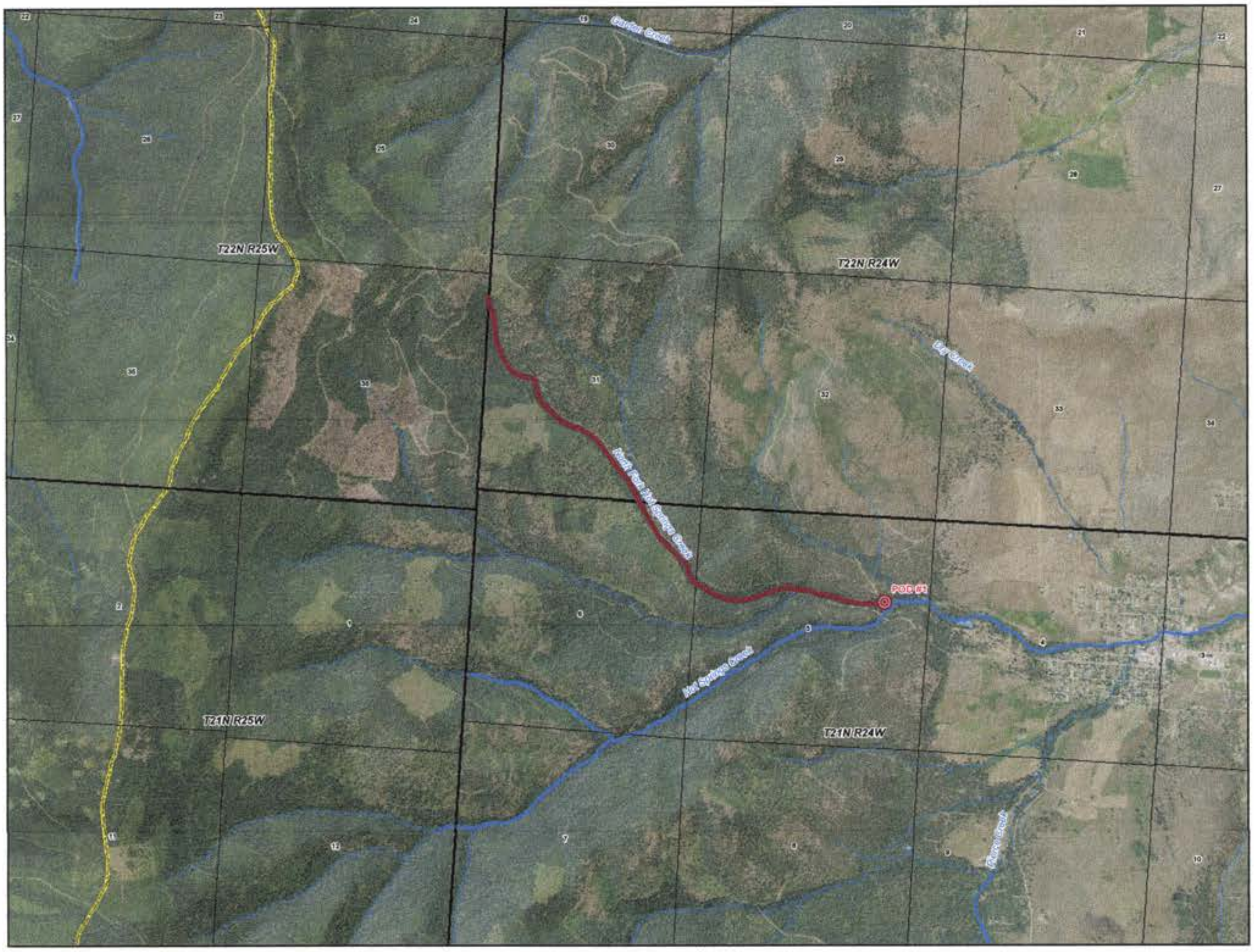
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R25W
T22N R24W
T21N R25W
T21N R24W
North Fork Hot Springs Creek
Hot Springs Creek
POD #1

Place of Use and Point of Diversion

Instream Flow

Natural Streams

76L

30052732

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

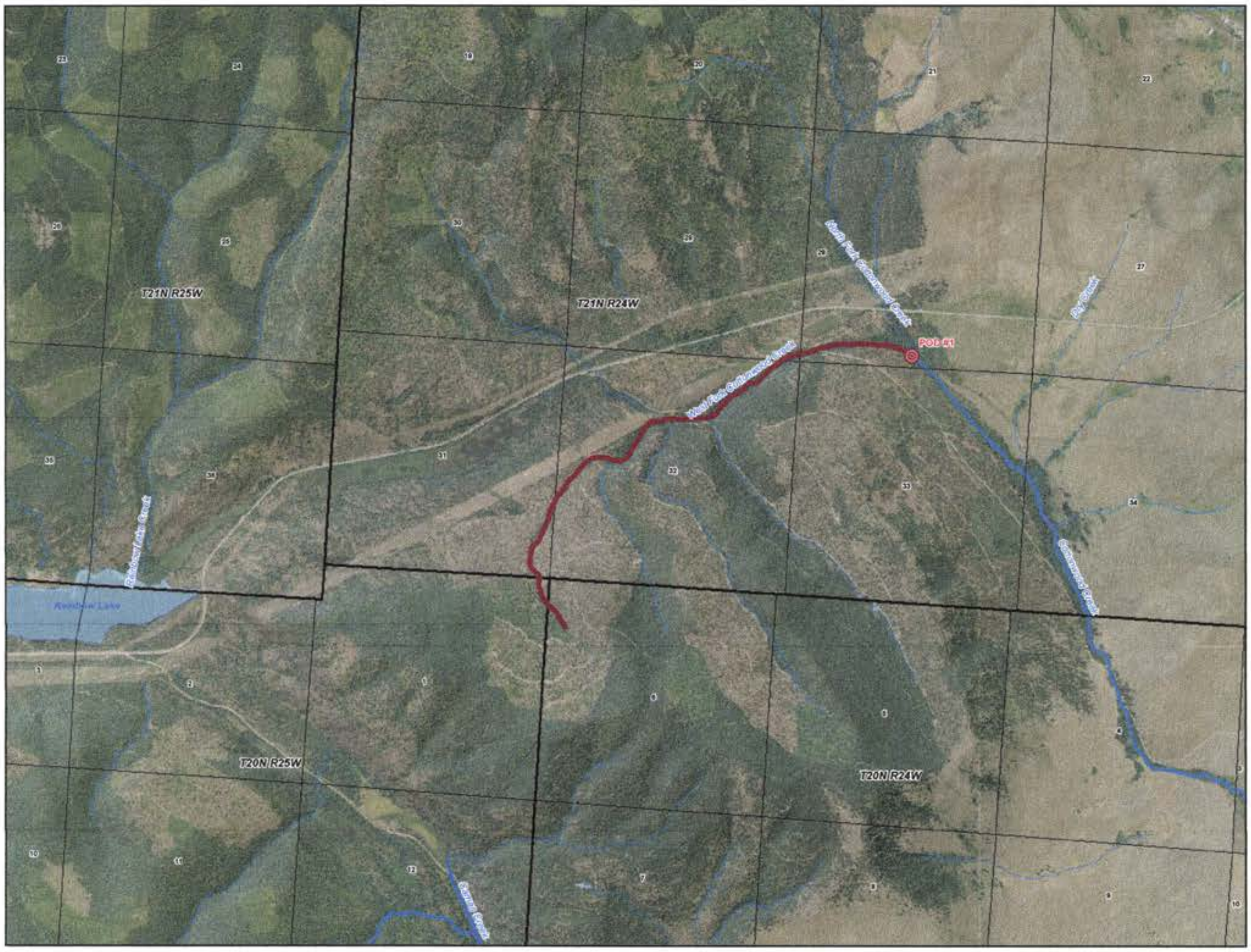
🟥 Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R25W
T21N R24W
T20N R25W
T20N R24W
POD #1
West Fork Cottonwood Creek
North Fork Cottonwood Creek
Dry Creek
Cottonwood Creek
Rainbow Lake
Rainbow Lake Creek
Camas Creek
23
24
19
20
21
22
26
25
30
29
28
27
35
36
31
32
33
34
3
2
1
6
5
4
10
11
12
7
8
9
10

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052733

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

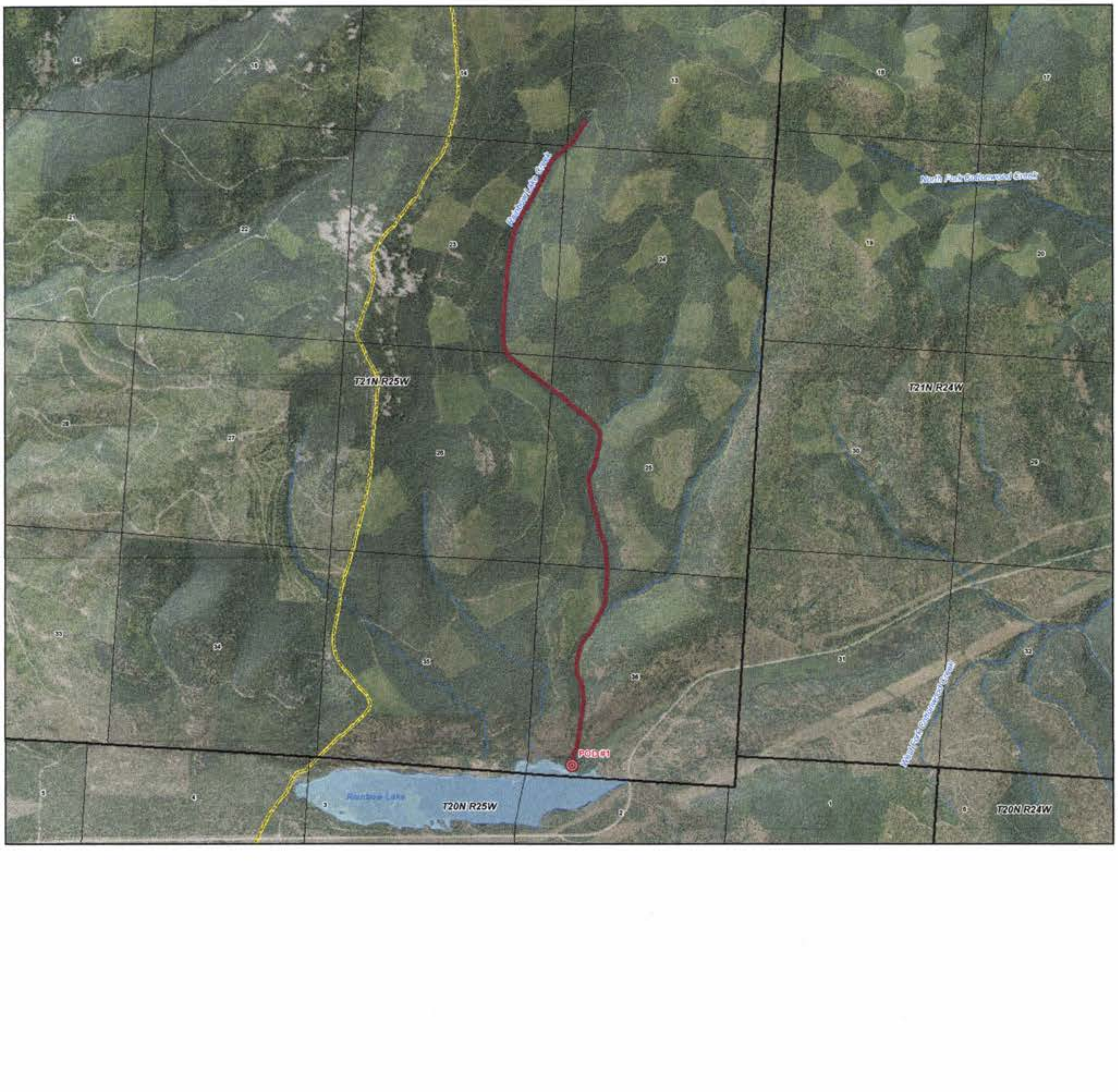
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Rainbow Lake Creek
North Fork Cottonwood Creek
T21N R25W
T21N R24W
POD #1
Rainbow Lake
T20N R25W
T20N R24W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052734

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

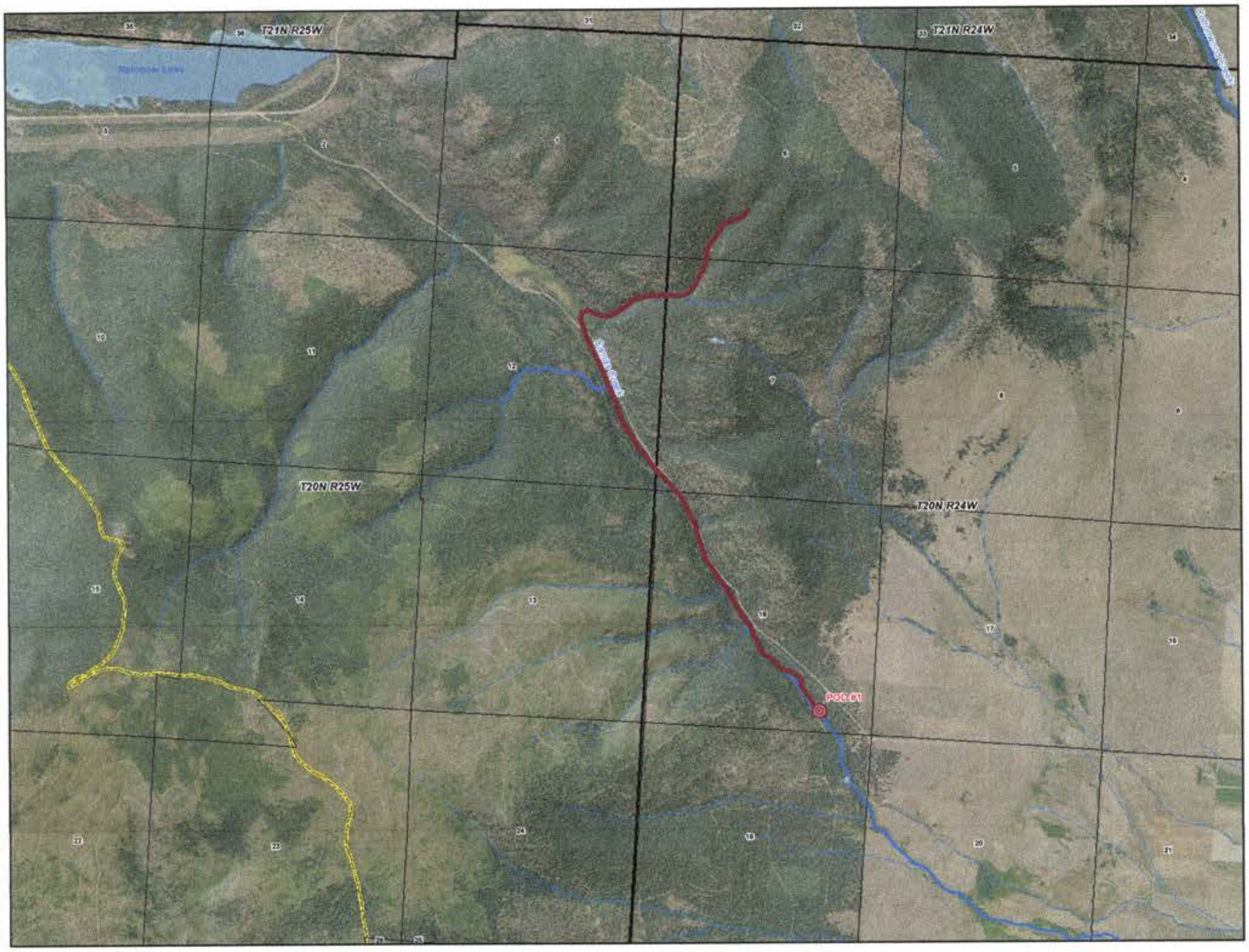
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R25W
T21N R24W
Rainbow Lake
T20N R25W
T20N R24W
POD #1

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052735

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

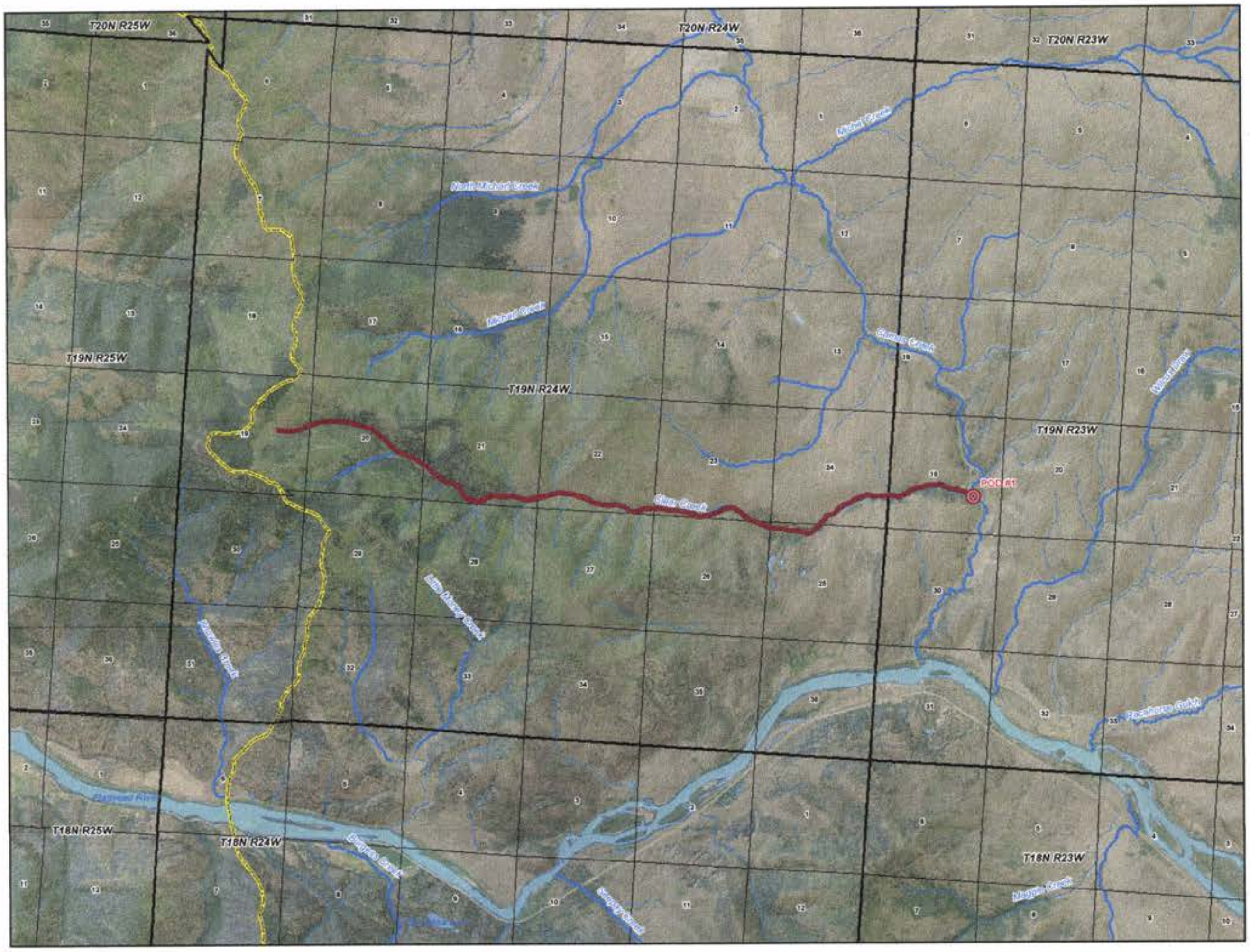
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T20N R25W
T20N R24W
T20N R23W
North Michel Creek
Michel Creek
Michel Creek
Camas Creek
T19N R25W
T19N R24W
T19N R23W
POD #1
Clear Creek
Little Money Creek
Flathead River
T18N R25W
T18N R24W
T18N R23W
Magpie Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052736

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

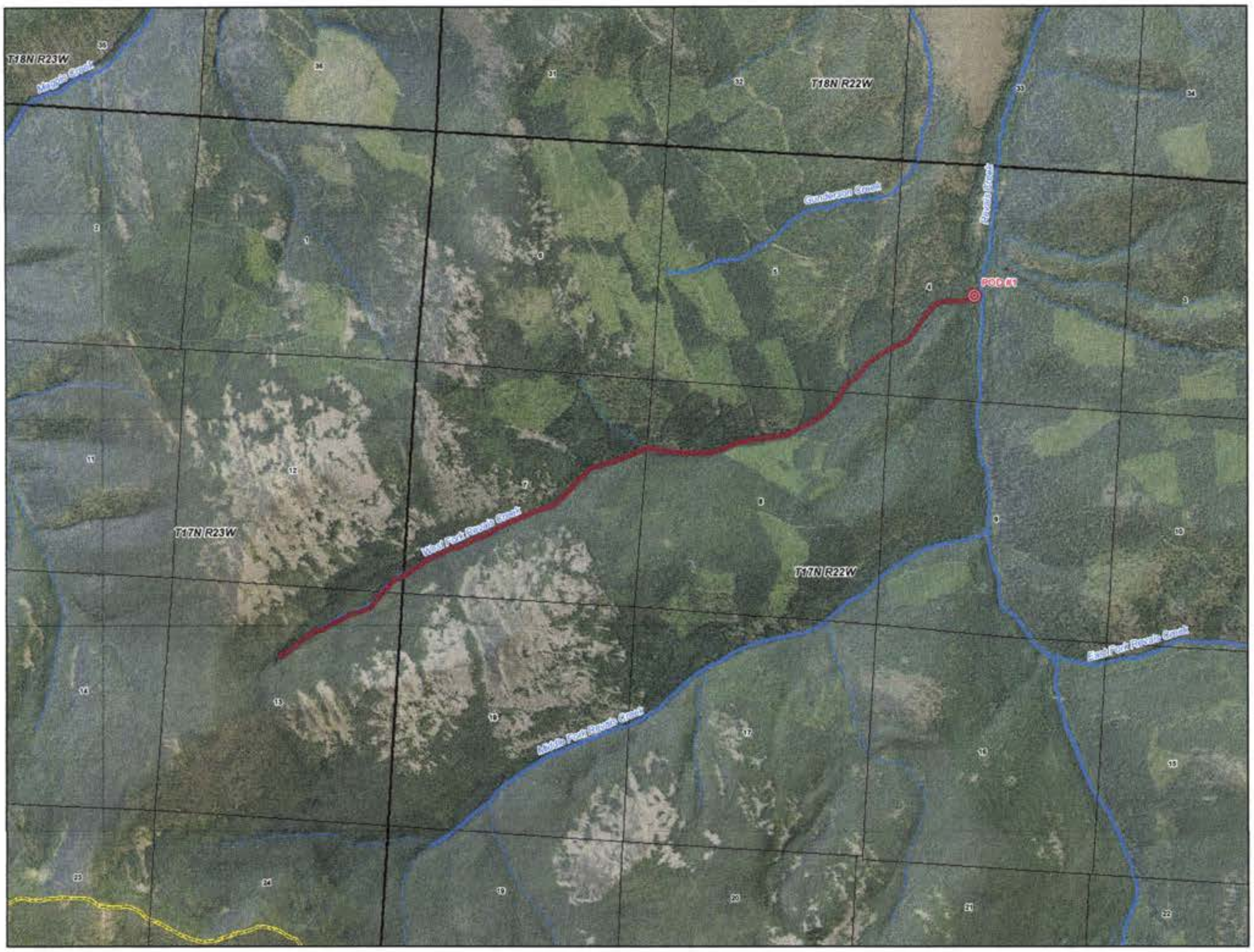
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R23W
35
Magpie Creek
36
31
32
T18N R22W
33
34
Gunderson Creek
Revais Creek
2
1
6
5
4
POD #1
3
11
12
7
8
9
10
T17N R23W
West Fork Revais Creek
T17N R22W
East Fork Revais Creek
14
13
18
17
16
15
Middle Fork Revais Creek
23
24
19
20
21
22

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052737
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

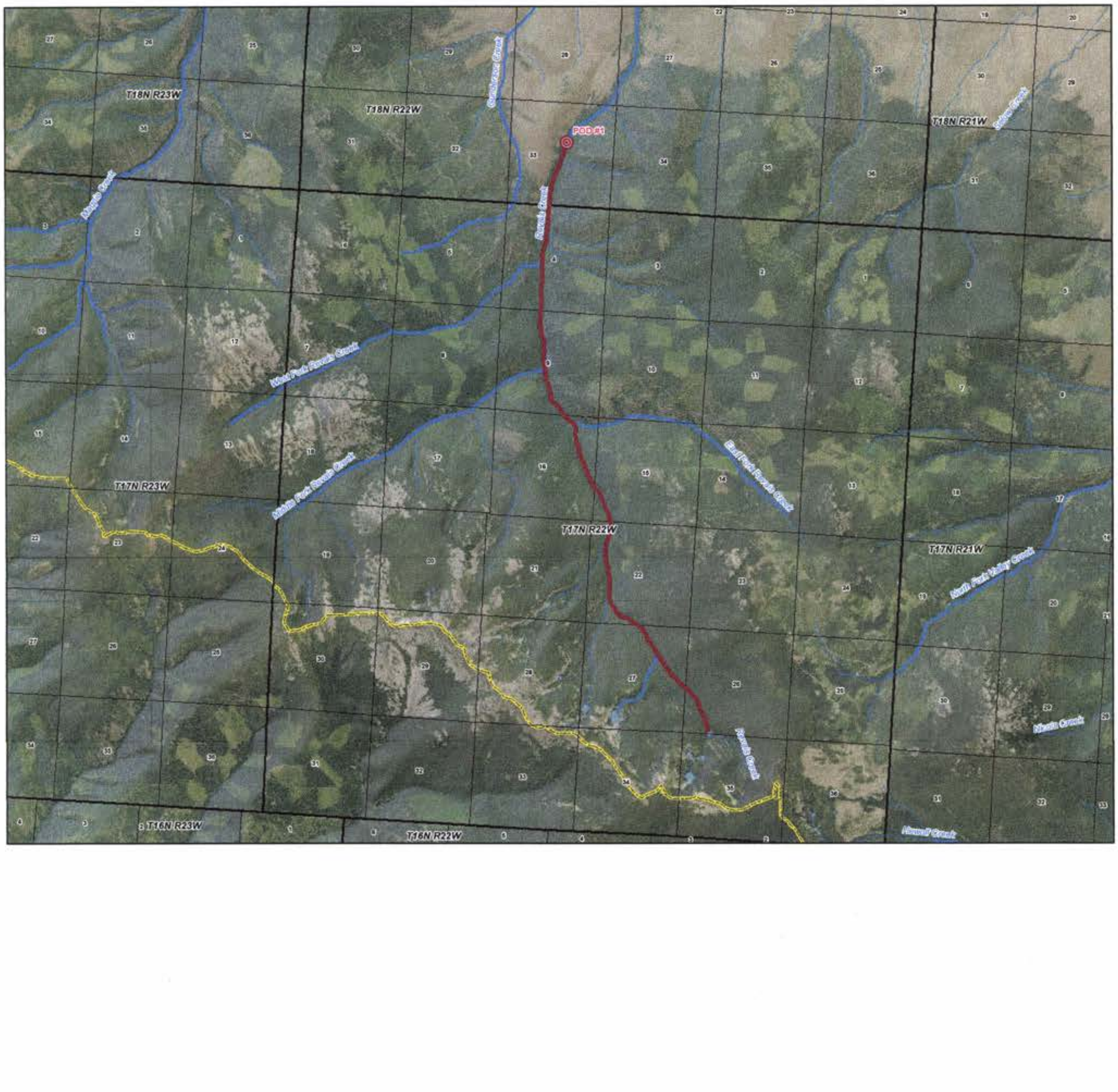
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R23W
T18N R22W
T18N R21W
POD #1
Revais Creek
West Fork Revais Creek
Middle Fork Revais Creek
East Fork Revais Creek
T17N R23W
T17N R22W
T17N R21W
North Fork Valley Creek
T16N R23W
T16N R22W

Place of Use
and Point of
Diversion
Instream Flow
Natural Streams
76L
30052738
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

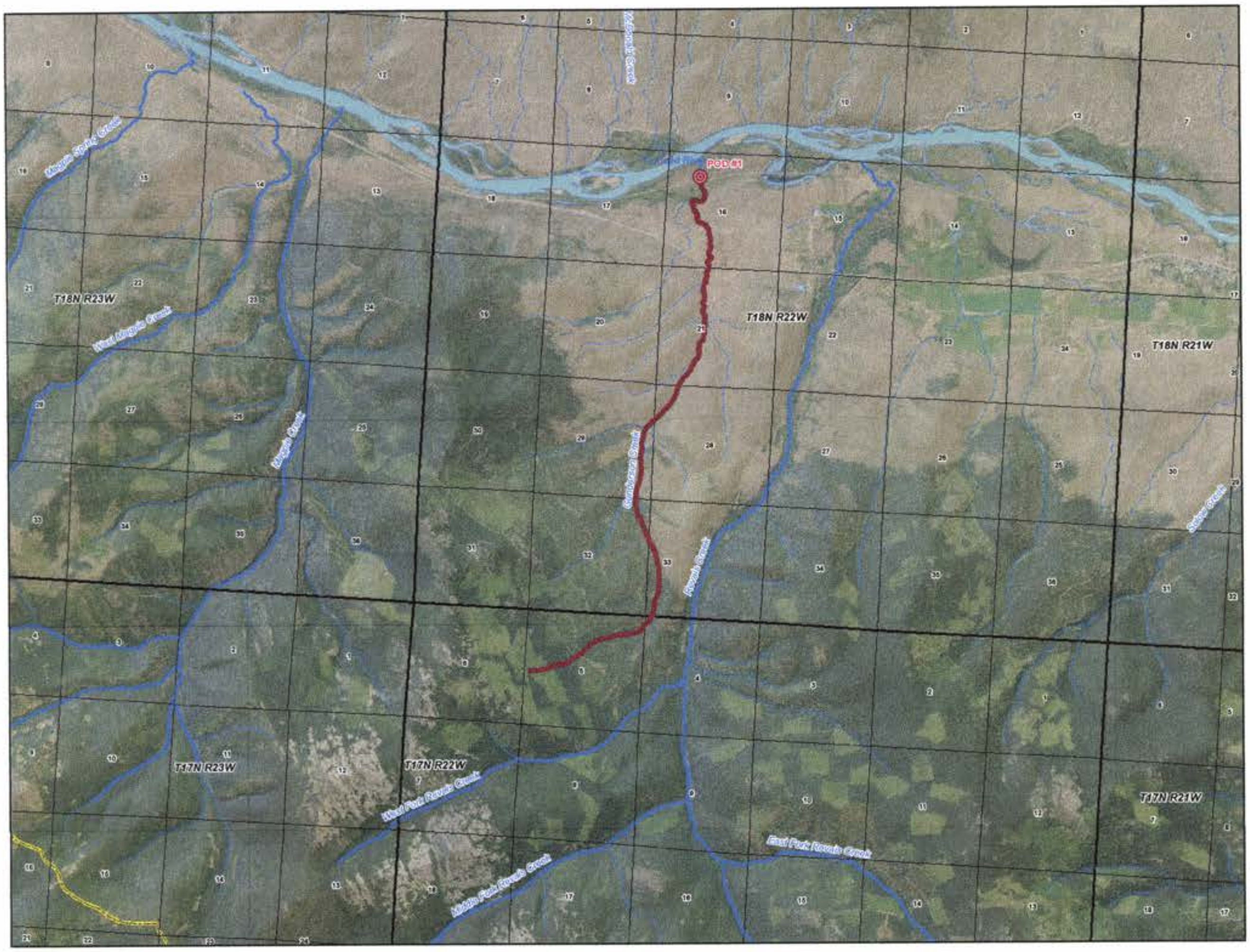
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
T18N R23W
T18N R22W
T18N R21W
T17N R23W
T17N R22W
T17N R21W
West Magpie Creek
Magpie Creek
West Fork Revais Creek
Middle Fork Revais Creek
East Fork Revais Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052739
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

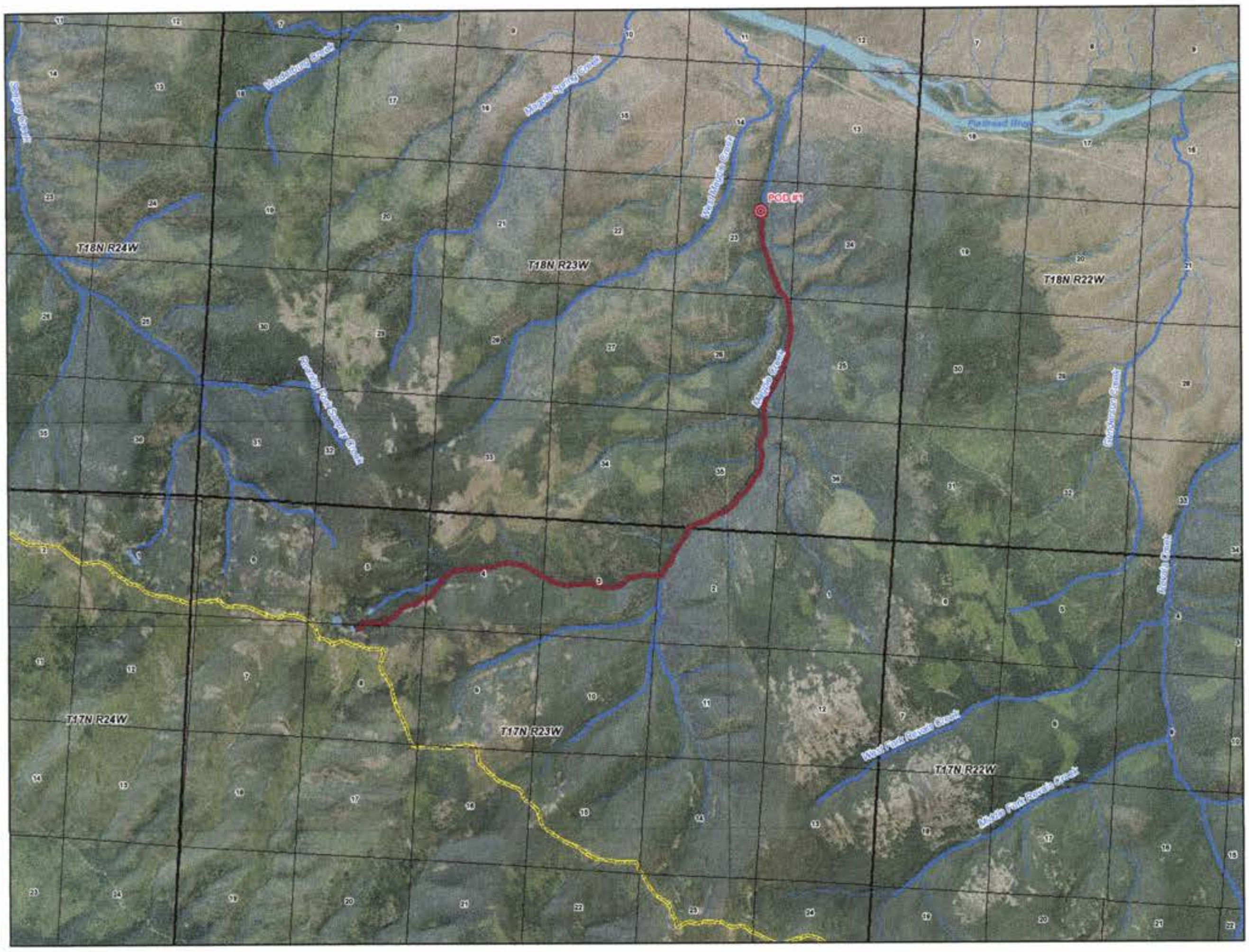
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)



POD #1
T18N R24W
T18N R23W
T18N R22W
T17N R24W
T17N R23W
T17N R22W
Magpie Spring Creek
West Magpie Creek
Magpie Creek
Flathead River
West Fork Revais Creek
Middle Fork Revais Creek
Revais Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052740

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

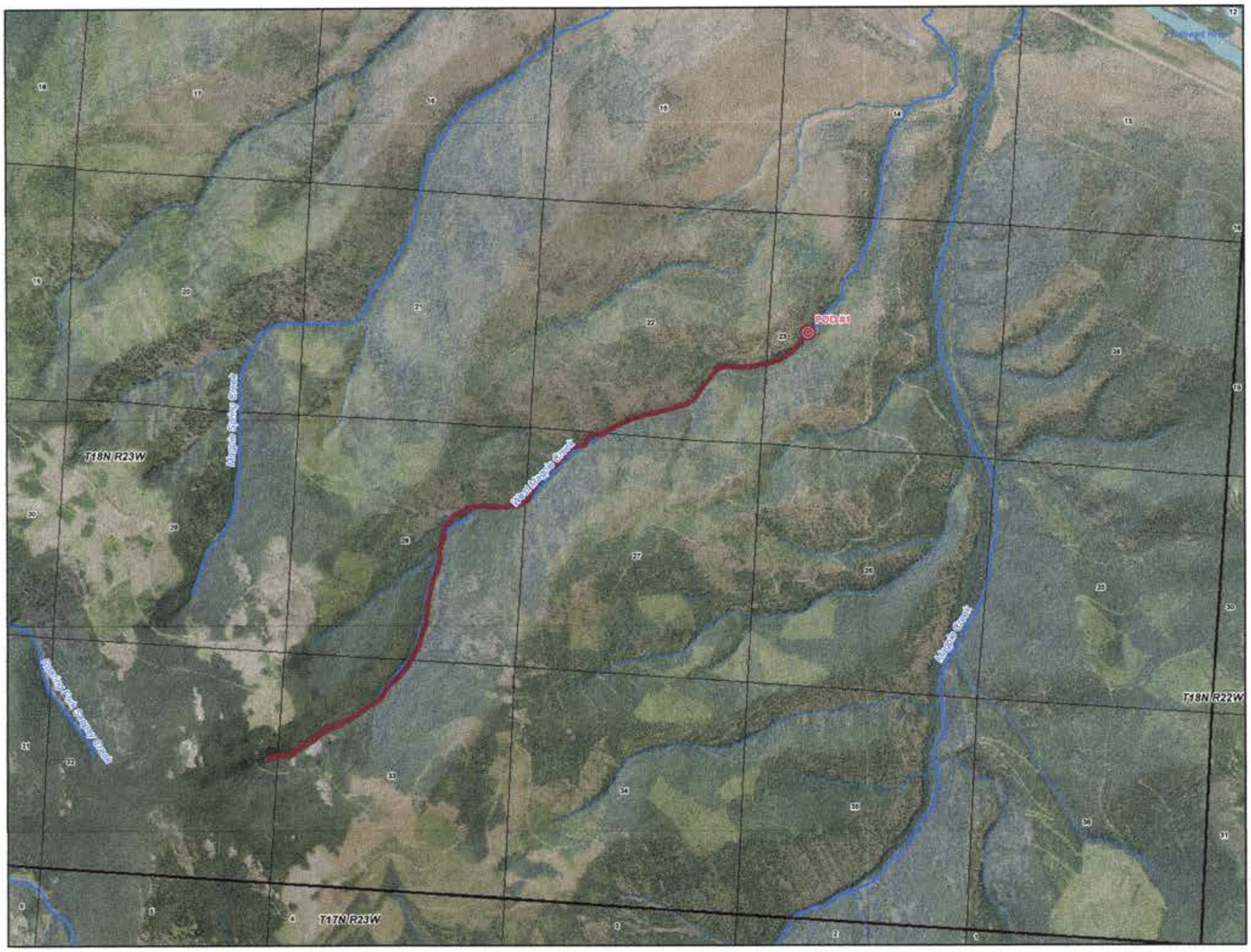
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
T18N R23W
T18N R22W
T17N R23W
Magpie Spring Creek
West Magpie Creek
Magpie Creek
Flathead River

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052741

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

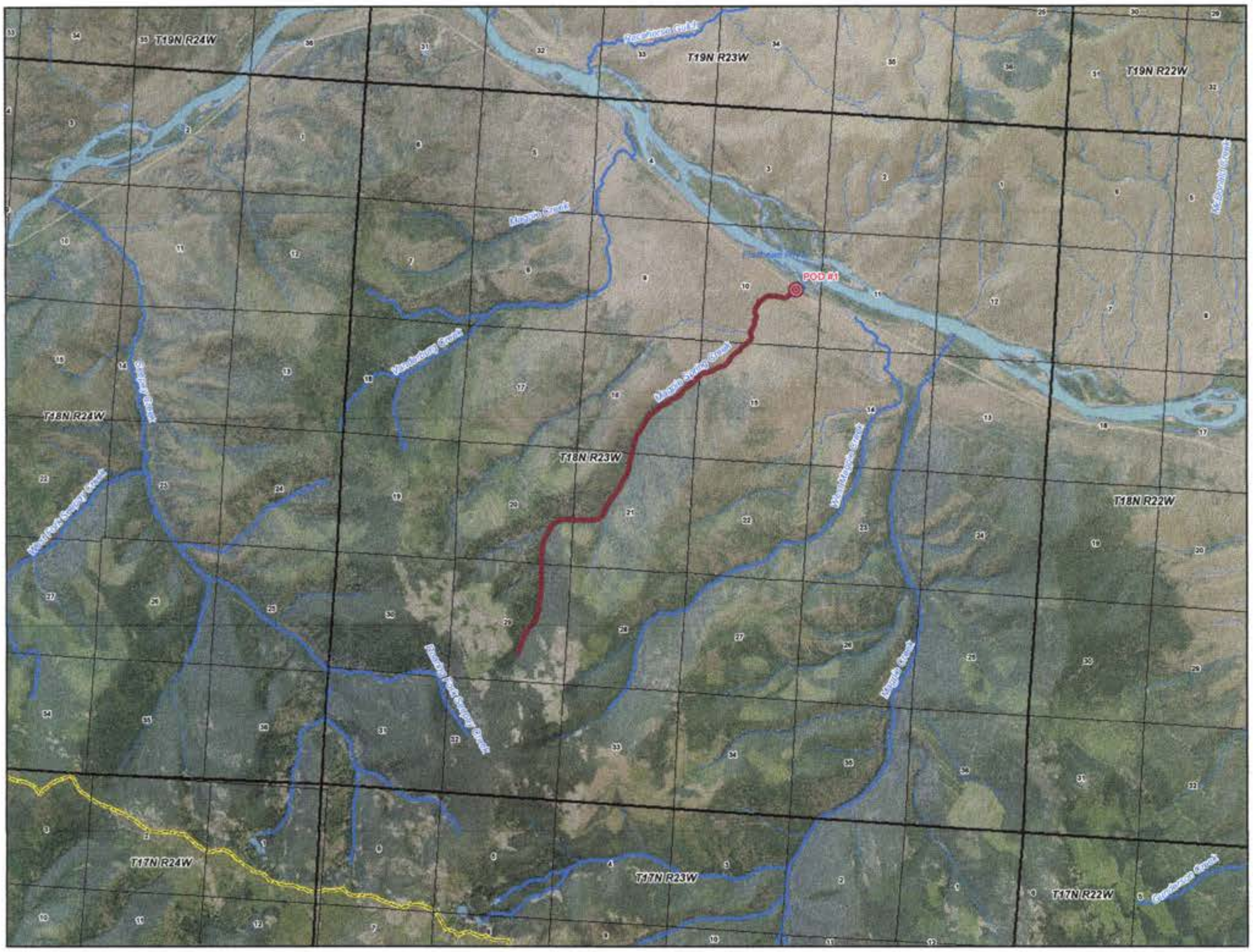
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R24W
T19N R23W
T19N R22W
Flathead River
Magpie Creek
POD #1
Magpie Spring Creek
T18N R24W
T18N R23W
T18N R22W
T17N R24W
T17N R23W
T17N R22W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052742

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

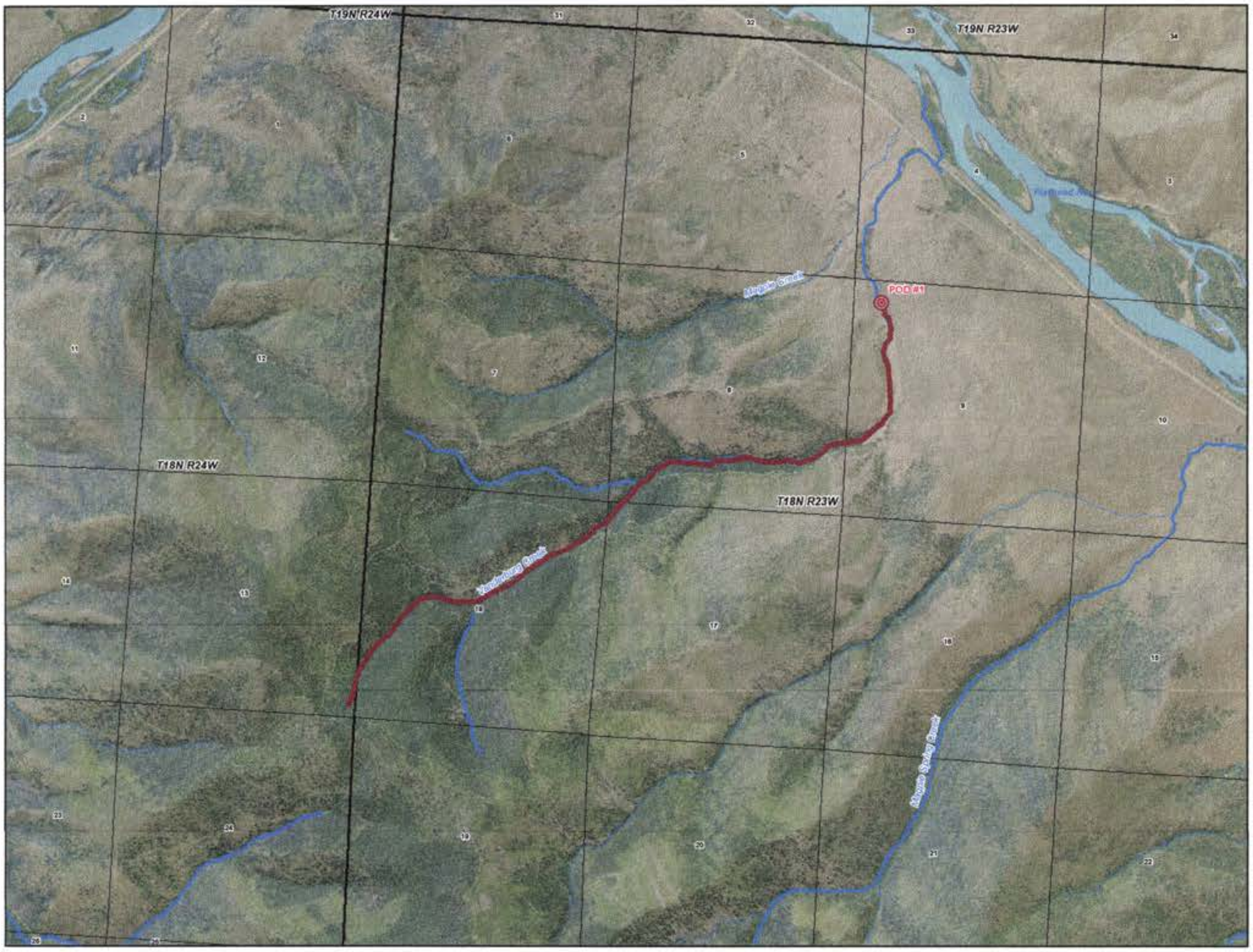
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T19N R24W
T19N R23W
T18N R24W
T18N R23W
POD #1
31
32
33
34
2
1
6
5
4
3
11
12
7
8
9
10
14
13
18
17
16
15
23
24
19
20
21
22
26
25

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052743

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

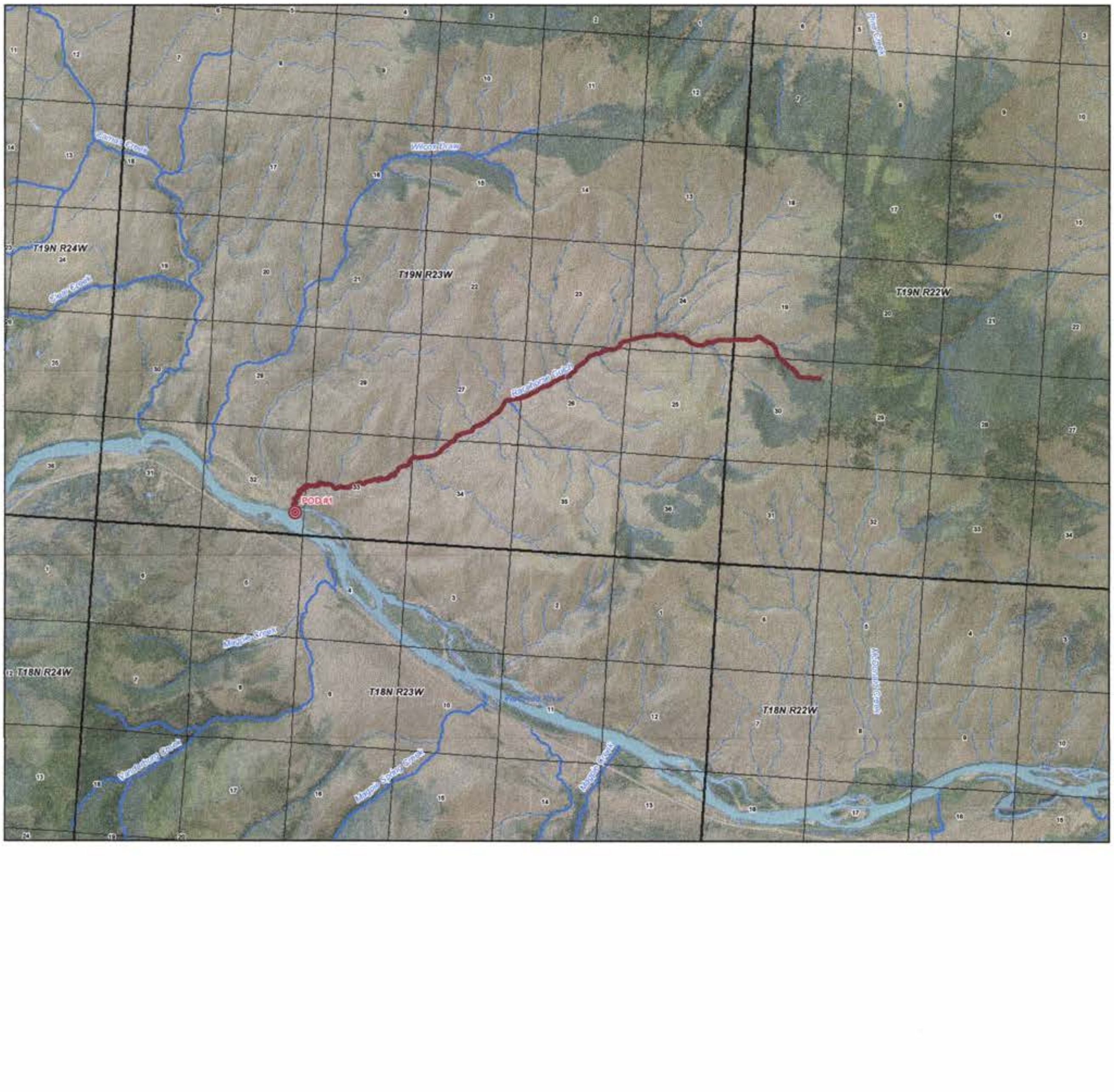
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R24W
T19N R23W
T19N R22W
T18N R24W
T18N R23W
T18N R22W
Wilcox Draw
POD #1
Magpie Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052744

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

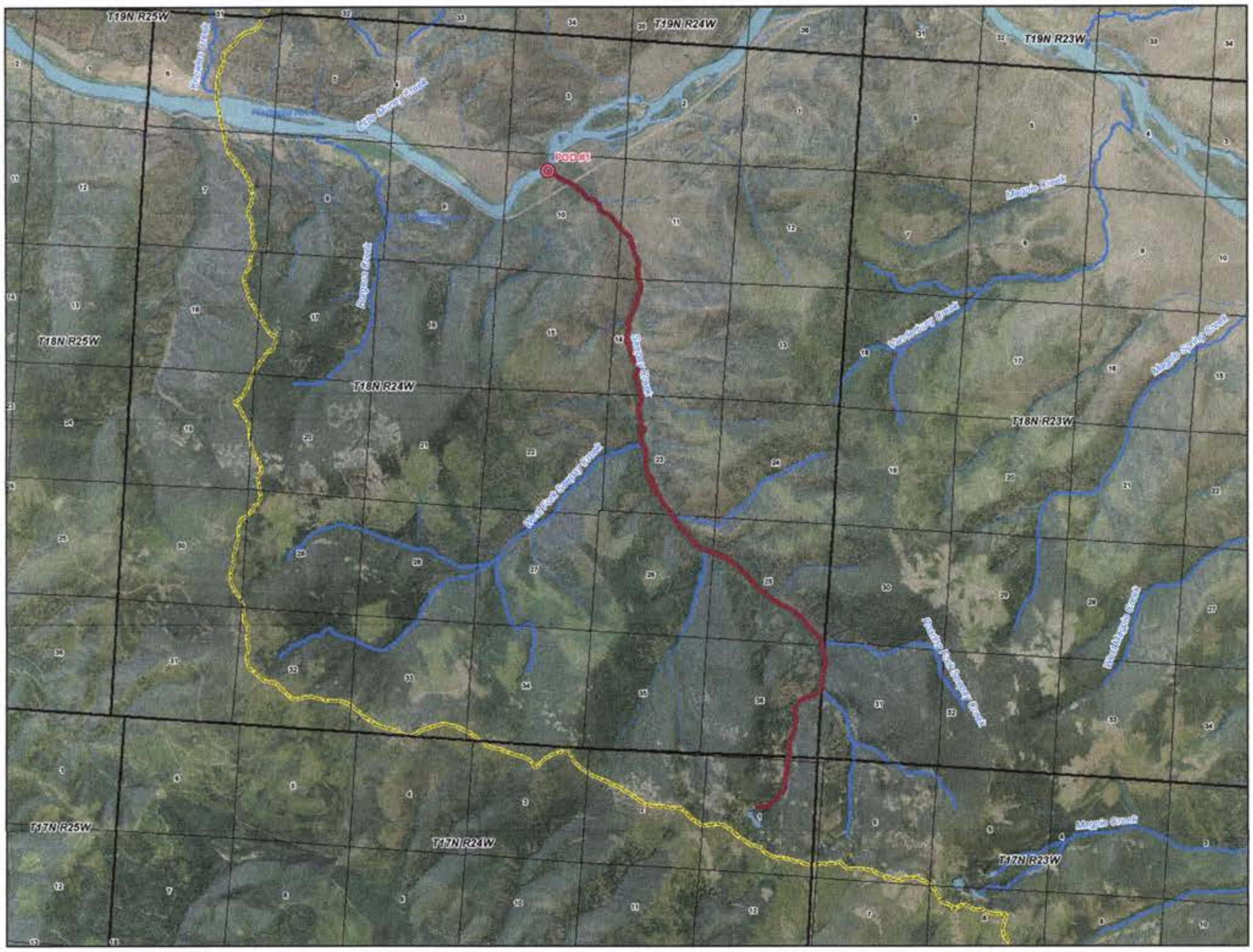
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T19N R25W
T19N R24W
T19N R23W
T18N R25W
T18N R24W
T18N R23W
T17N R25W
T17N R24W
T17N R23W
POD #1
Flathead River
Little Money Creek
Magpie Creek
Vanderburg Creek
Magpie Spring Creek
Seepay Creek
West Fork Seepay Creek
West Magpie Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052745
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

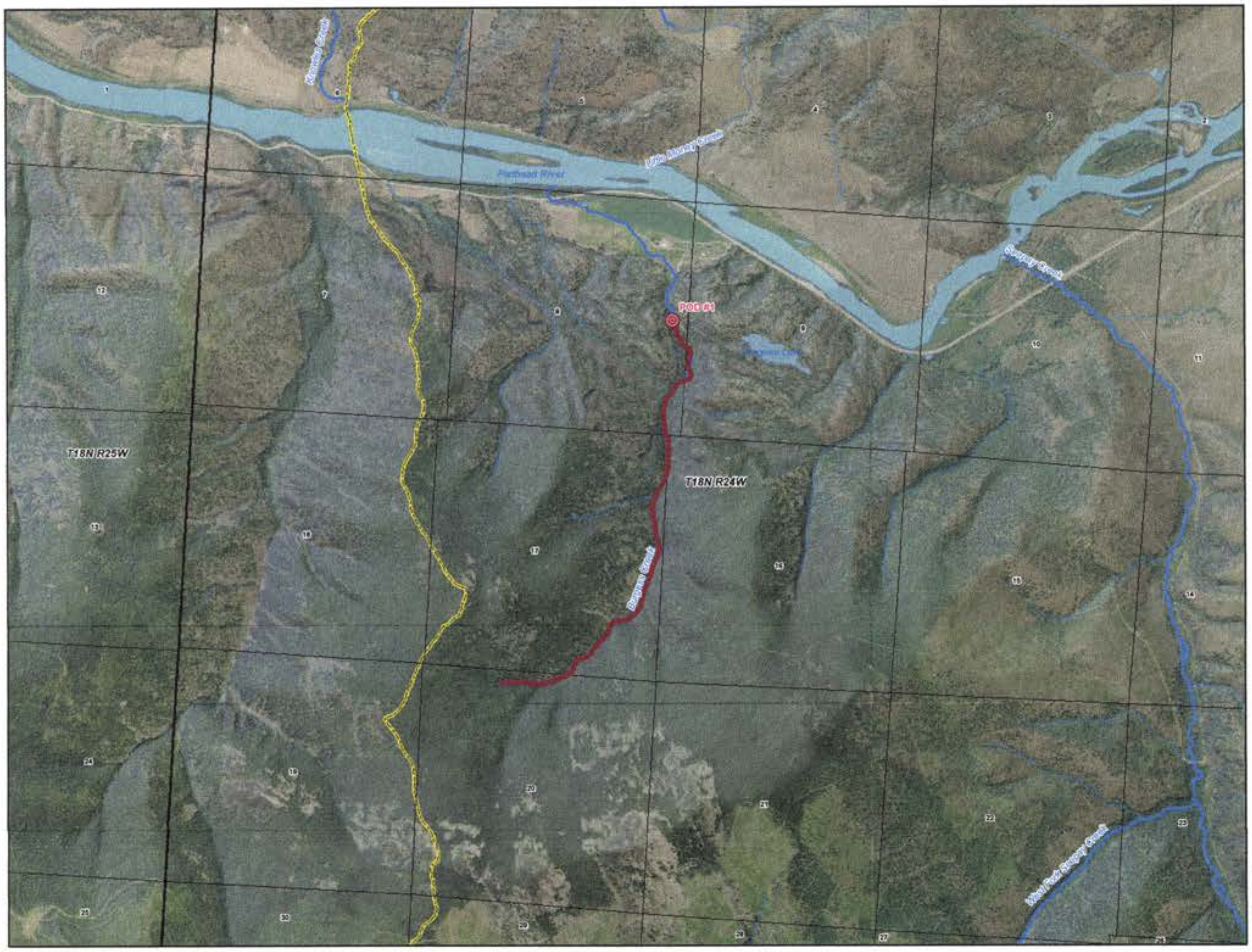
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Flathead River
Little Money Creek
Seepay Creek
POD #1
Burgess Creek
T18N R25W
T18N R24W
West Fork Seepay Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052746

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0
0.25
0.5
Miles

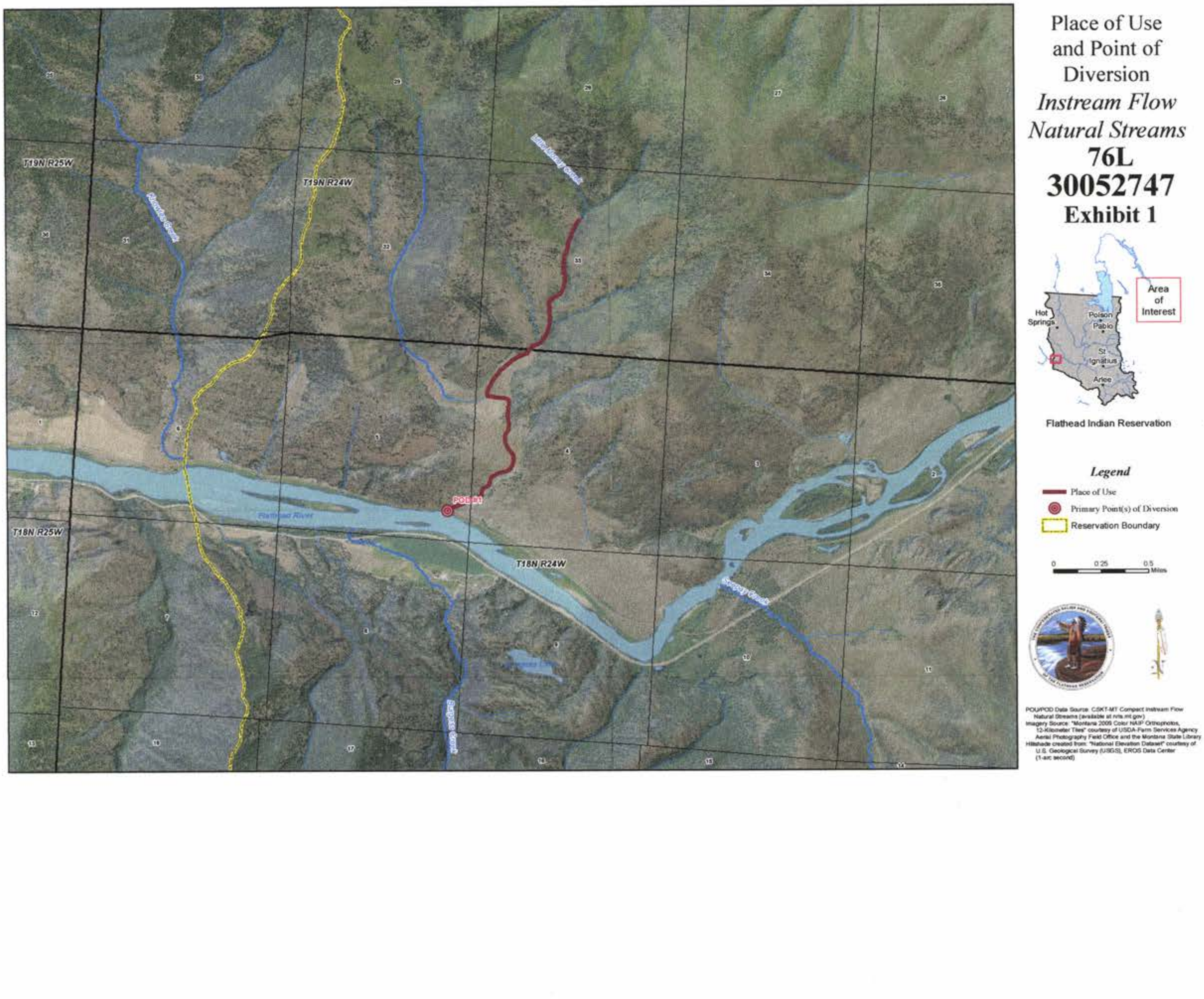
POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052747

Exhibit 1


T19N R25W
T19N R24W
T18N R25W
T18N R24W
Flathead River
POD #1
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

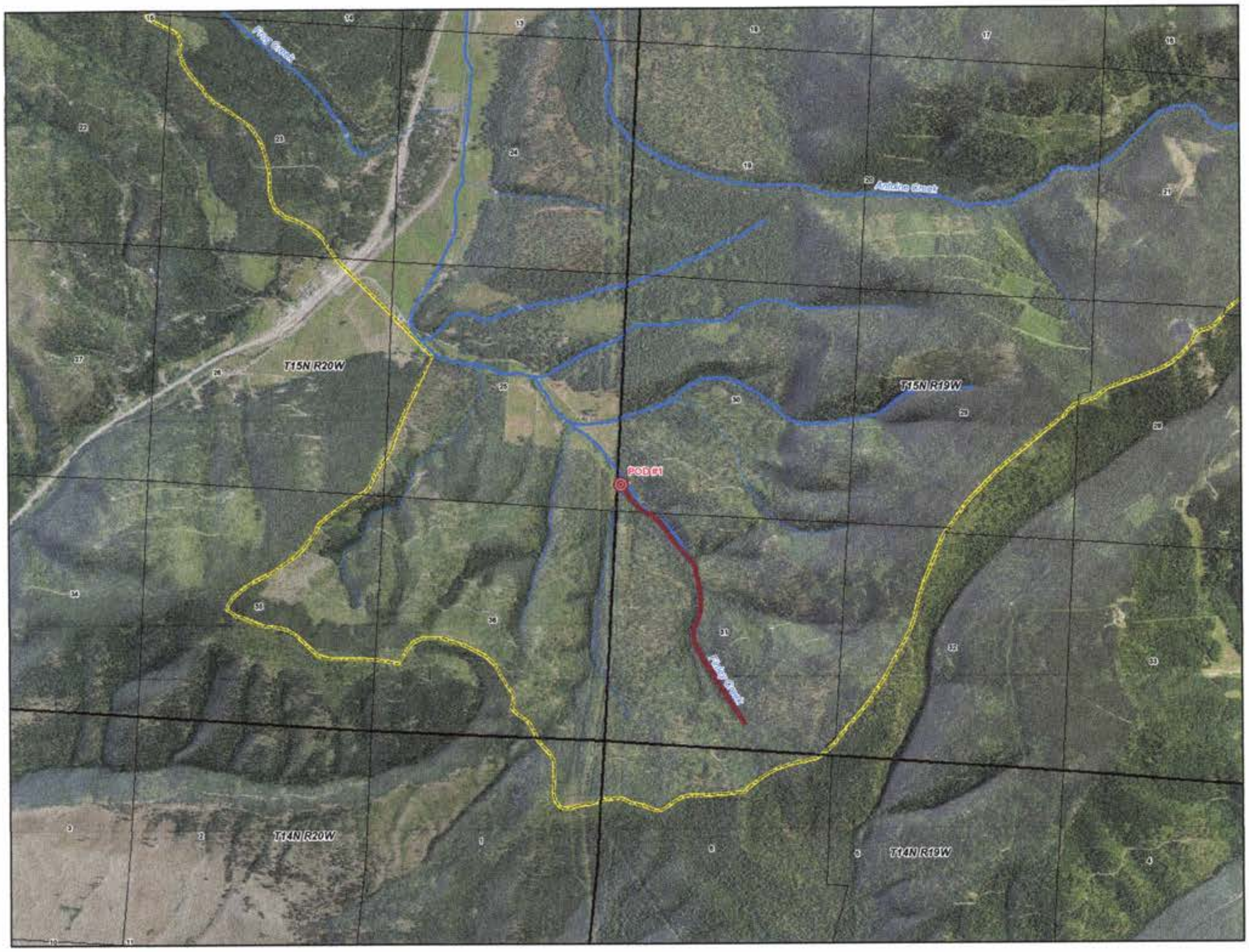
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Antoine Creek
T15N R20W
T15N R19W
POD #1
T14N R20W
T14N R19W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052748

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

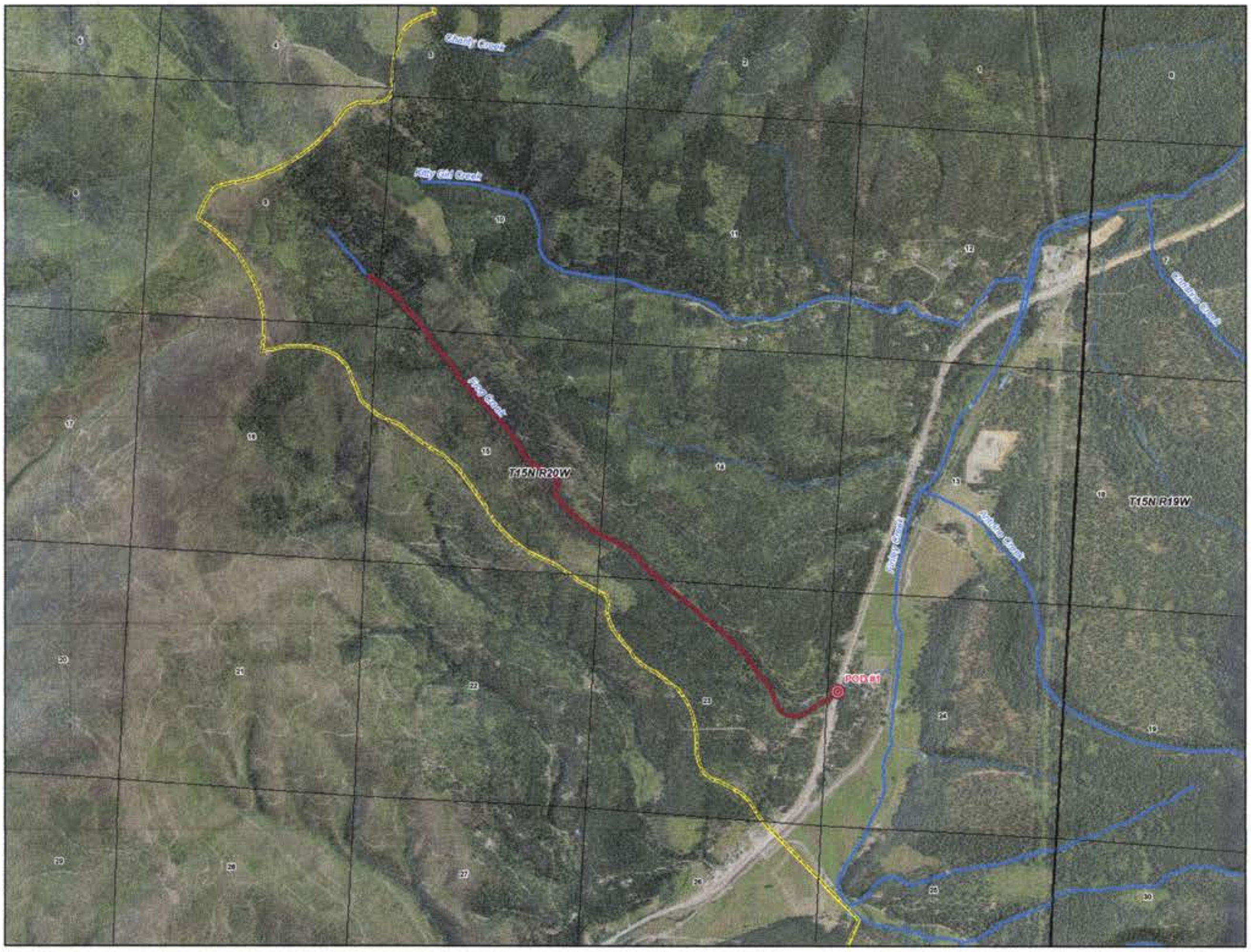
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Kitty Girl Creek
T15N R20W
T15N R19W
POD #1

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052749
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

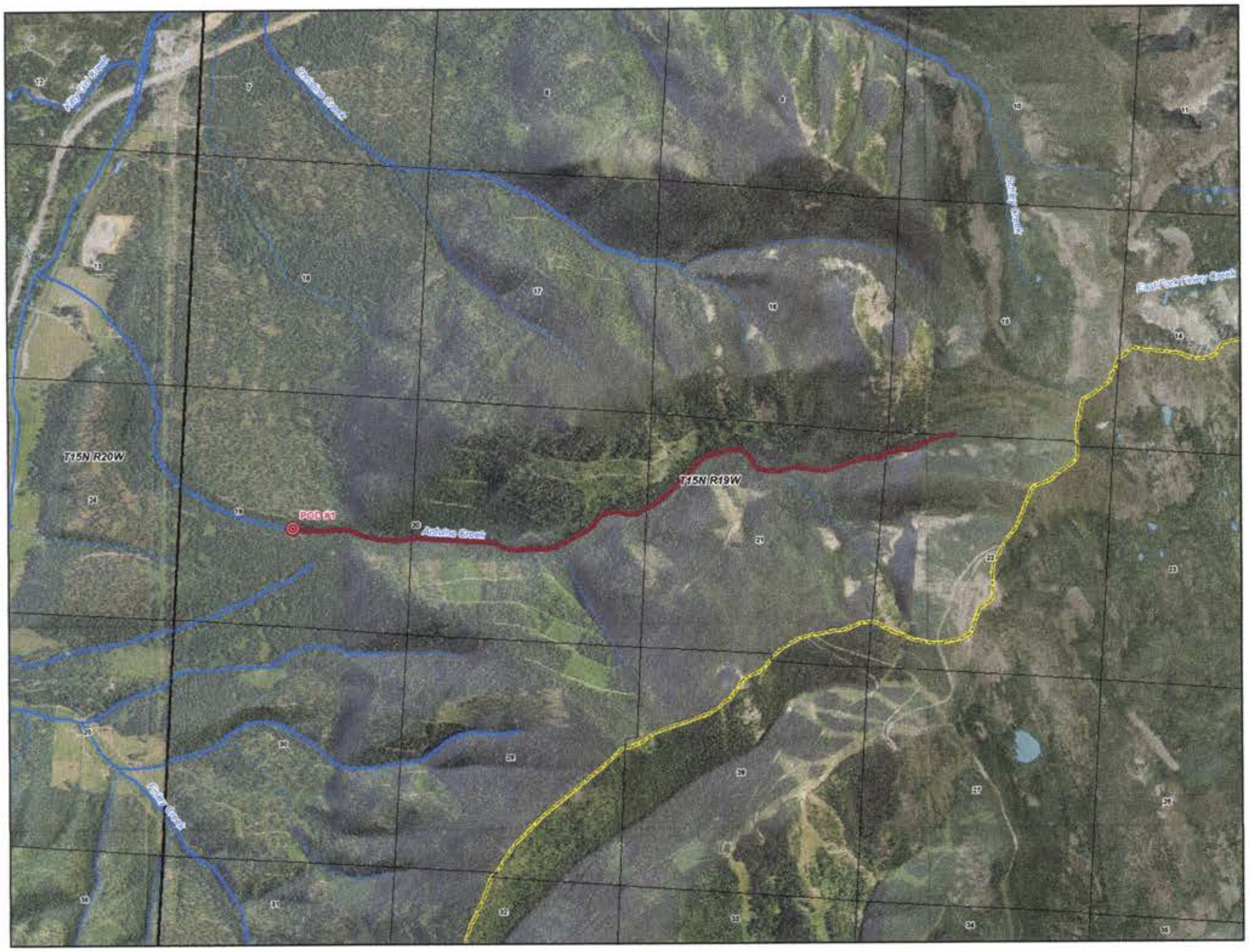
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T15N R20W
T15N R19W
POD #1
Antoine Creek
East Fork Finley Creek

Place of Use and Point of Diversion
Instream Flow
Natural Streams
76L
30052750
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

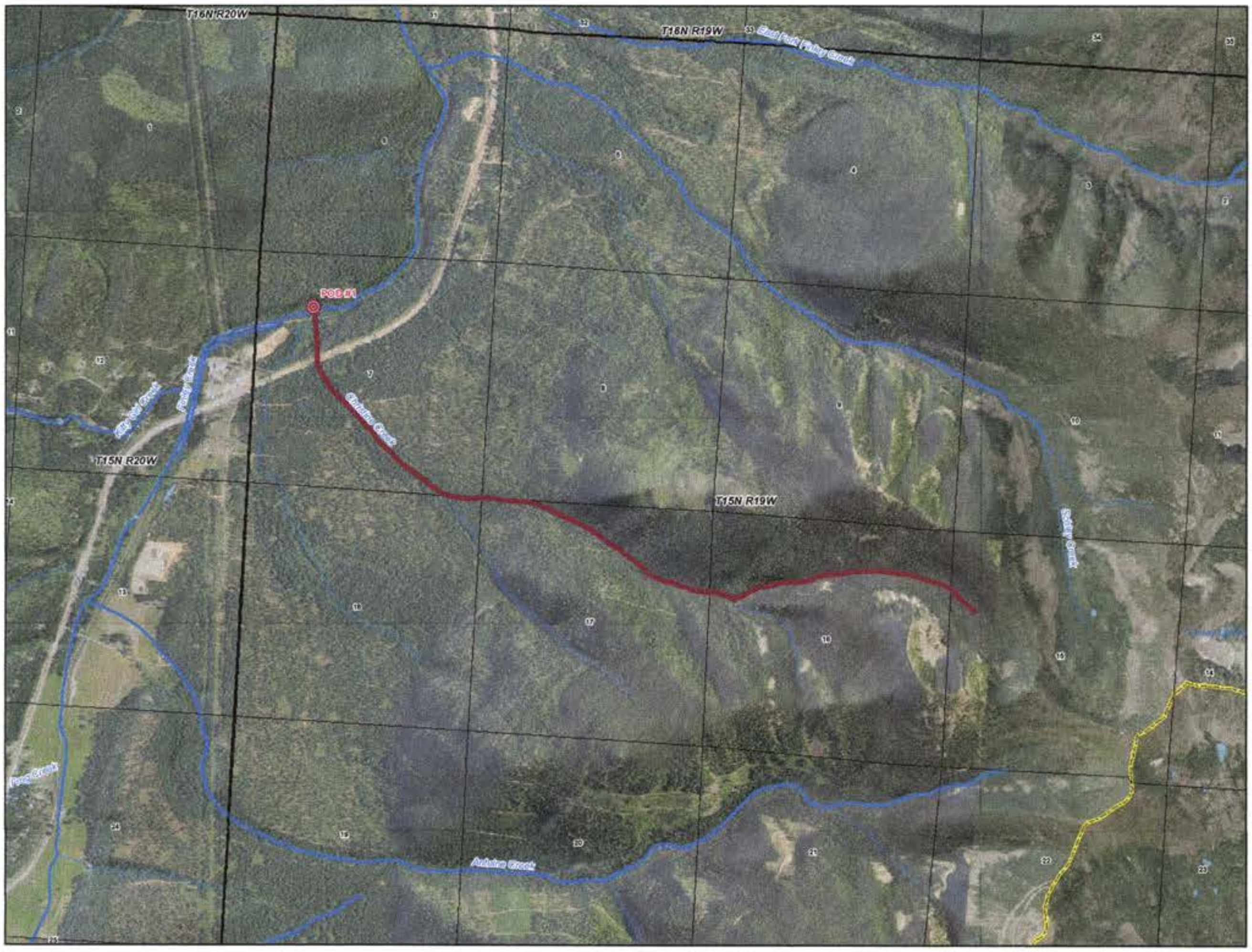
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T16N R20W
T16N R19W
East Fork Finley Creek
POD #1
Finley Creek
T15N R20W
T15N R19W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052751
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

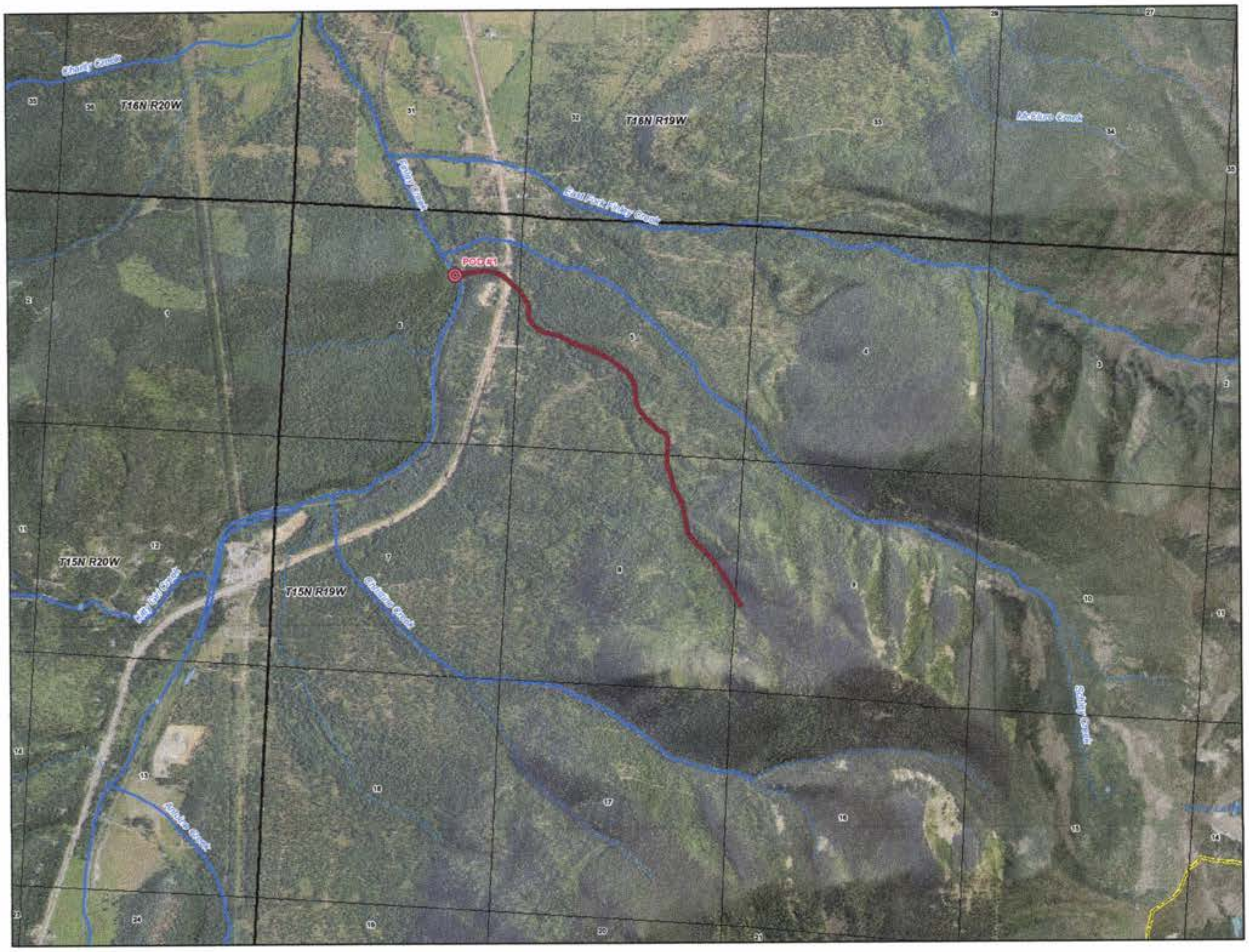
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Charley Creek
T16N R20W
T16N R19W
Finley Creek
East Fork Finley Creek
McClure Creek
POD #1
T15N R20W
T15N R19W
Finley Creek

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L 30052752
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

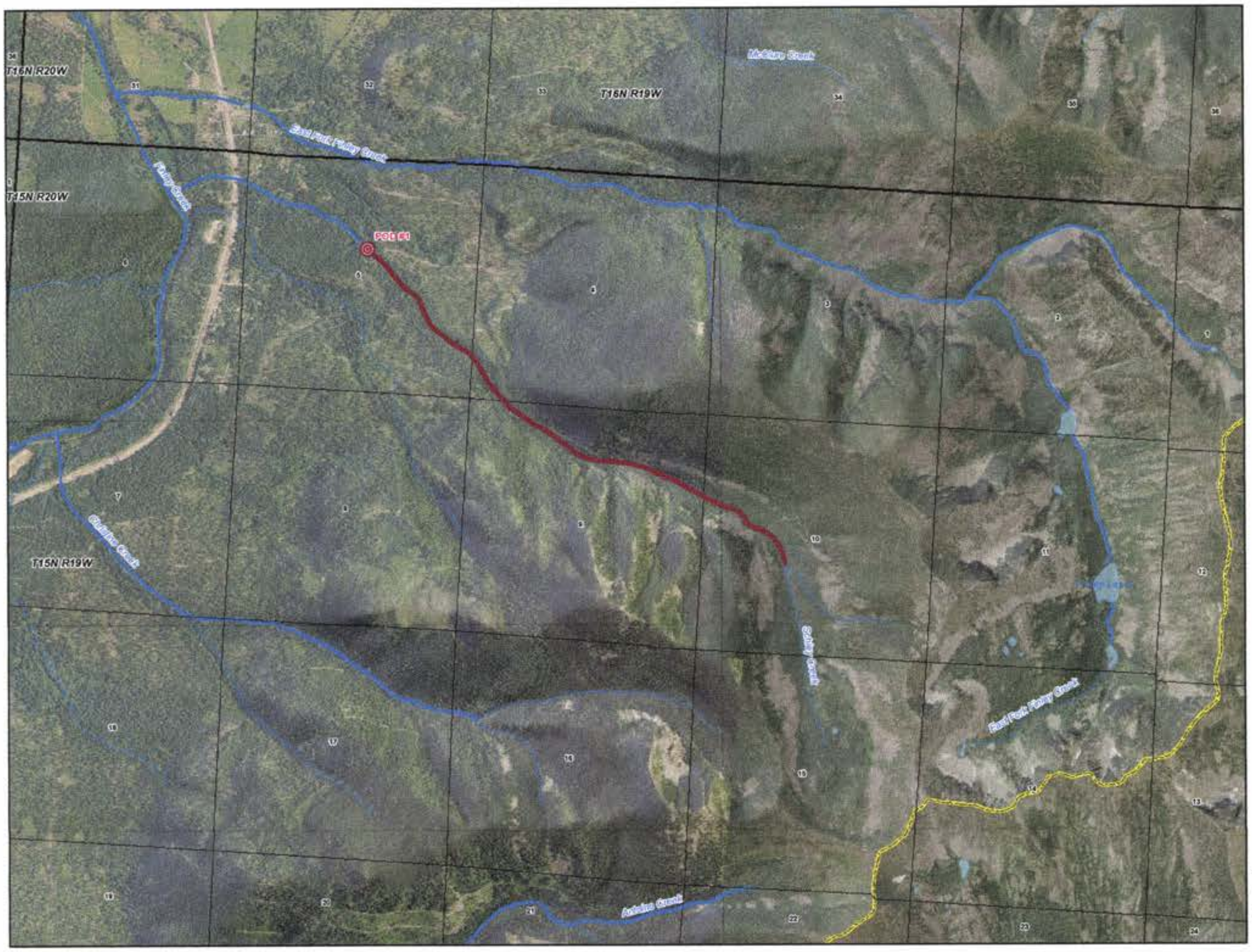
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second).


T16N R20W
T16N R19W
T15N R20W
T15N R19W
East Fork Finley Creek
Finley Creek
POD #1
East Fork Finley Creek
Antoine Creek

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L
30052753
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

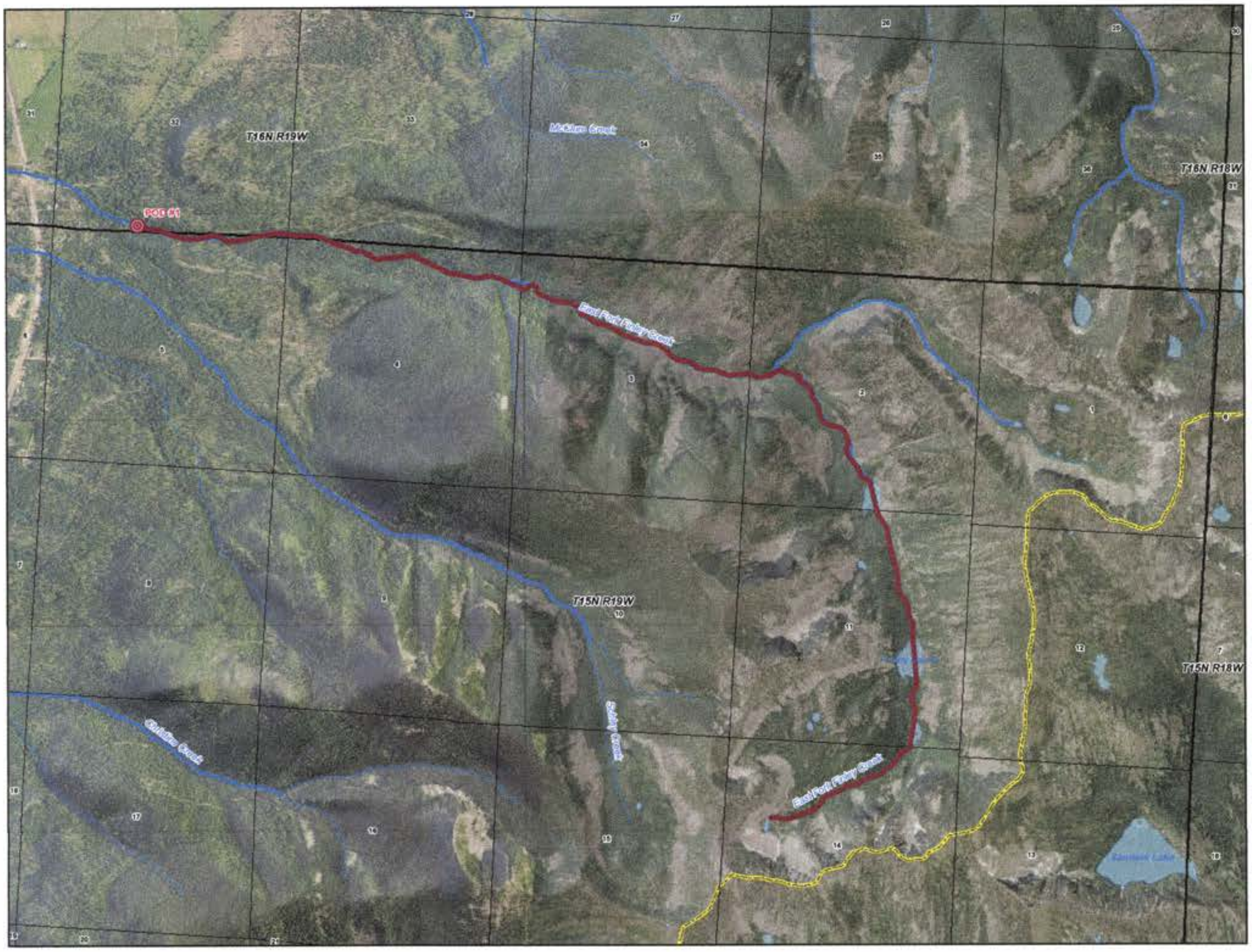
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
T16N R19W
T16N R18W
T15N R19W
T15N R18W
East Fork Finley Creek
East Fork Finley Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052754

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

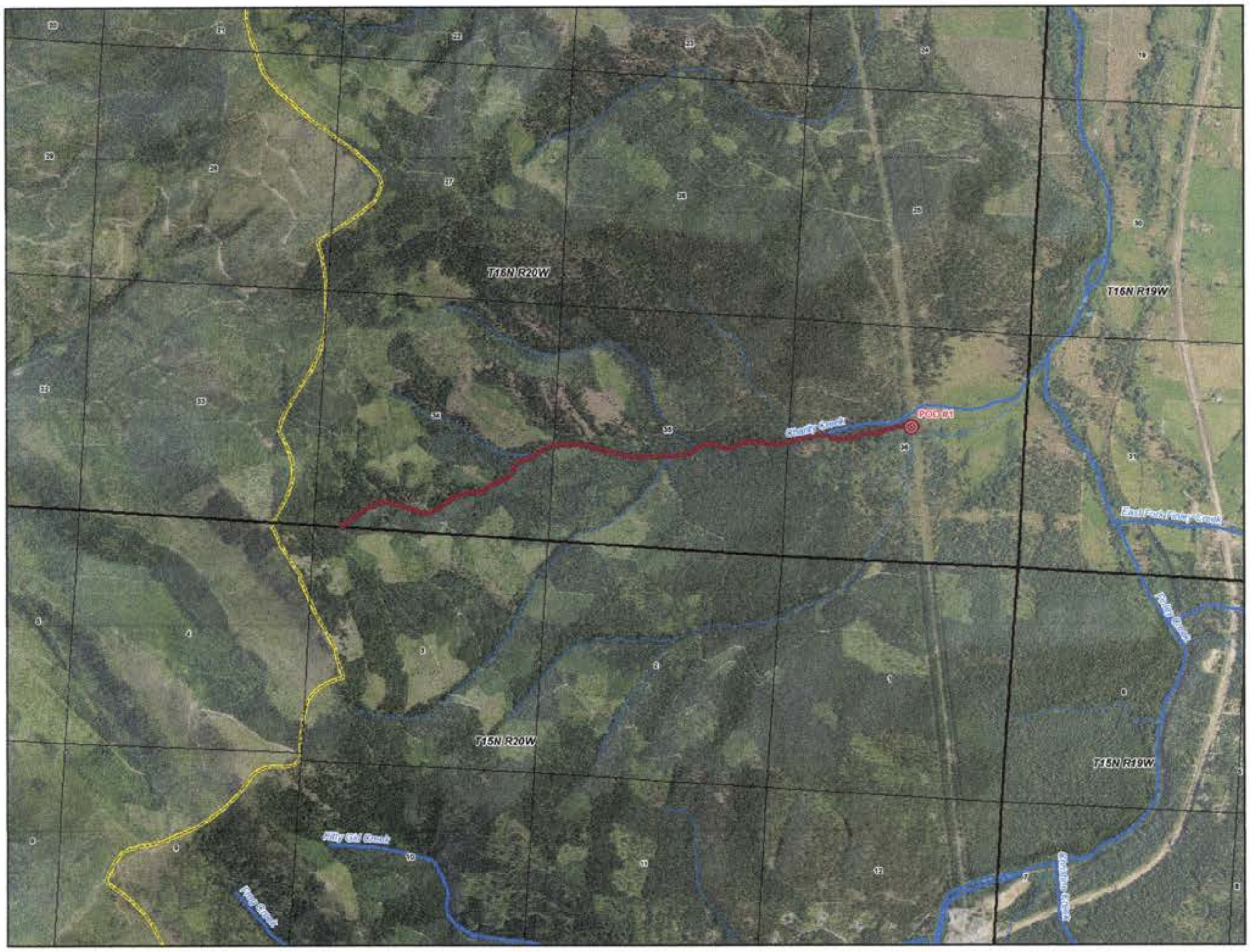
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T16N R20W
T16N R19W
T15N R20W
T15N R19W
POD #1
East Fork Finley Creek
Finley Creek
Kitty Girl Creek

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L
30052755
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

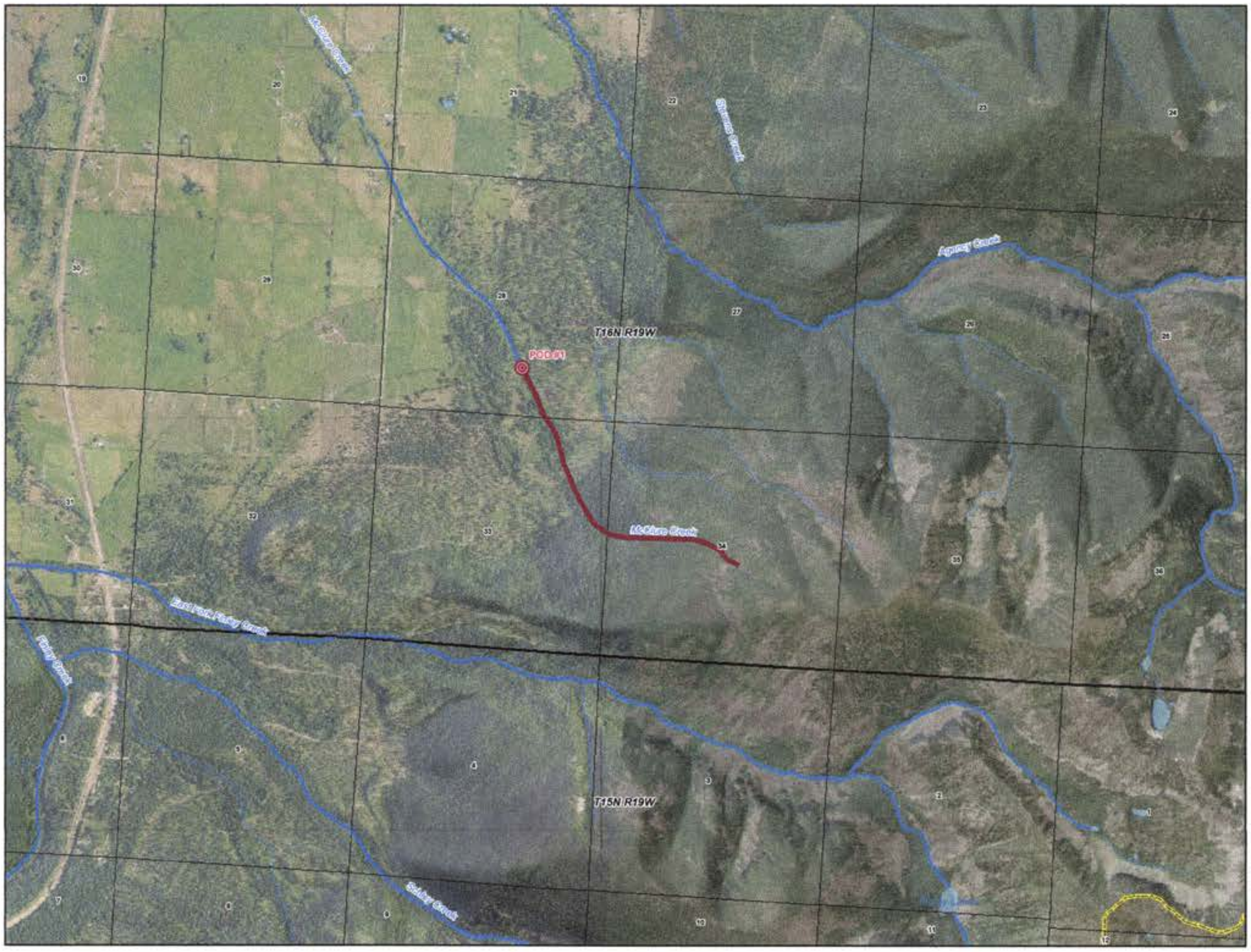
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)



POD #1
T16N R19W
T15N R19W
McClure Creek
Agency Creek
East Fork Finley Creek
Finley Creek

Place of Use and Point of Diversion *Instream Flow Natural Streams*
76L
30052756
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

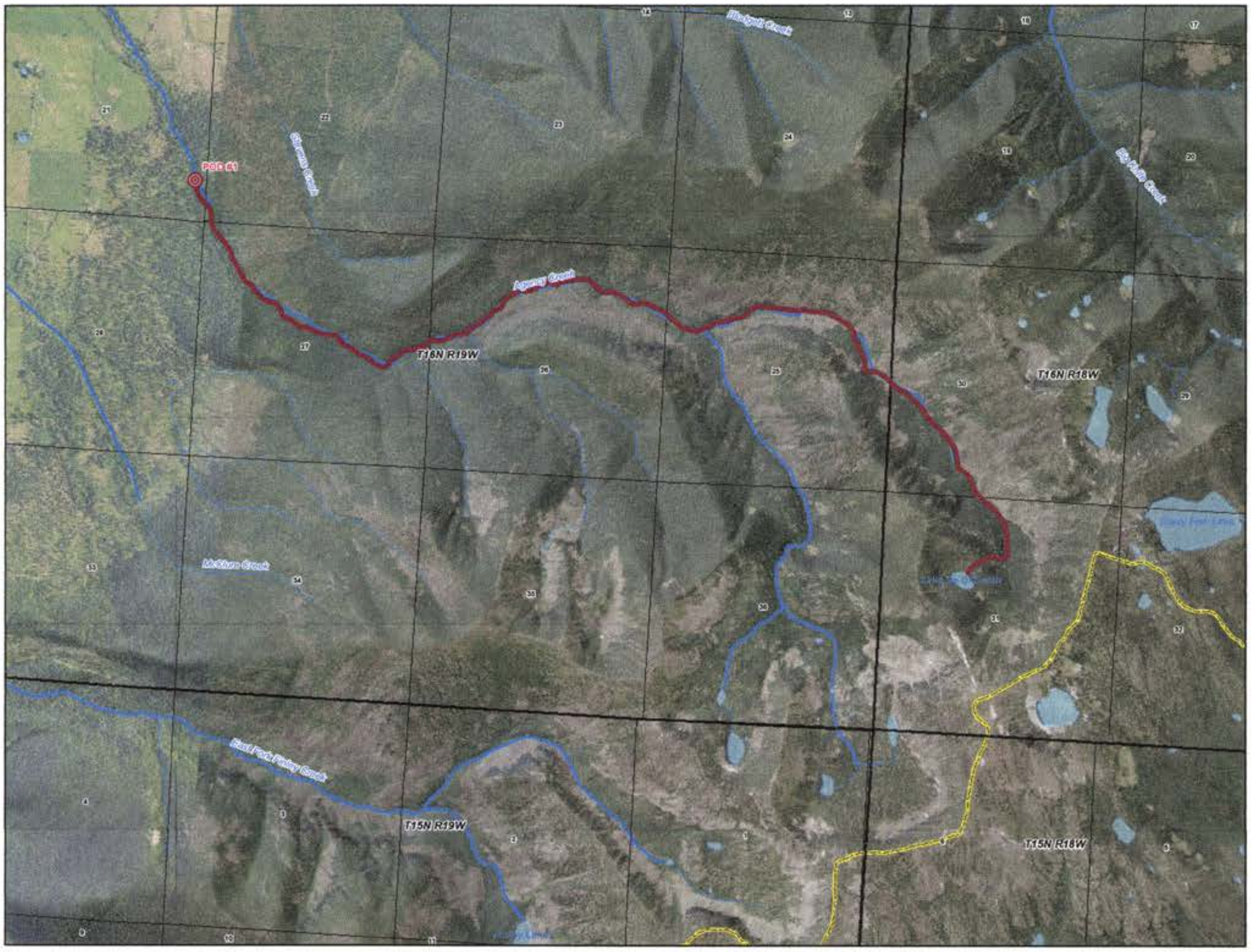
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
Agency Creek
T16N R19W
T16N R18W
T15N R19W
T15N R18W
McClure Creek
East Fork Finley Creek
Big Knife Creek

Place of Use and Point of Diversion

Instream Flow
Natural Streams

76L
30052757
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

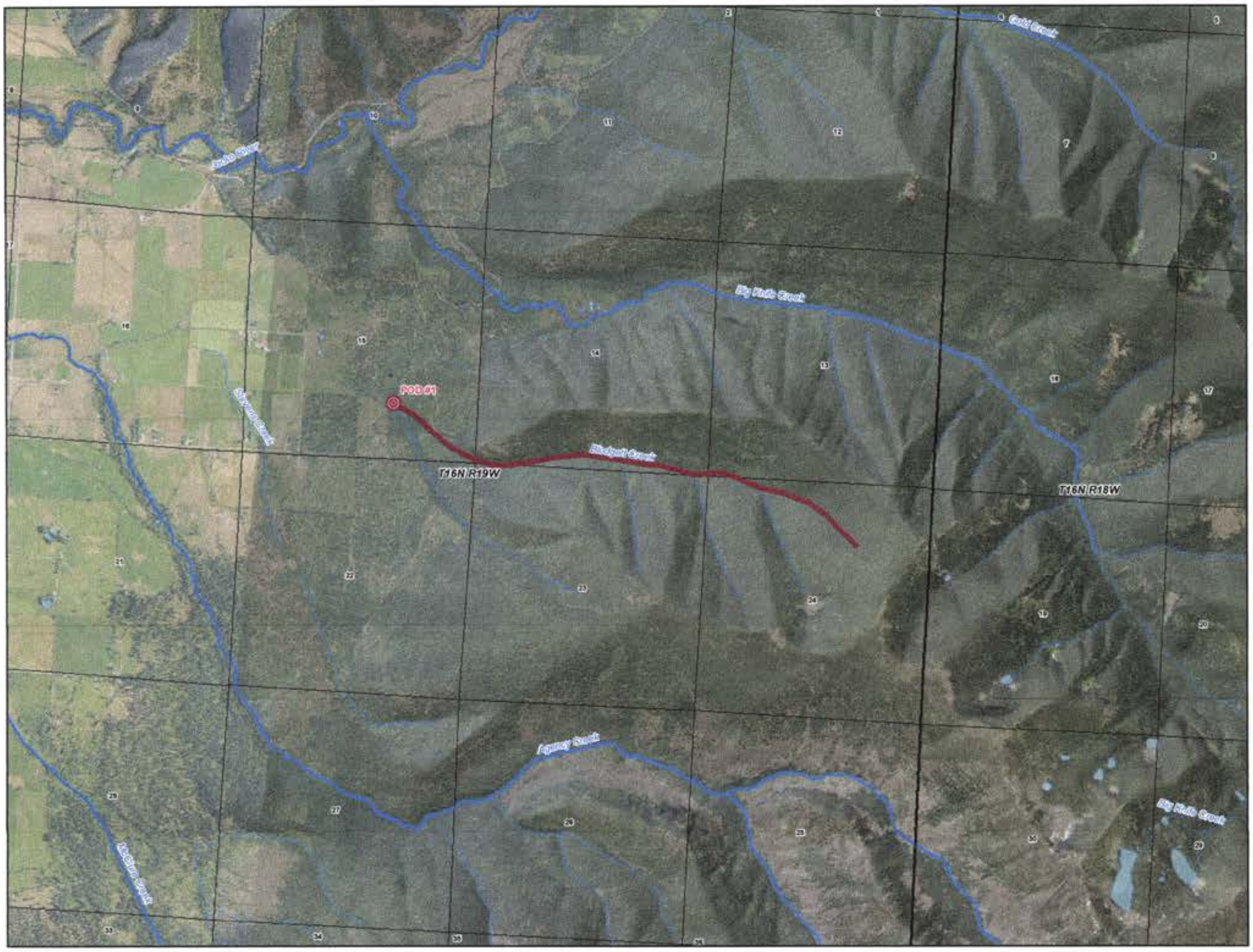
Flathead Indian Reservation

Legend

- Place of Use
- ◎ Primary Point(s) of Diversion
- Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Gold Creek
Jocko River
Big Knife Creek
POD #1
Stevens Creek
Blodgett Creek
T16N R19W
T16N R18W
Agency Creek
Big Knife Creek
McClure Creek

Place of Use and Point of Diversion

Instream Flow

Natural Streams

76L

30052758

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

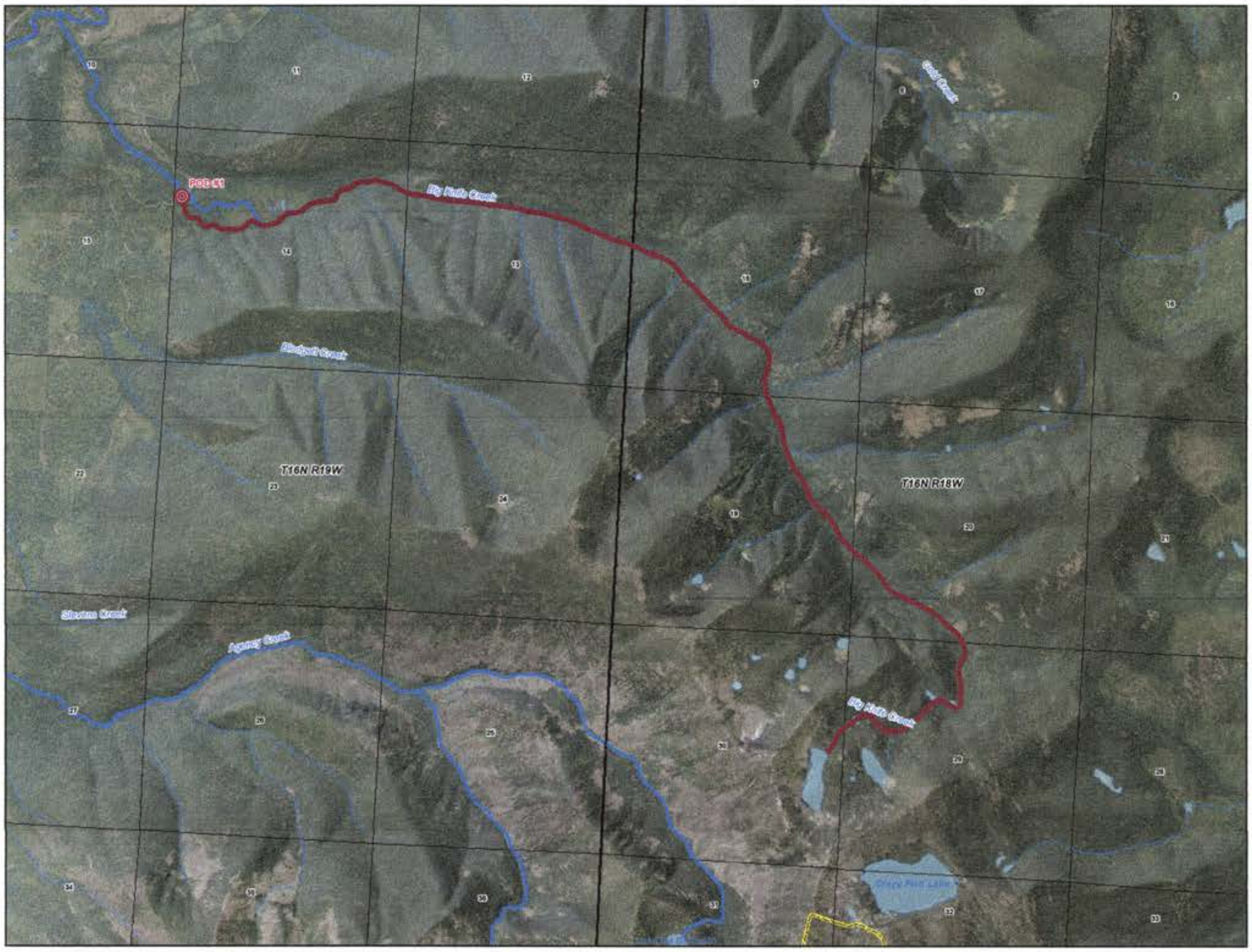
Legend

- Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L 30052759
Exhibit 1


POD #1
Big Knife Creek
Stevens Creek
Agency Creek
T16N R19W
T16N R18W
Big Knife Creek
10
11
12
15
14
13
17
22
23
24
20
21
27
26
25

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

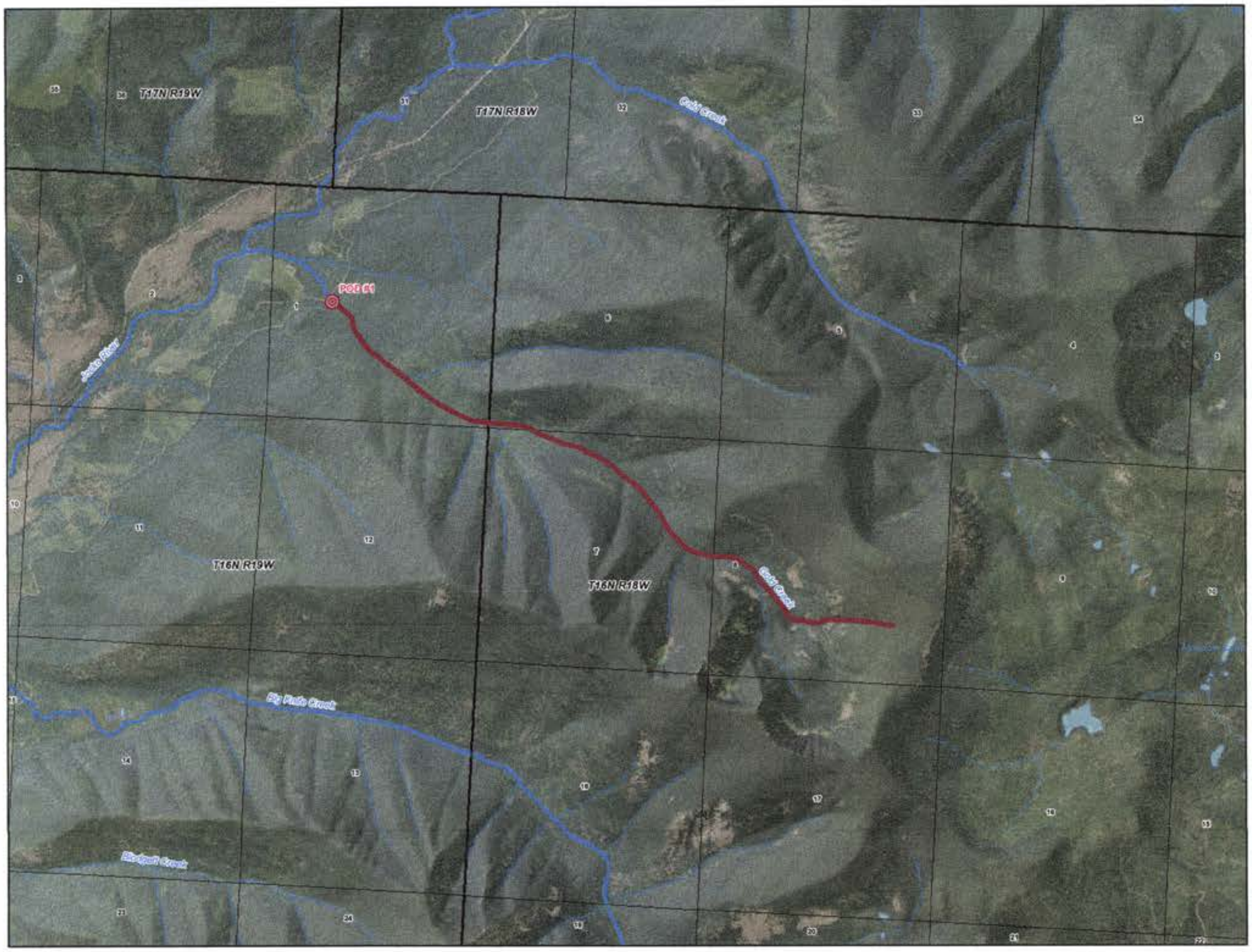
Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052760

Exhibit 1


T17N R19W
T17N R18W
Cold Creek
POD #1
Jocko River
T16N R19W
T16N R18W
Cold Creek
Big Knife Creek

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

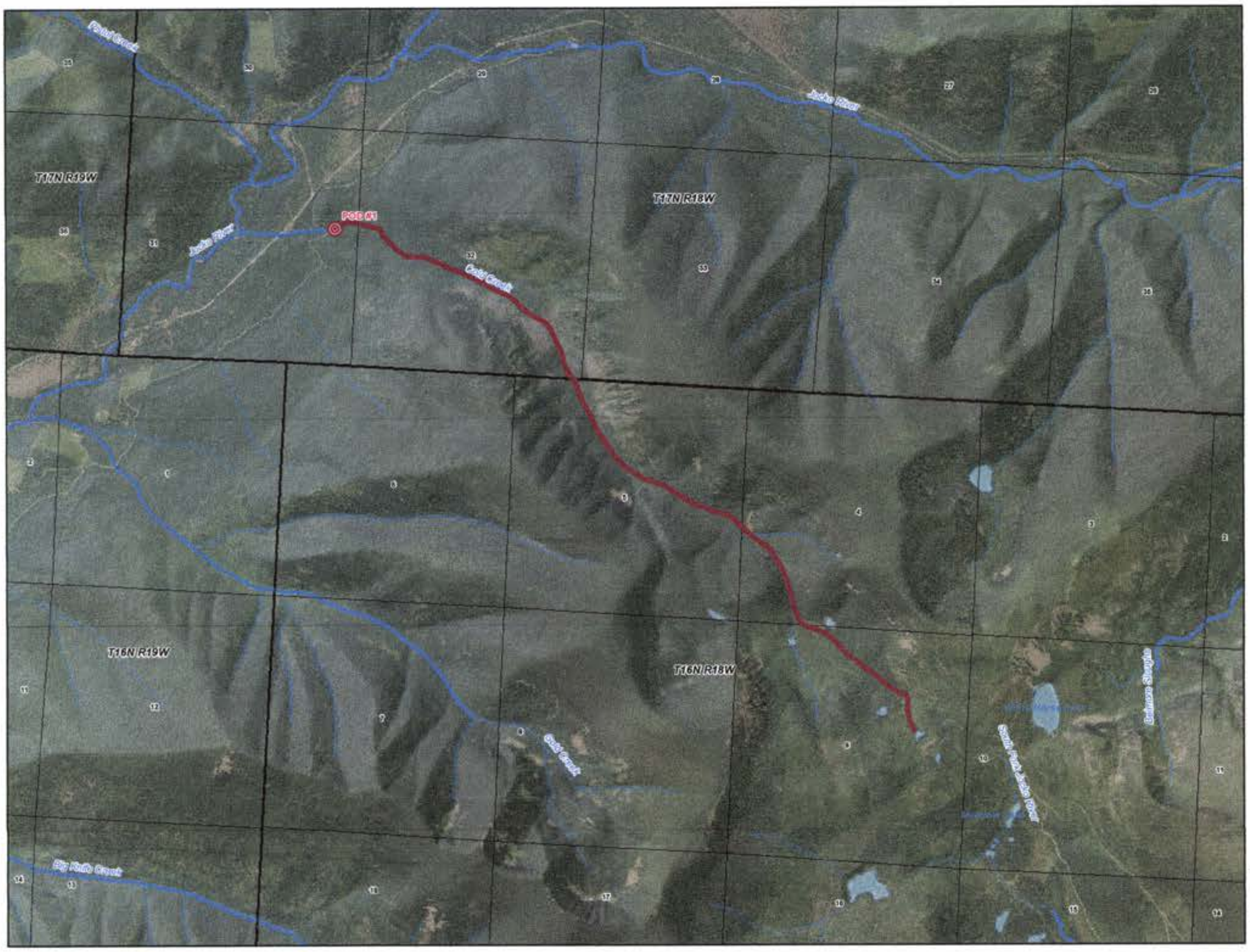
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
Jocko River
Gold Creek
T17N R19W
T17N R18W
T16N R19W
T16N R18W
Big Knife Creek
South Fork Jocko River
Belmore Slough

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L
30052761
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

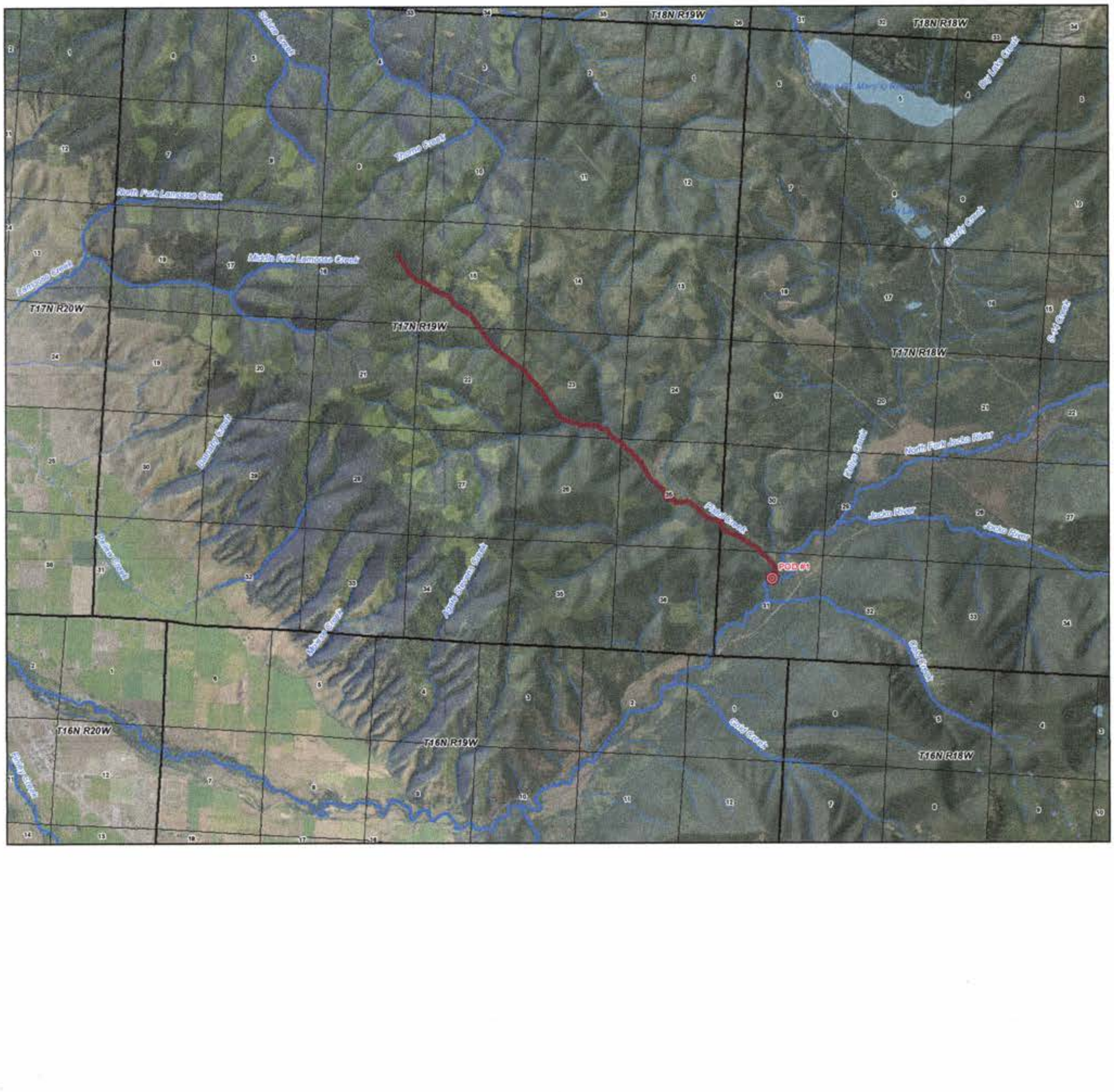
Flathead Indian Reservation

Legend

- Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R19W
T18N R18W
T17N R20W
T17N R19W
T17N R18W
T16N R20W
T16N R19W
T16N R18W
North Fork Jocko River
Jocko River
Jocko River
POD #1

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052762

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

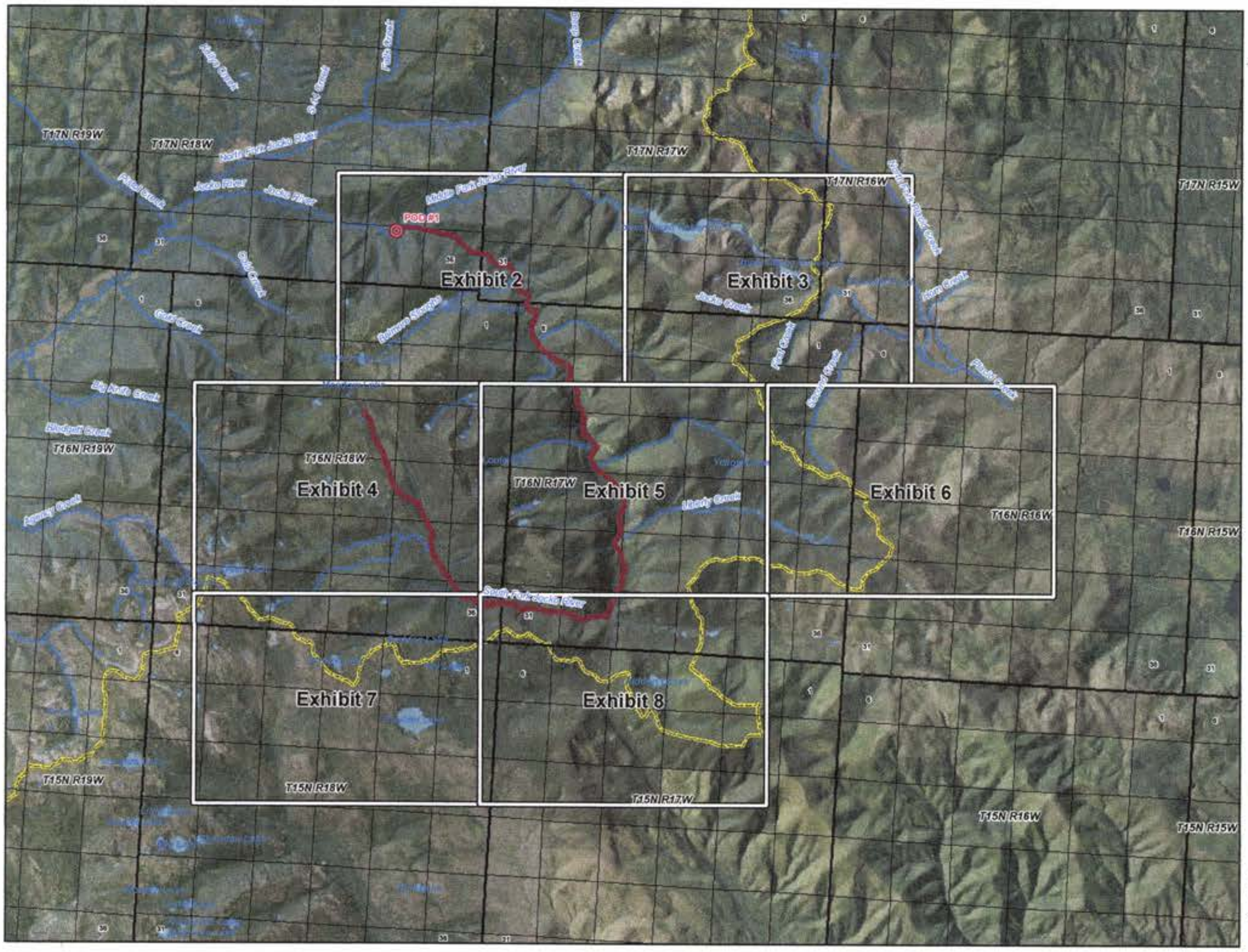
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T17N R19W
T17N R18W
T17N R17W
T17N R16W
T17N R15W
North Fork Jocko River
Jocko River
Jocko River
Middle Fork Jocko River
POD #1
Gold Creek
Big Knife Creek
Blodgett Creek
Jocko Creek
Horn Creek
Placid Creek
Liberty Creek
South Fork Jocko River
T16N R19W
T16N R18W
T16N R17W
T16N R16W
T16N R15W
T15N R19W
T15N R18W
T15N R17W
T15N R16W
T15N R15W
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L
30052763
Exhibit 1

Hot Springs
Polson
Pablo
St Ignatius
Arlee
Area of Interest
2
3
4
5
6
7
8

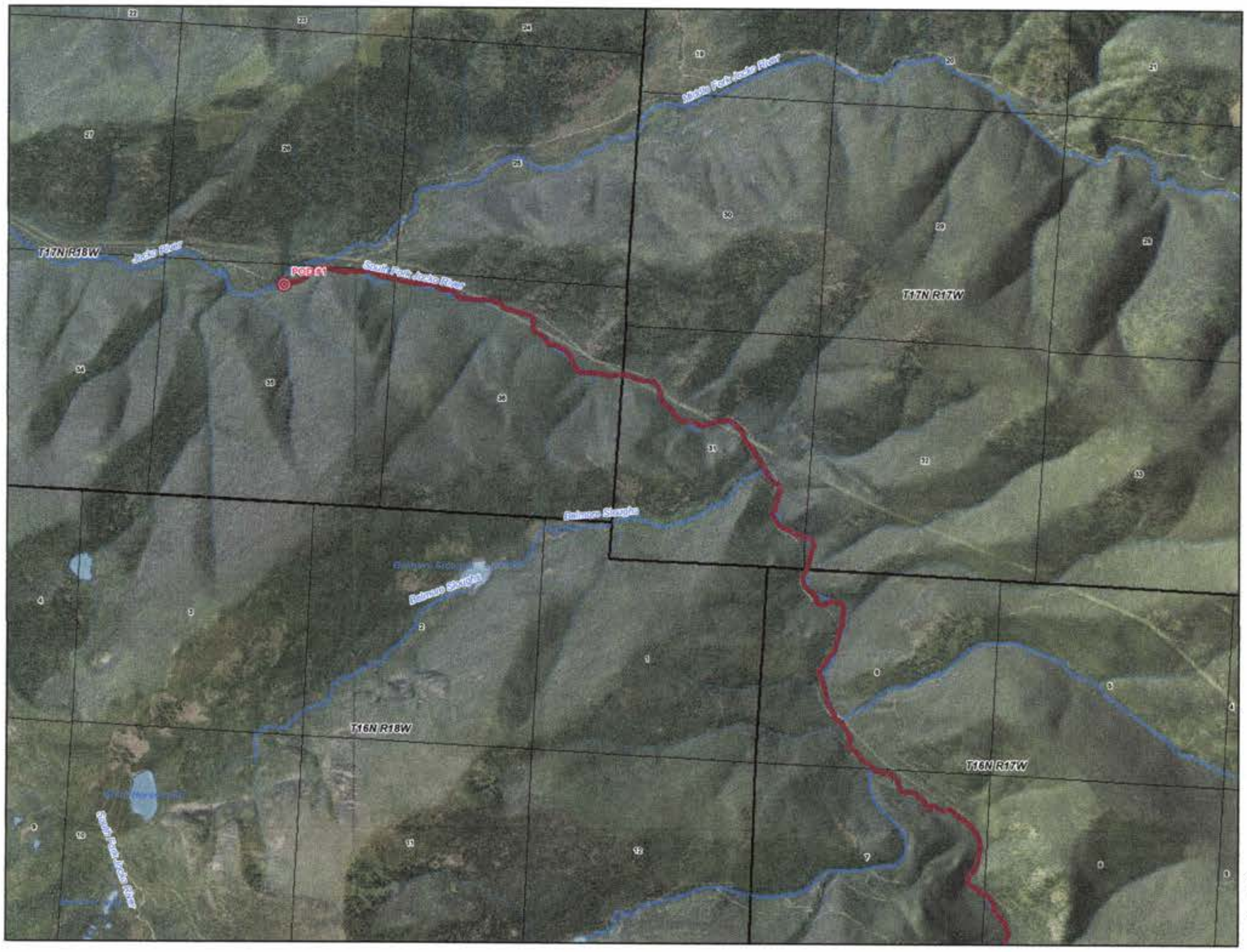
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0 1 2 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T17N R18W
Jocko River
POD #1
South Fork Jocko River
Middle Fork Jocko River
T17N R17W
Belmore Sloughs
T16N R18W
T16N R17W
South Fork Jocko River

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L 30052763
Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

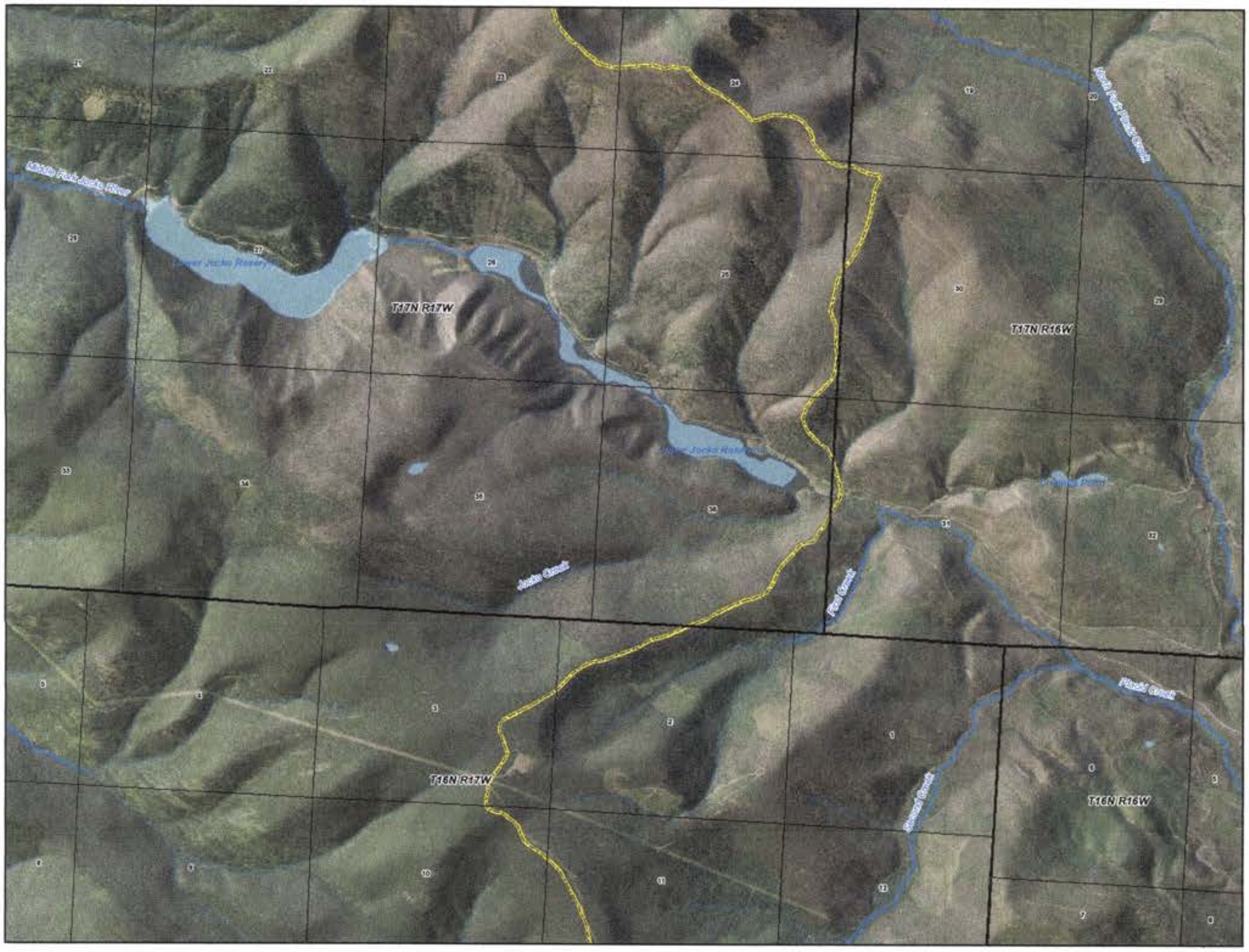
Flathead Indian Reservation

Legend

🟥 Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Middle Fork Jocko River
Upper Jocko Reservoir
Lower Jocko Reservoir
T17N R17W
T17N R16W
North Fork Placid Creek
Jocko Creek
First Creek
Placid Creek
Second Creek
T16N R17W
T16N R16W

Place of Use and Point of Diversion

Instream Flow

Natural Streams

76L 30052763

Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

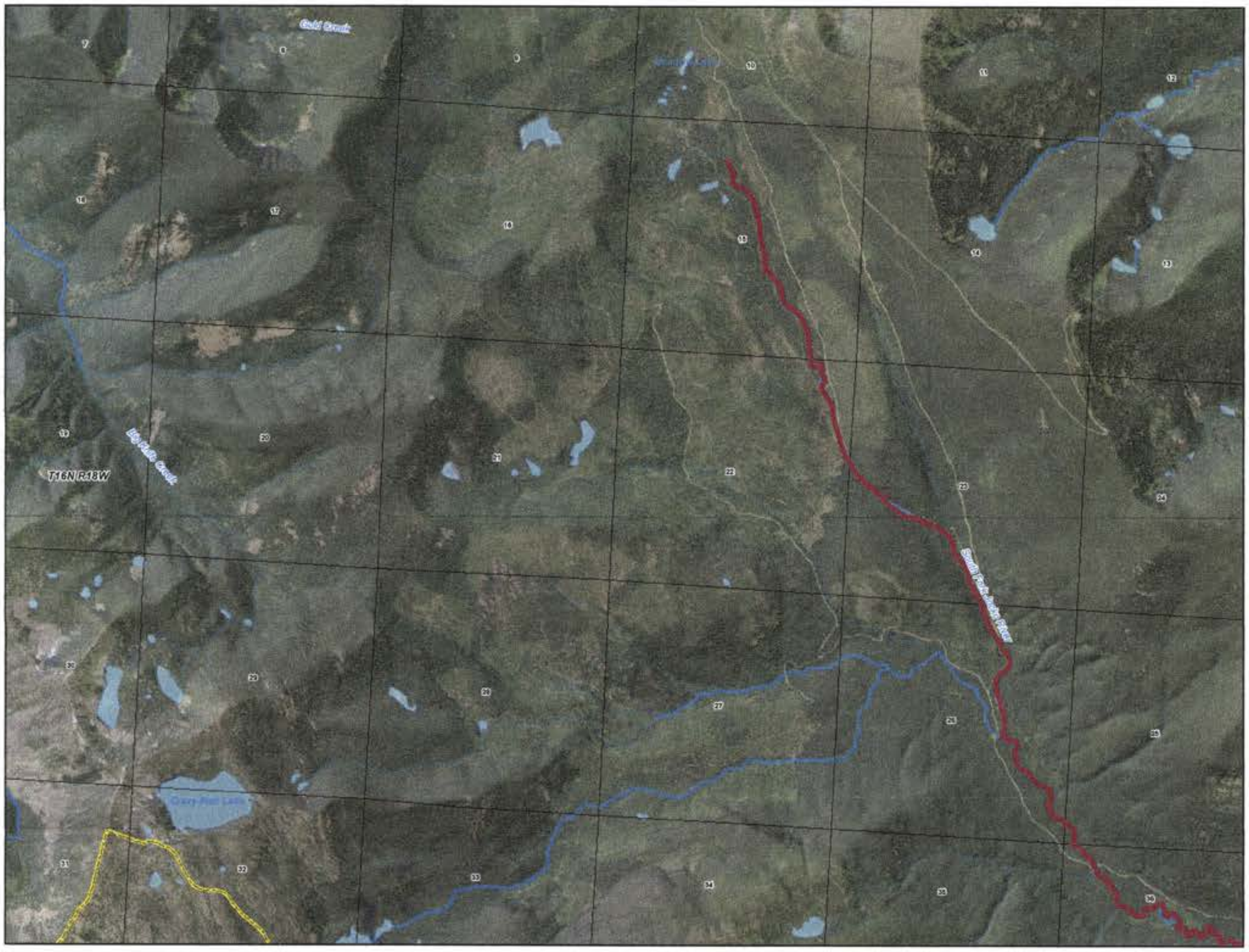
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Gold Creek
7
8
9
10
11
12
18
17
16
15
14
13
19
T16N R18W
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36

Place of Use and Point of Diversion

Instream Flow

Natural Streams

76L

30052763

Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
6
7
8

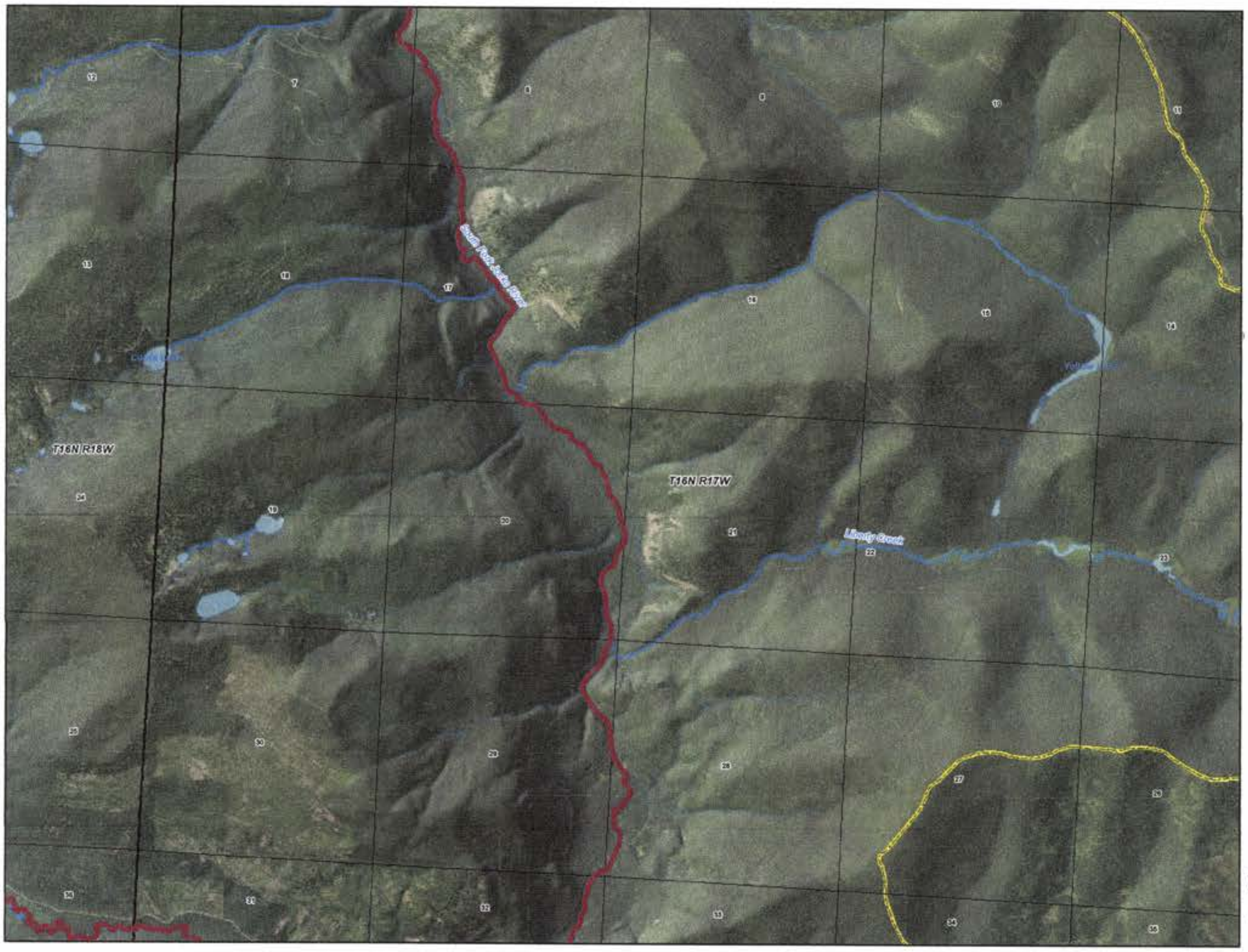
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


South Fork Jocko River
Liberty Creek
T16N R18W
T16N R17W
12
7
8
9
10
11
13
18
17
16
15
14
24
19
20
21
22
23
25
30
29
28
27
26
36
31
32
33
34
35

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052763

Exhibit 5

Hot Springs
Polson
Pablo
St Ignatius
Arlee
Area of Interest

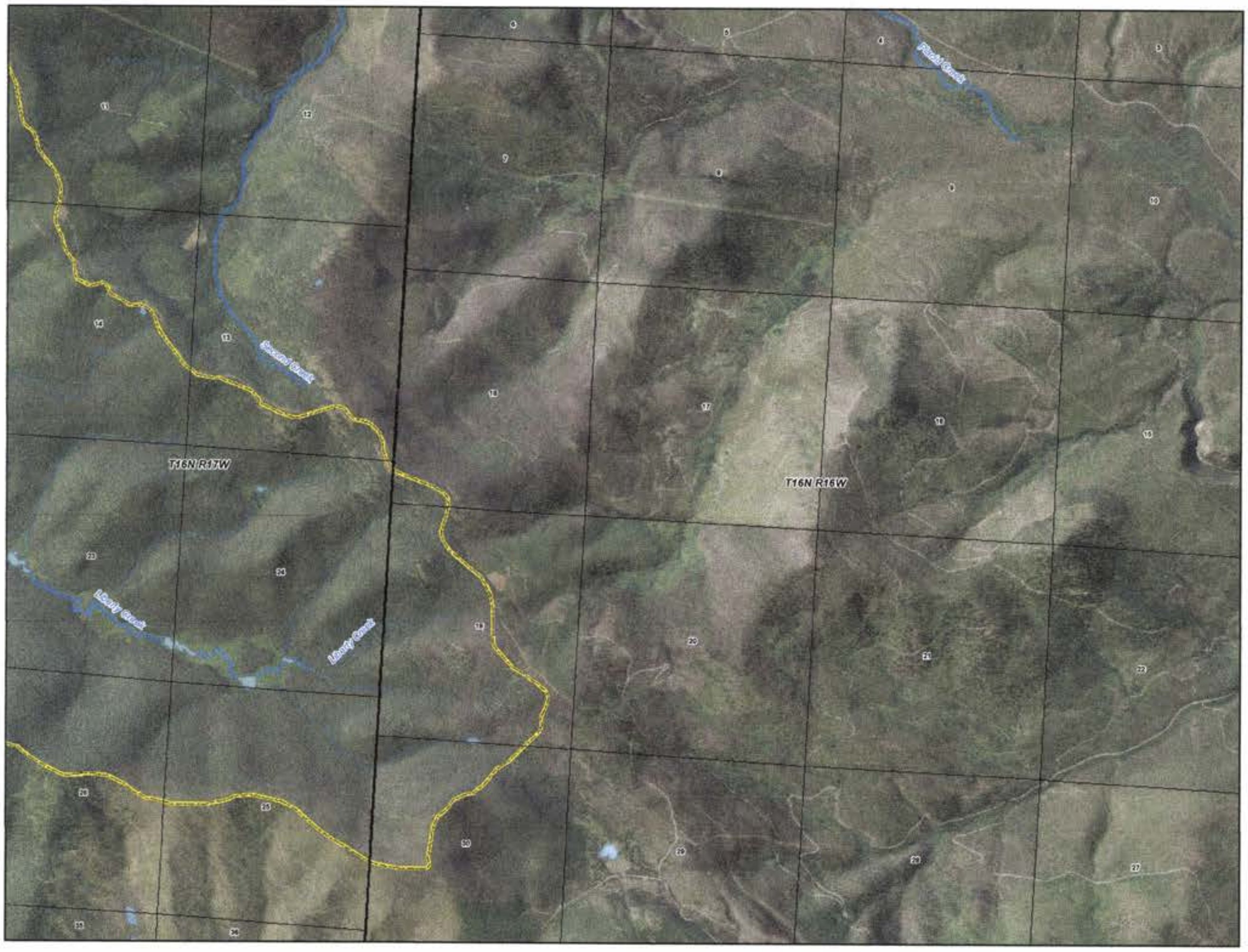
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Second Creek
Placid Creek
Liberty Creek
Liberty Creek
T16N R17W
T16N R16W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052763

Exhibit 6

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

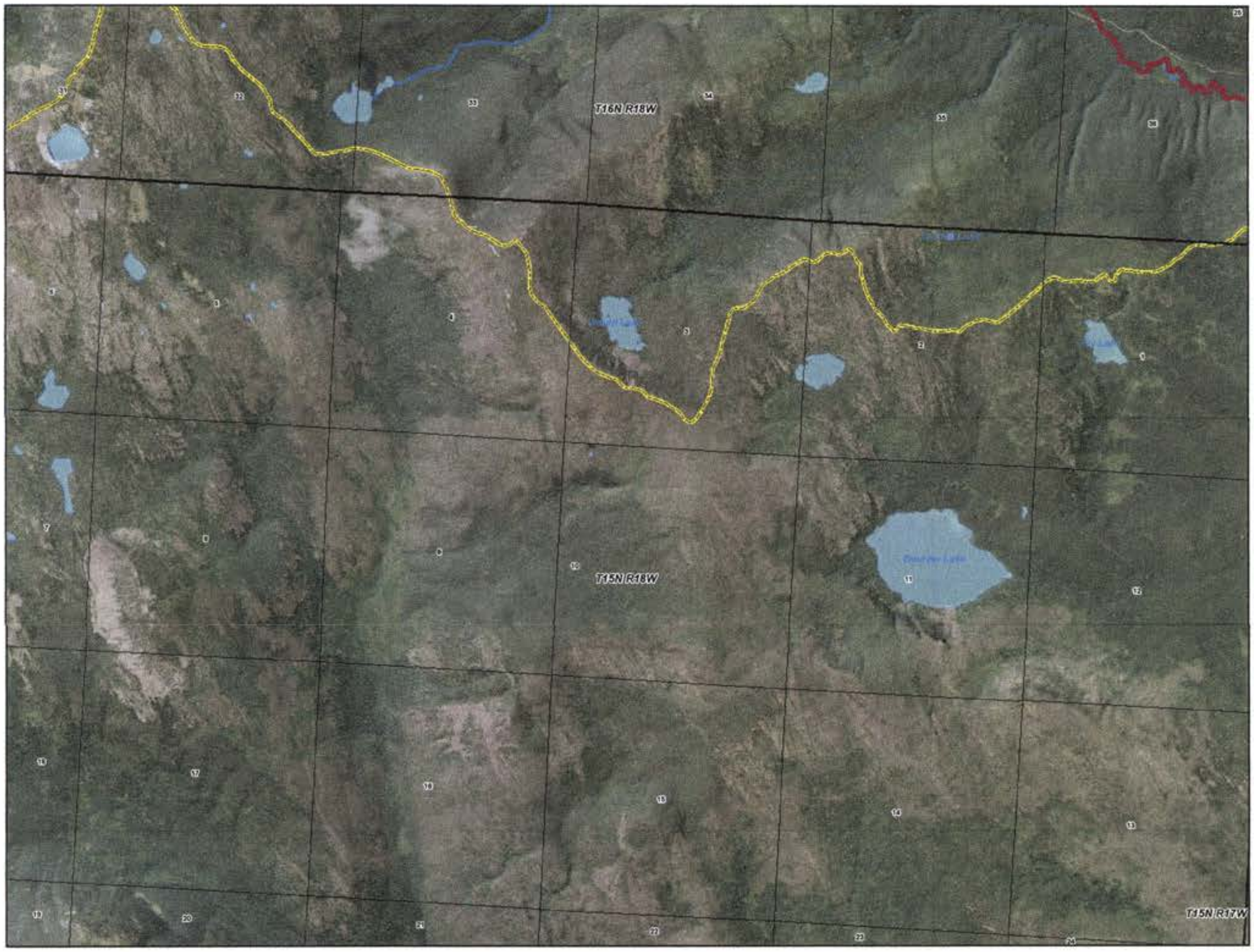
Flathead Indian Reservation

Legend

🟥 Place of Use
● Primary Point(s) of Diversion
▭ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)



31
32
33
T16N R18W
34
35
36
25
6
5
4
3
2
1
7
8
9
10
T15N R18W
11
12
18
17
16
15
14
13
19
20
21
22
23
24
T15N R17W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052763

Exhibit 7

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

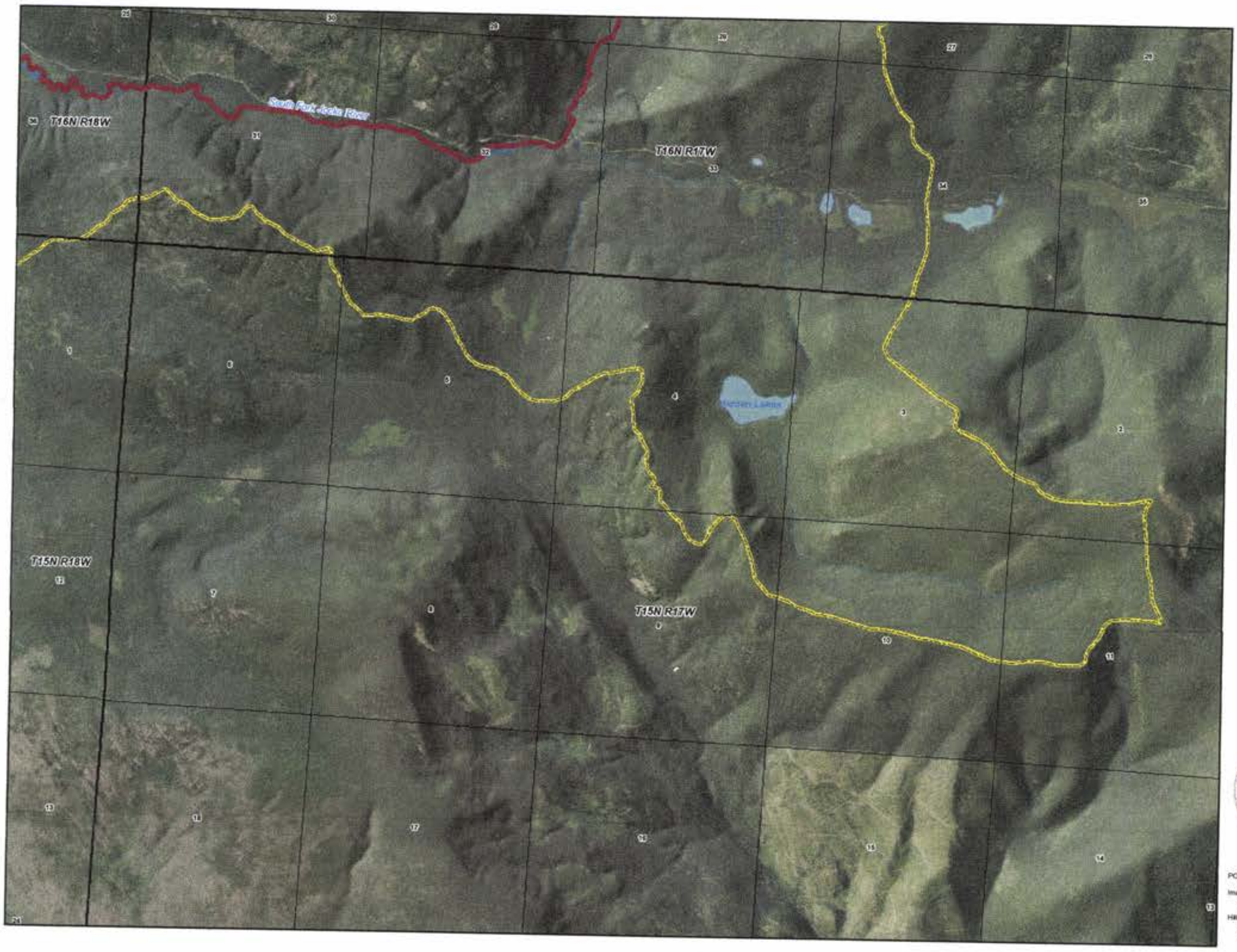
🟥 Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T16N R18W
South Fork Jocko River
T16N R17W
Hidden Lakes
T15N R18W
T15N R17W

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052763

Exhibit 8

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
6
7

Flathead Indian Reservation

Legend

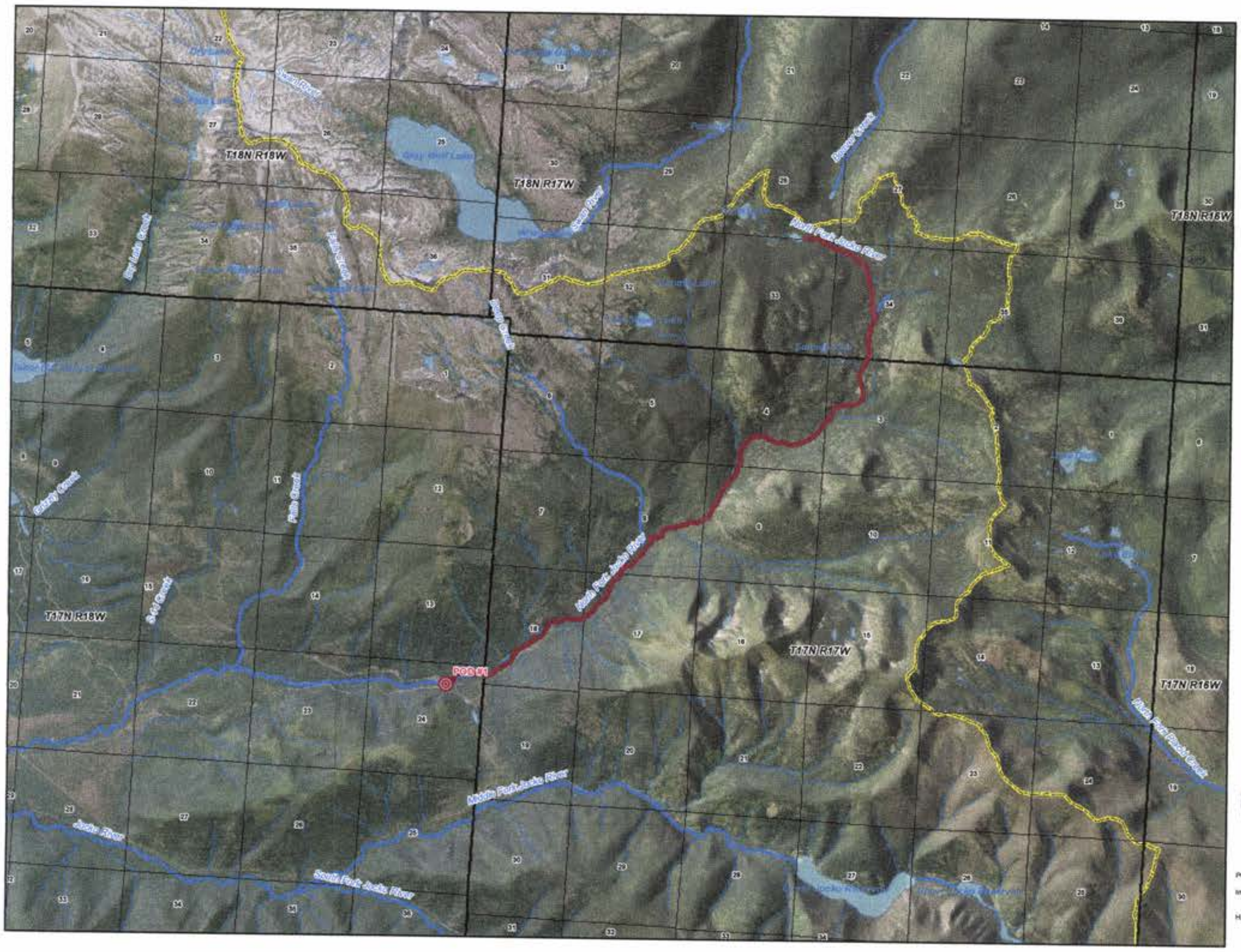
🟥 Place of Use

● Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R18W
T18N R17W
T18N R16W
T17N R18W
T17N R17W
T17N R16W
Gray Wolf Lake
Big Lake Creek
Falls Creek
Grizzly Creek
North Fork Jocko River
North Fork Jocko River
POD #1
Middle Fork Jocko River
South Fork Jocko River
Jocko River

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052764

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

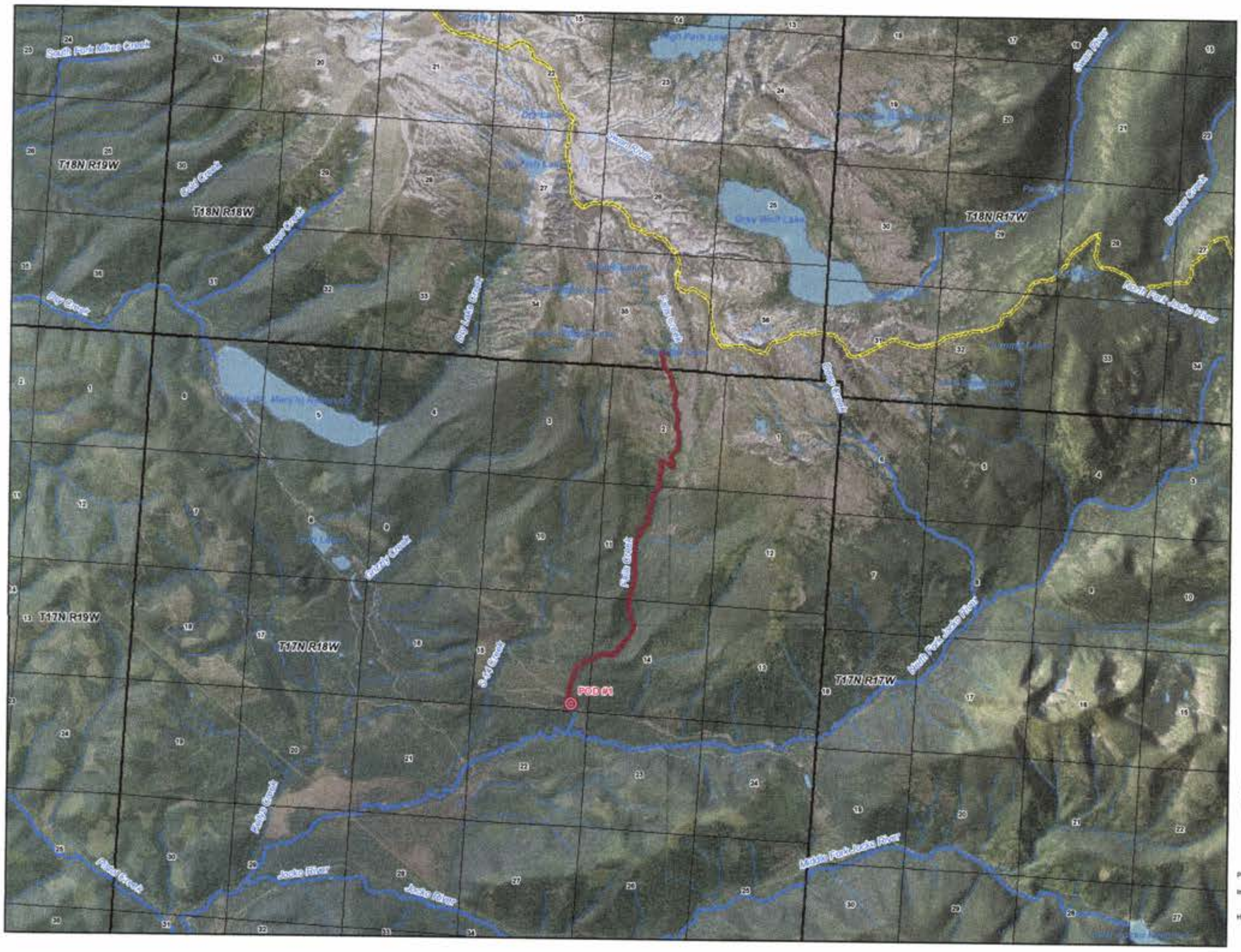
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)



South Fork Mikes Creek
T18N R19W
T18N R18W
T18N R17W
Cold Creek
Placer Creek
Dry Creek
Dry Lake Creek
Dry Lake
Swan River
Gray Wolf Lake
High Park Lake
Falls Creek
Beaver Creek
North Fork Jocko River
Lake Mary Ronan
Grizzly Creek
T17N R19W
T17N R18W
T17N R17W
POD #1
South Fork Jocko River
Middle Fork Jocko River
Jocko River
Finley Creek
Valley Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052765

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

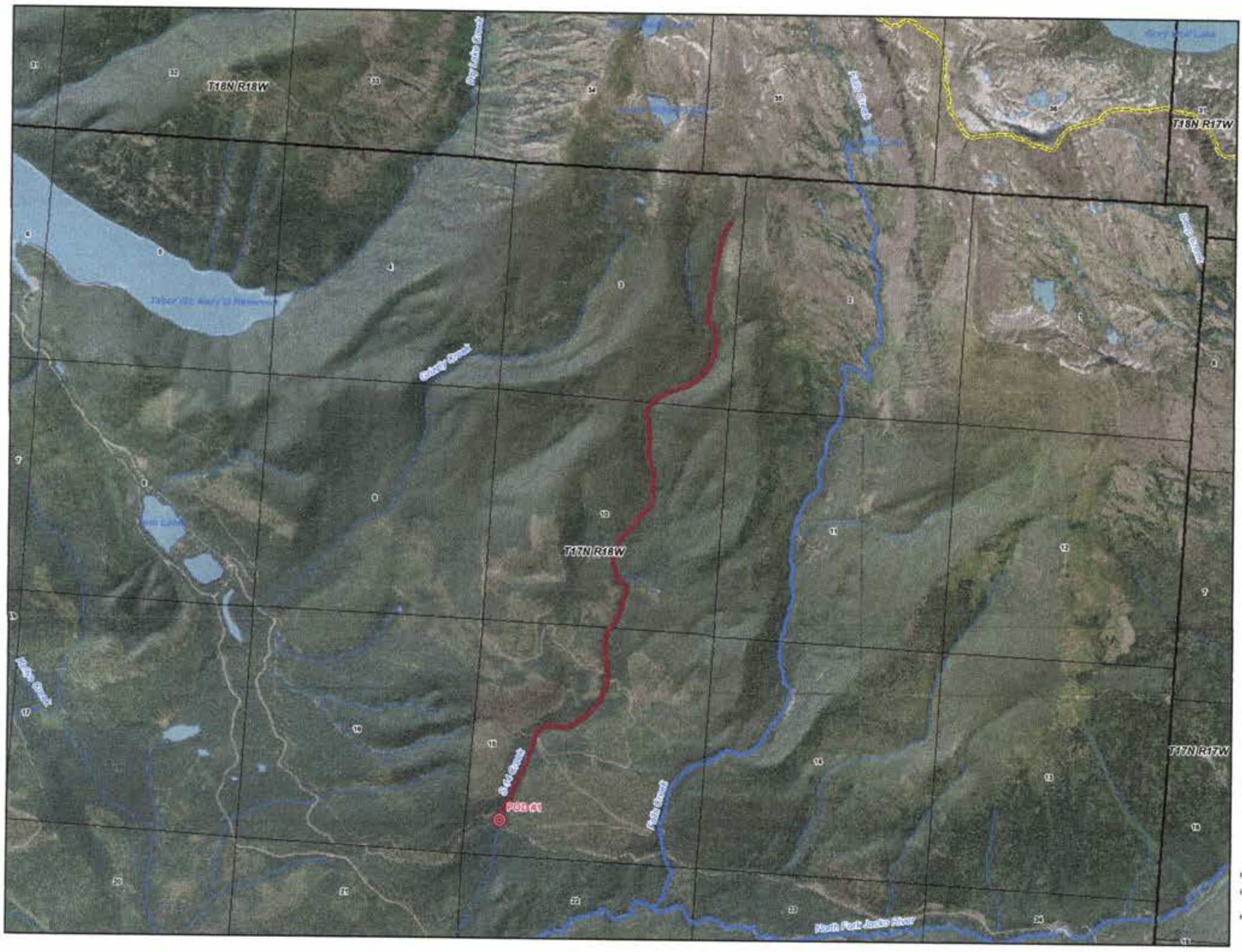
▬ Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R18W
Dry Lake Creek
Tabor (St. Mary's) Reservoir
Grizzly Creek
Falls Creek
Gray Wolf Lake
T18N R17W
T17N R18W
T17N R17W
S-44 Creek
POD #1
North Fork Jocko River

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052766

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

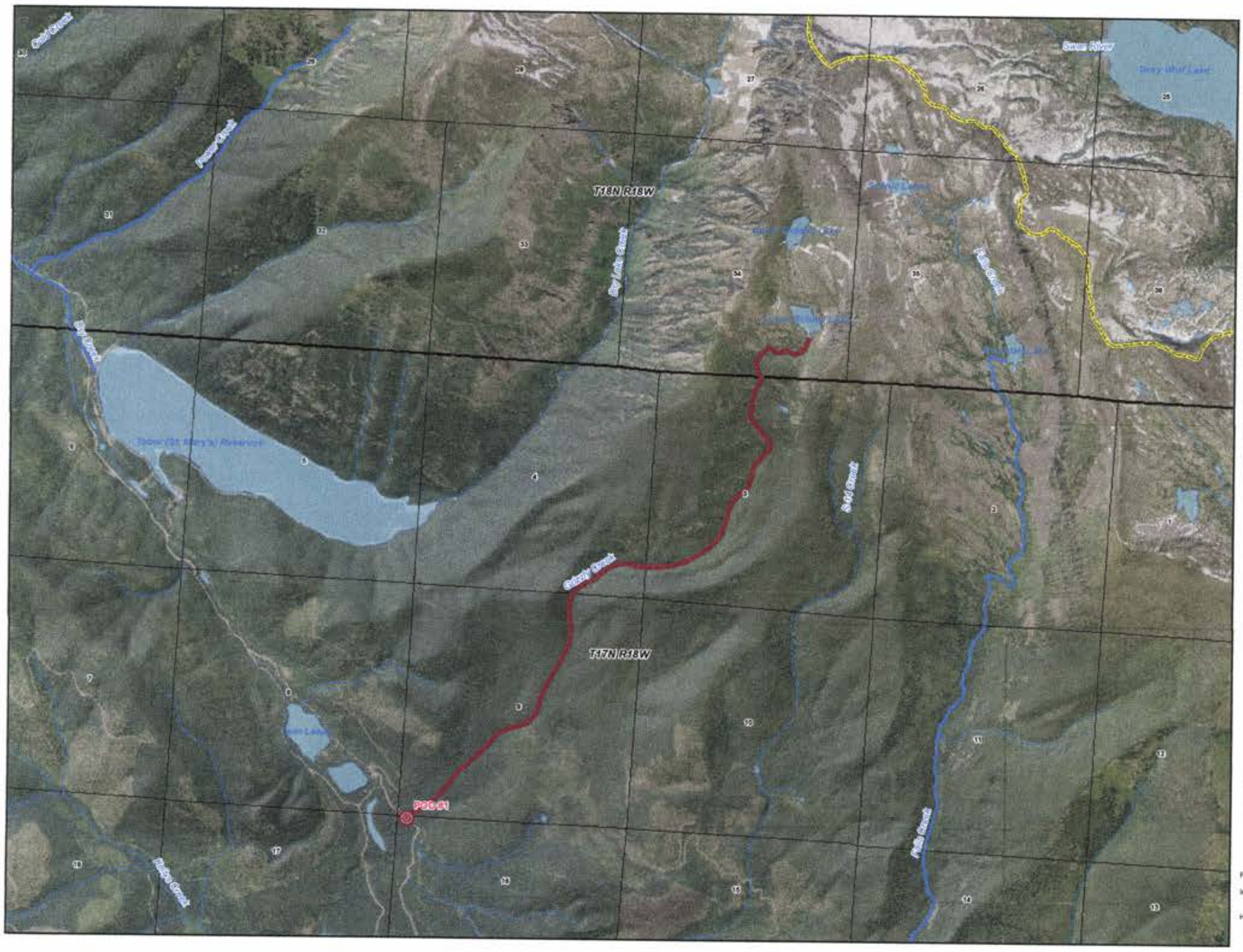
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Swan River
T18N R18W
Dry Creek
Falls Creek
Dry Lake Creek
Tabor (St. Mary's) Reservoir
Grizzly Creek
T17N R18W
POD #1

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L 30052767
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

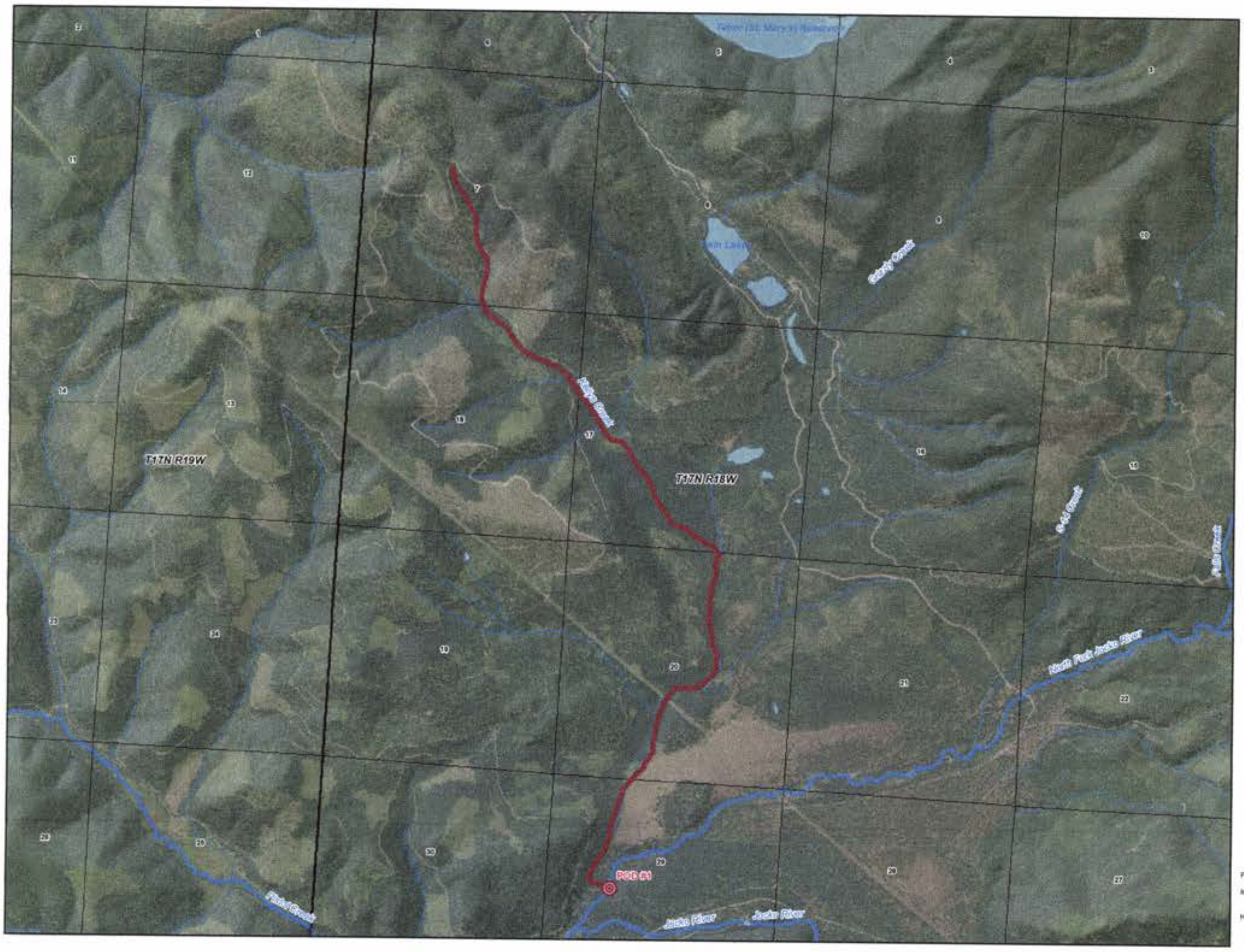
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Tabor (St. Mary's) Reservoir
Twin Lakes
T17N R19W
T17N R18W
Mollys Creek
North Fork Jocko River
Jocko River
Jocko River
Placid Creek
POD #1
1
2
3
4
6
7
8
9
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16
17
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Place of Use and Point of Diversion

Instream Flow

Natural Streams

76L

30052768

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

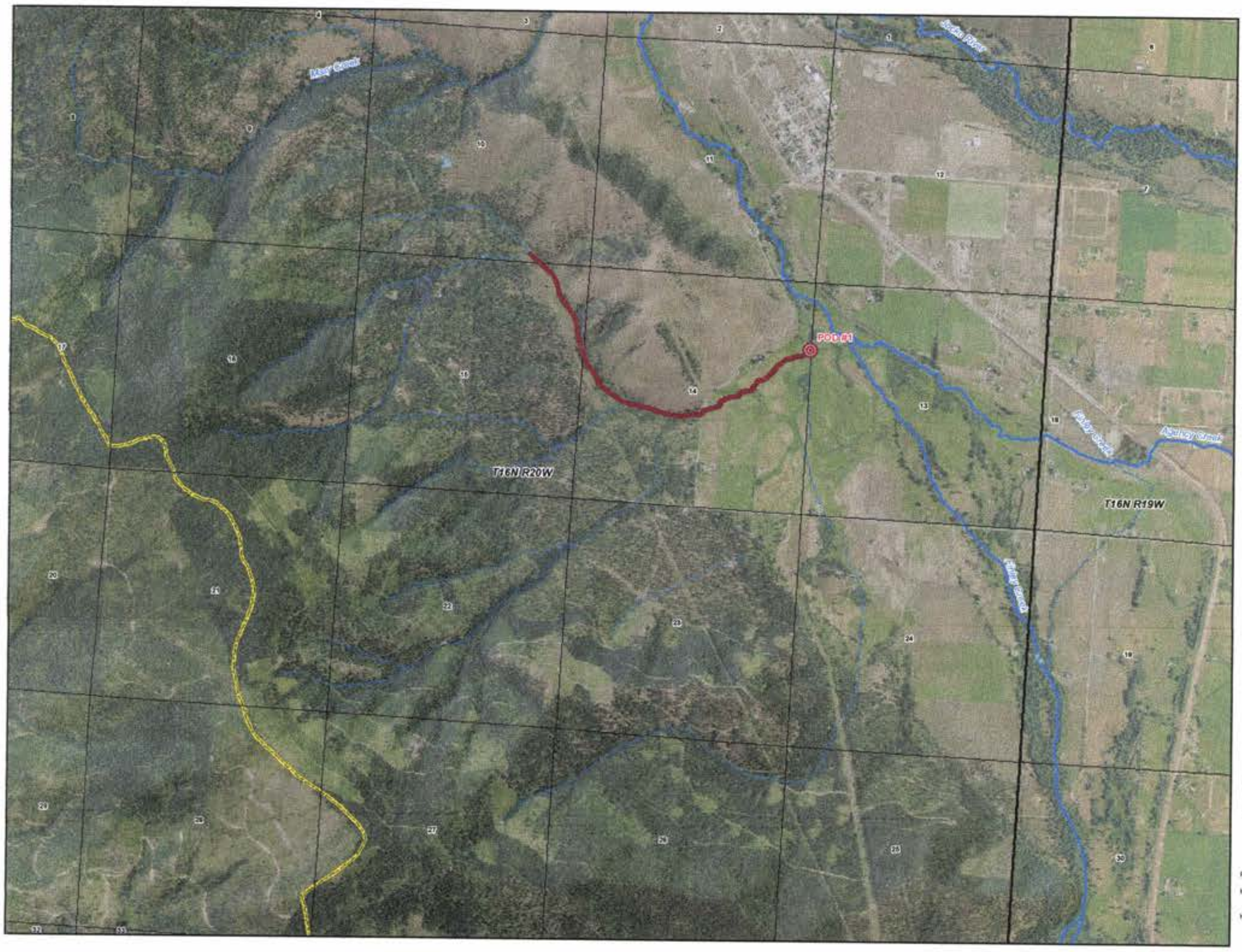
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Jocko River
POD #1
Agency Creek
T16N R20W
T16N R19W

Place of Use
and Point of
Diversion
Instream Flow
Natural Streams
76L
30052769
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee

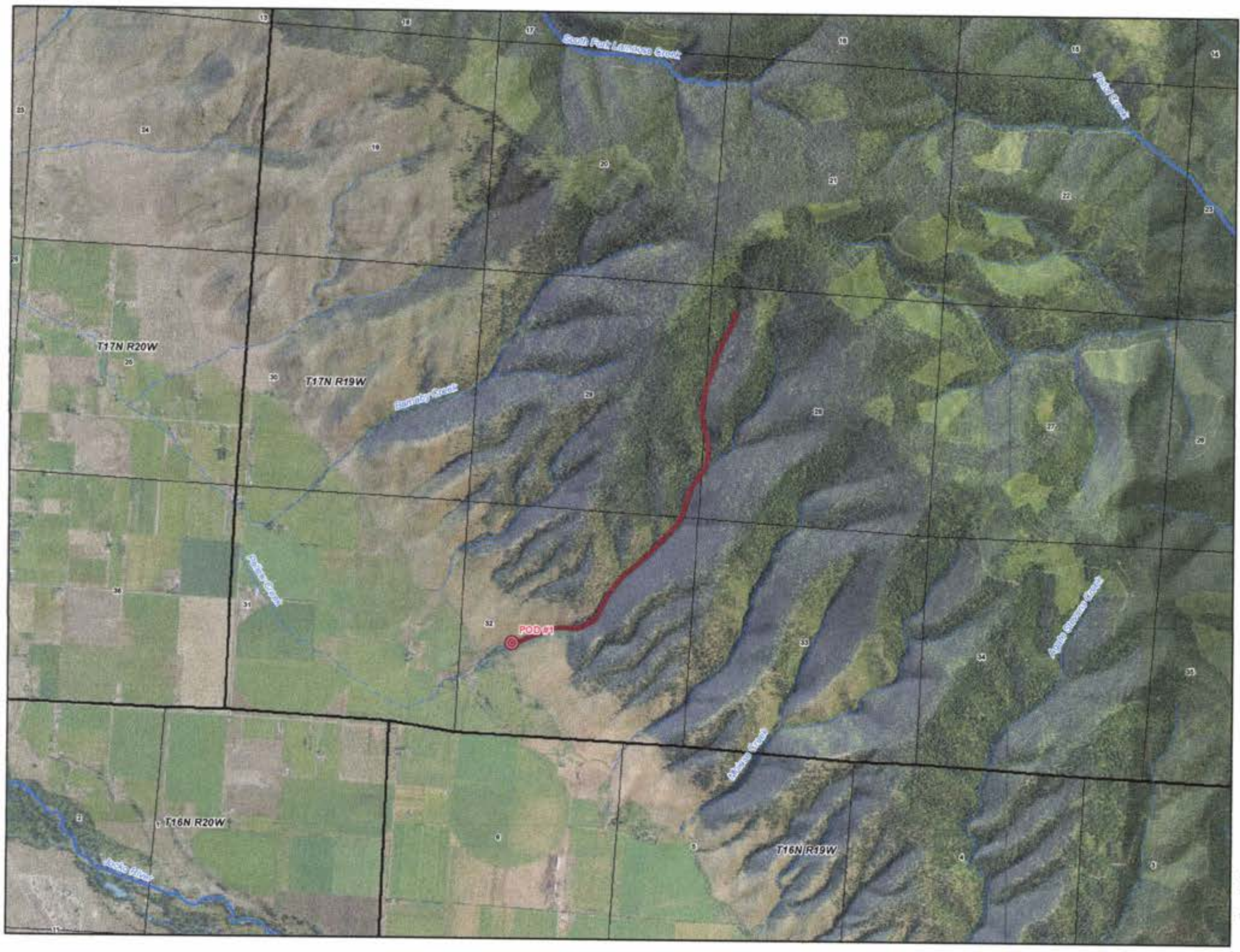
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T17N R20W
T17N R19W
POD #1
T16N R20W
T16N R19W
Jocko River

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052770

Exhibit 1

Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

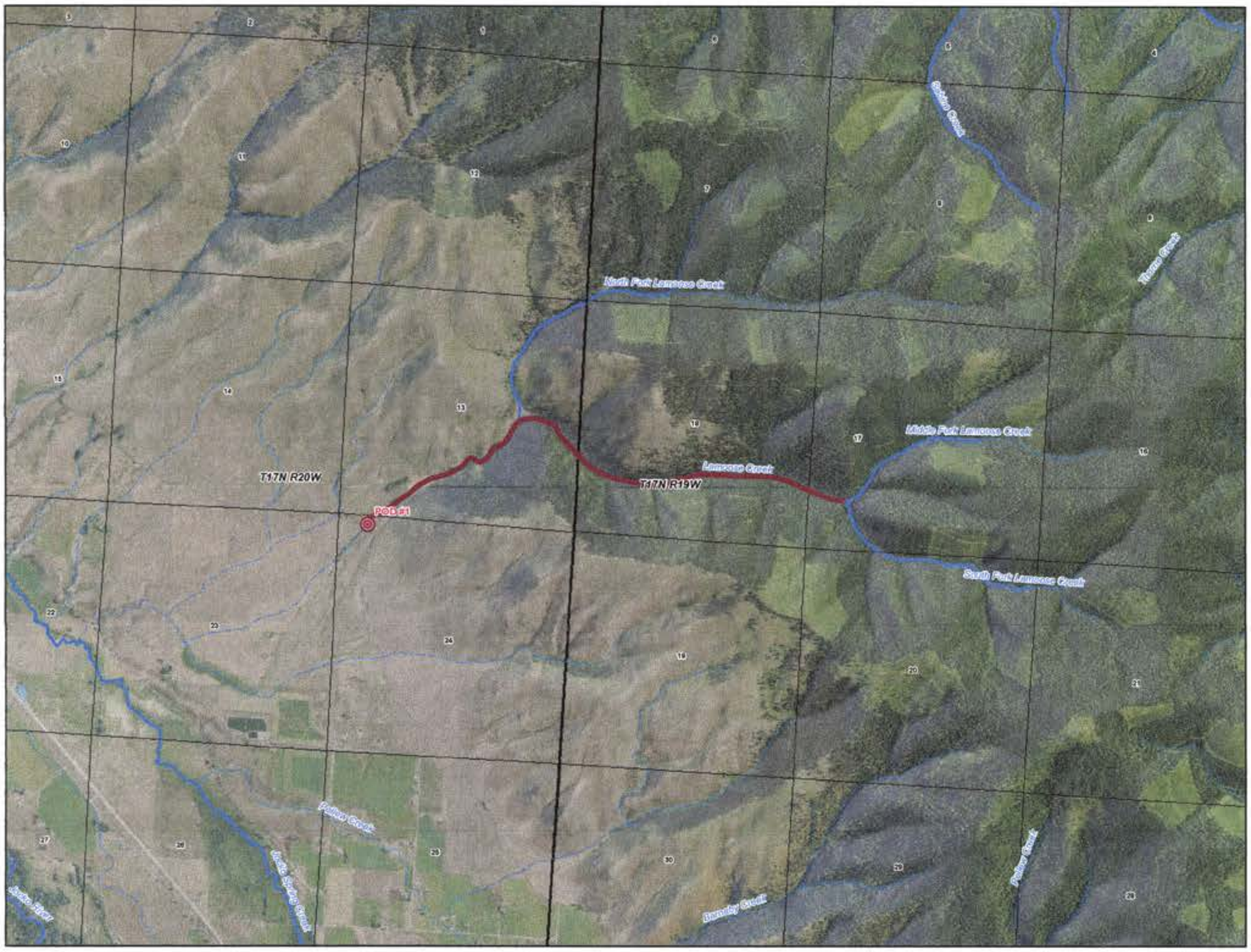
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


North Fork Lamoose Creek
Middle Fork Lamoose Creek
Lamoose Creek
South Fork Lamoose Creek
T17N R20W
T17N R19W
POD #1
Jocko River
Jocko Spring Creek
Barnaby Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L 30052771

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

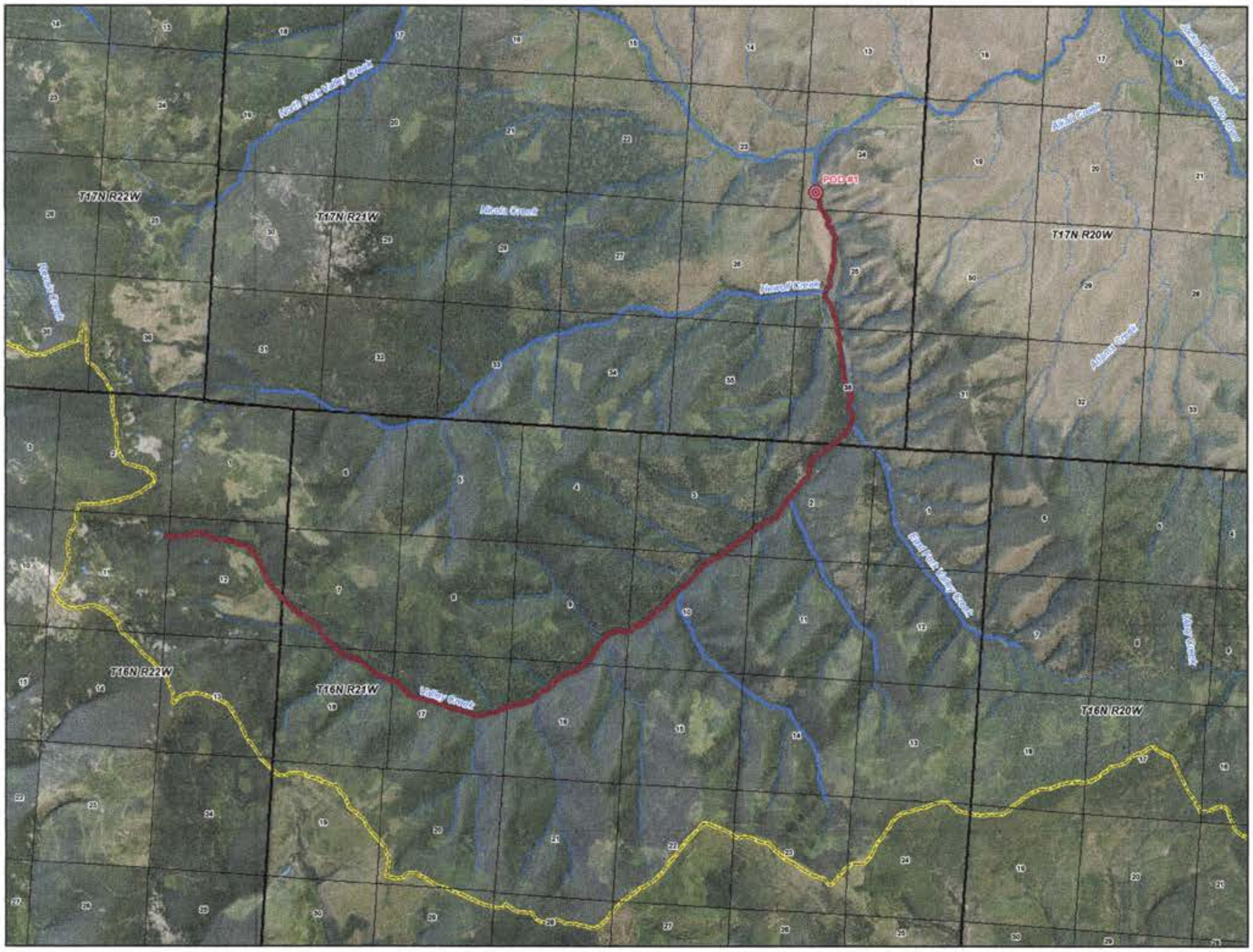
▬ Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


North Fork Valley Creek
T17N R22W
T17N R21W
T17N R20W
POD #1
Alkali Creek
Adams Creek
East Fork Valley Creek
Valley Creek
T16N R22W
T16N R21W
T16N R20W

Place of Use and Point of Diversion
Instream Flow Natural Streams
76L
30052772
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

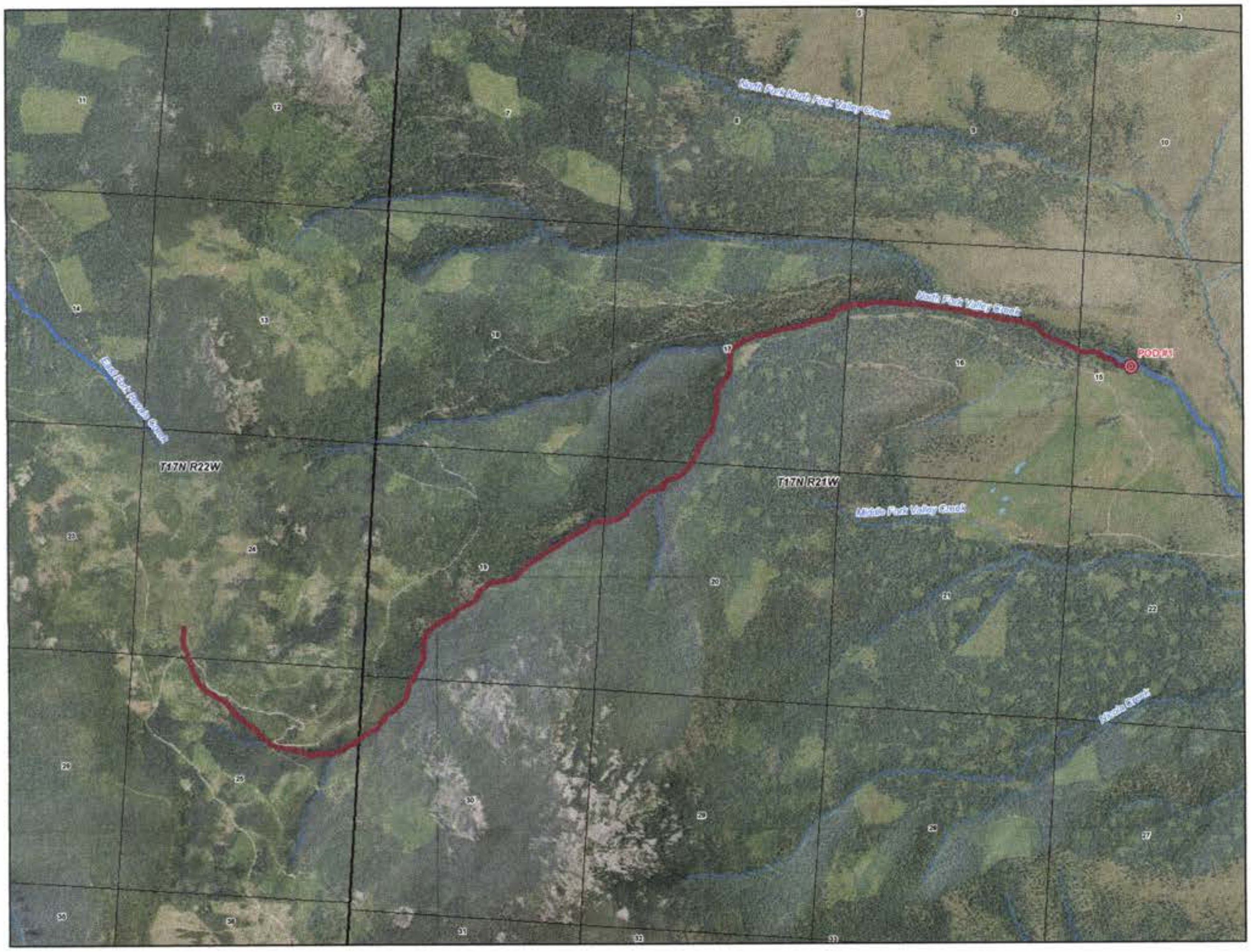
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


North Fork North Fork Valley Creek
North Fork Valley Creek
POD #1
T17N R22W
T17N R21W
Middle Fork Valley Creek

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052773

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

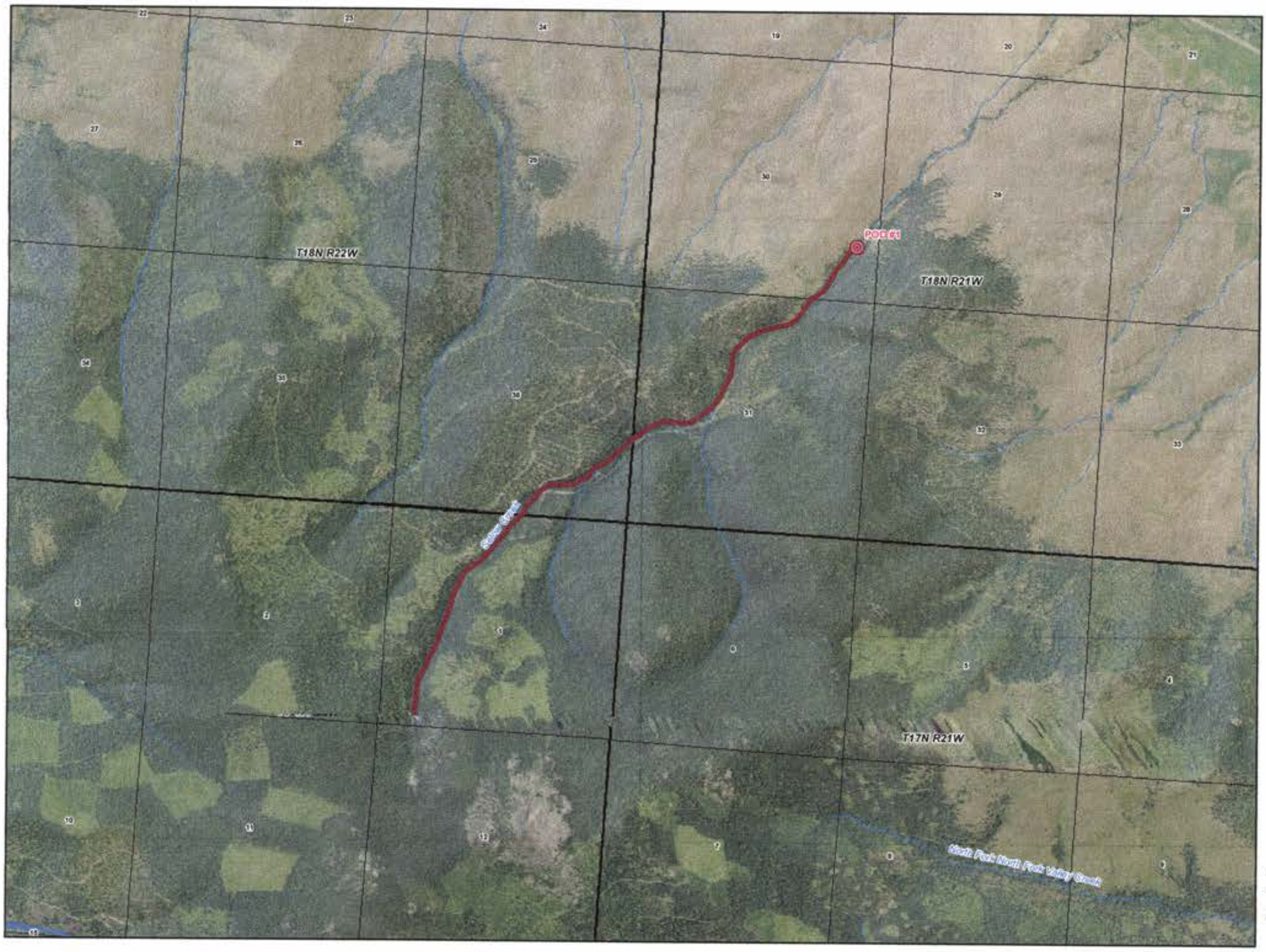
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
T18N R22W
T18N R21W
T17N R21W
North Fork North Fork Valley Creek

Place of Use and Point of Diversion

Instream Flow
Natural Streams

76L
30052774
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

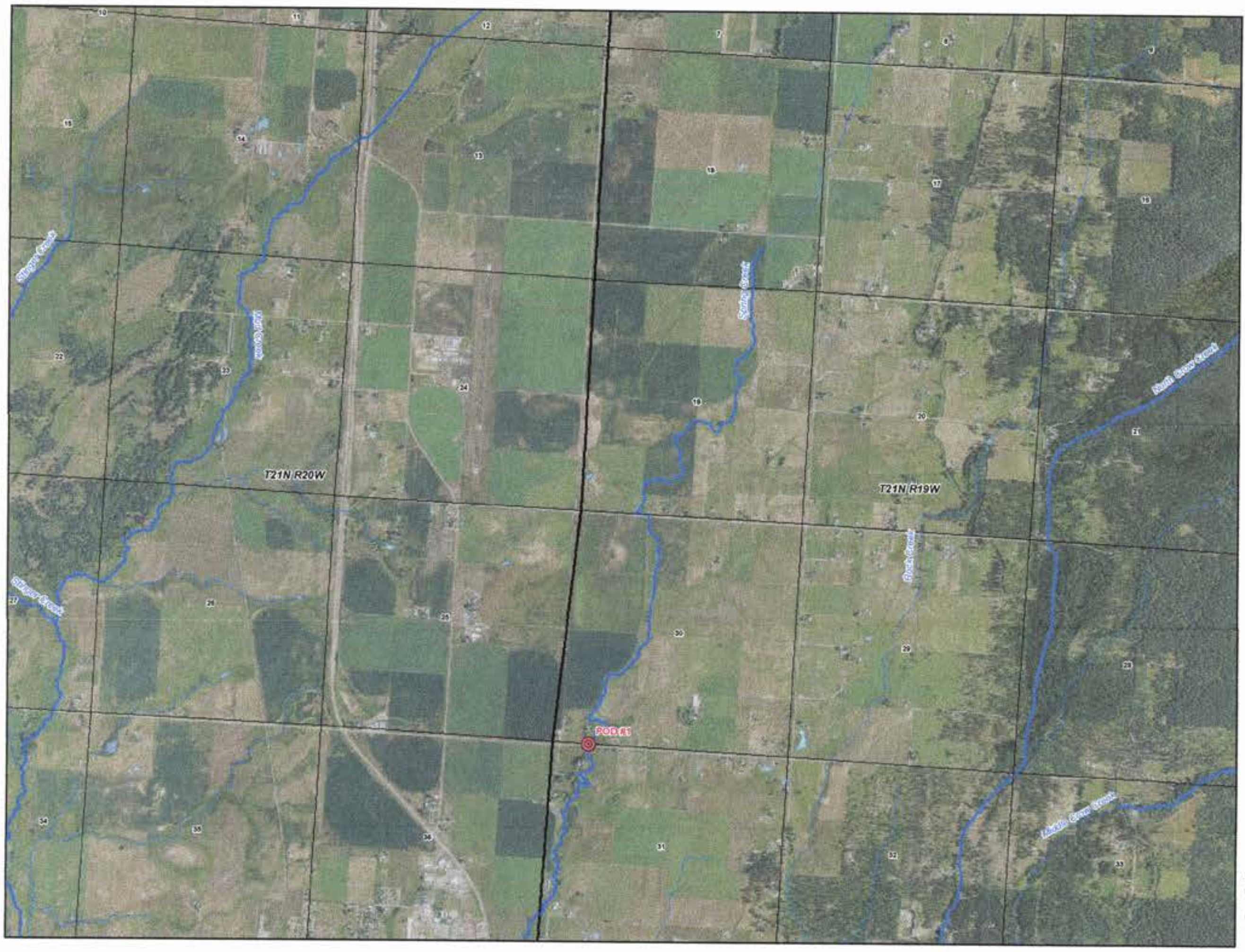
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos; 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)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34
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36
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32
33
Mud Creek
Spring Creek
North Crow Creek
Middle Crow Creek
T21N R20W
T21N R19W
POD #1

Place of Use and Point of Diversion

Instream Flow Natural Streams

76L

30052775

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

- Place of Use
- ◎ Primary Point(s) of Diversion
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Natural Streams (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052776 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 96.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE MIDDLE FORK OF JOCKO RIVER, BELOW THE TABOR FEEDER CANAL FIIP DIVERSION (SWSW SEC 20 T17N R17W) (LAT 47° 12' 36.84" N LONG 113° 48' 10.58" W).

Maximum Volume:

Source Name: JOCKO RIVER, MIDDLE FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	20	17N	17W	MISSOULA

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	11.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	11.00 CFS
	MARCH 1 TO MARCH 31	12.00 CFS
	APRIL 1 TO APRIL 30	21.00 CFS
	MAY 1 TO MAY 31	52.00 CFS
	JUNE 1 TO JUNE 30	96.00 CFS
	JULY 1 TO JULY 31	93.00 CFS
	AUGUST 1 TO AUGUST 31	72.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	59.00 CFS
	OCTOBER 1 TO OCTOBER 31	38.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	14.00 CFS
	DECEMBER 1 TO DECEMBER 31	10.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	17N	17W	MISSOULA
2				20	17N	17W	MISSOULA
3				27	17N	17W	MISSOULA
4				28	17N	17W	MISSOULA
5				29	17N	17W	MISSOULA
6				30	17N	17W	MISSOULA
7				25	17N	18W	LAKE
8				25	17N	18W	MISSOULA
9				26	17N	18W	LAKE
10				35	17N	18W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

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Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052776 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052777 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 210.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE NORTH FORK OF JOCKO RIVER, BELOW THE TABOR FEEDER CANAL FIIP DIVERSION (NWNE SEC 24 T17N R18W) (LAT 47° 13' 20.27" N LONG 113° 49' 53.97" W).

Maximum Volume:

Source Name: JOCKO RIVER, NORTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNE	24	17N	18W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	11.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	8.00 CFS
	MARCH 1 TO MARCH 31	14.00 CFS
	APRIL 1 TO APRIL 30	30.00 CFS
	MAY 1 TO MAY 31	110.00 CFS
	JUNE 1 TO JUNE 30	210.00 CFS
	JULY 1 TO JULY 31	60.00 CFS
	AUGUST 1 TO AUGUST 31	14.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	10.00 CFS
	OCTOBER 1 TO OCTOBER 31	10.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	13.00 CFS
	DECEMBER 1 TO DECEMBER 31	8.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				21	17N	18W	LAKE
2				22	17N	18W	LAKE
3				23	17N	18W	LAKE
4				24	17N	18W	LAKE
5				28	17N	18W	LAKE
6				29	17N	18W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052777 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052778 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN FALLS CREEK, BELOW THE TABOR FEEDER CANAL FIIP DIVERSION (SESE SEC 15 T17N R18W) (LAT 47° 13' 32.24" N LONG 113° 52' 0.83" W).

Maximum Volume:

Source Name: FALLS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	15	17N	18W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	1.00 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	1.00 CFS
MARCH 1 TO MARCH 31	Flow Rate:	1.00 CFS
APRIL 1 TO APRIL 30	Flow Rate:	2.00 CFS
MAY 1 TO MAY 31	Flow Rate:	4.00 CFS
JUNE 1 TO JUNE 30	Flow Rate:	5.00 CFS
JULY 1 TO JULY 31	Flow Rate:	5.00 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	6.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	3.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	3.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	2.00 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	2.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				15	17N	18W	LAKE
2				22	17N	18W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052778 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052779 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 314.18 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN S-14 CREEK, BELOW THE TABOR FEEDER CANAL FIIP DIVERSION (SWSW SEC 15 T17N R18W) (LAT 47° 13' 36.57" N LONG 113° 52' 56.44" W).

Maximum Volume:

Source Name: S-14 CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	15	17N	18W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	89.77 GPM
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	89.77 GPM
	MARCH 1 TO MARCH 31	**Flow Rate:**	89.77 GPM
	APRIL 1 TO APRIL 30	**Flow Rate:**	134.65 GPM
	MAY 1 TO MAY 31	**Flow Rate:**	179.53 GPM
	JUNE 1 TO JUNE 30	**Flow Rate:**	314.18 GPM
	JULY 1 TO JULY 31	**Flow Rate:**	179.53 GPM
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	134.65 GPM
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	89.77 GPM
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	89.77 GPM
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	134.65 GPM
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	89.77 GPM

Diversion Means: INSTREAM
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				15	17N	18W	LAKE
2				21	17N	18W	LAKE
3				22	17N	18W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052779 MAP EXHIBIT(S) 1.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052780 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 446.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN JOCKO RIVER, BELOW THE UPPER JOCKO S CANAL FIIP DIVERSION (NESE SEC 29 T17N R18W) (LAT 47° 12' 7.63" N LONG 113° 54' 36.53" W).

Maximum Volume:

Source Name: JOCKO RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	29	17N	18W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	29.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	24.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	29.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	101.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	334.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	446.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	213.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	92.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	82.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	63.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	32.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	23.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				26	17N	18W	LAKE
2				27	17N	18W	LAKE
3				28	17N	18W	LAKE
4				29	17N	18W	LAKE
5				34	17N	18W	LAKE
6				35	17N	18W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

SEE 30052780 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052781 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 11.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN COLD CREEK, BELOW THE UPPER JOCKO S CANAL FIIP DIVERSION (SENW SEC 29 T17N R18W) (LAT 47° 11' 21.96" N LONG 113° 56' 17.54" W).

Maximum Volume:

Source Name: COLD CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF JOCKO RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENW	31	17N	18W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	1.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	2.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	6.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	11.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	8.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	2.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				31	17N	18W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052781 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052782 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 14.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN GOLD CREEK, BELOW THE UPPER JOCKO S CANAL FIIP DIVERSION (SENE SEC 2 T16N R19W) (LAT 47° 10' 37.82" N LONG 113° 57' 22.70" W).

Maximum Volume:

Source Name: GOLD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENE	2	16N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	1.00 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	1.00 CFS
MARCH 1 TO MARCH 31	Flow Rate:	1.00 CFS
APRIL 1 TO APRIL 30	Flow Rate:	2.00 CFS
MAY 1 TO MAY 31	Flow Rate:	7.00 CFS
JUNE 1 TO JUNE 30	Flow Rate:	14.00 CFS
JULY 1 TO JULY 31	Flow Rate:	9.00 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	4.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	2.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	2.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	1.00 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	1.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	16N	19W	LAKE
2				2	16N	19W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052782 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052783 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 33.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BIG KNIFE CREEK, BELOW THE UPPER JOCKO S CANAL FIIP DIVERSION (SWNW SEC 14 T16N R19W) (LAT 47° 8' 55.51" N LONG 113° 58' 29.50" W).

Maximum Volume:

Source Name: BIG KNIFE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	14	16N	19W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	5.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	5.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	5.00 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	7.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	17.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	33.00 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	9.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	5.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	4.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	8.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	7.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	6.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				10	16N	19W	LAKE
2				14	16N	19W	LAKE
3				15	16N	19W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052783 MAP EXHIBIT(S) 1.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052784 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 758.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN JOCKO RIVER, BELOW THE JOCKO K CANAL FIIP DIVERSION (NESW SEC 10 T16N R19W) (LAT 47° 9' 33.31" N LONG 113° 59' 10.45" W).

Maximum Volume:

Source Name: JOCKO RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	10	16N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	68.00 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	64.00 CFS
MARCH 1 TO MARCH 31	Flow Rate:	79.00 CFS
APRIL 1 TO APRIL 30	Flow Rate:	176.00 CFS
MAY 1 TO MAY 31	Flow Rate:	516.00 CFS
JUNE 1 TO JUNE 30	Flow Rate:	758.00 CFS
JULY 1 TO JULY 31	Flow Rate:	222.00 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	77.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	96.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	111.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	85.00 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	64.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	16N	19W	LAKE
2				2	16N	19W	LAKE
3				7	16N	19W	LAKE
4				8	16N	19W	LAKE
5				9	16N	19W	LAKE
6				10	16N	19W	LAKE
7				11	16N	19W	LAKE
8				1	16N	20W	LAKE
9				2	16N	20W	LAKE
10				12	16N	20W	LAKE
11				29	17N	18W	LAKE
12				30	17N	18W	LAKE
13				31	17N	18W	LAKE
14				36	17N	19W	LAKE

Remarks:

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052784 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052785 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 47.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN AGENCY CREEK, BELOW THE UPPER JOCKO J CANAL FIIP DIVERSION (NESE SEC 21 T16N R19W) (LAT 47° 7' 47.39" N LONG 113° 59' 59.96" W).

Maximum Volume:

Source Name: AGENCY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	21	16N	19W	MISSOULA

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	5.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	3.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	4.00 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	14.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	41.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	47.00 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	10.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	6.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	6.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	8.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	7.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	5.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				16	16N	19W	LAKE
2				16	16N	19W	MISSOULA
3				21	16N	19W	MISSOULA

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

SEE 30052785 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052786 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 48.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE EAST FORK OF FINLEY CREEK, BELOW THE JOCKO N CANAL FIIP DIVERSION (SESW SEC 32 T16N R19W) (LAT 47° 5' 42.60" N LONG 114° 1' 57.02" W).

Maximum Volume:

Source Name: FINLEY CREEK, EAST FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	32	16N	19W	MISSOULA

Period of Diversion:		Flow Rate:
JANUARY 1 TO JANUARY 31	Flow Rate:	4.00 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	3.00 CFS
MARCH 1 TO MARCH 31	Flow Rate:	4.00 CFS
APRIL 1 TO APRIL 30	Flow Rate:	13.00 CFS
MAY 1 TO MAY 31	Flow Rate:	39.00 CFS
JUNE 1 TO JUNE 30	Flow Rate:	48.00 CFS
JULY 1 TO JULY 31	Flow Rate:	14.00 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	5.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	4.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	5.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	4.00 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	3.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				31	16N	19W	MISSOULA
2				32	16N	19W	MISSOULA

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052786 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052787 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.70 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SCHLEY CREEK, BELOW THE DONEY DITCH FIIP DIVERSION (NENE SEC 6 T15N R19W) (LAT 47° 5' 35.57" N LONG 114° 2' 32.66" W).

Maximum Volume:

Source Name: SCHLEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	6	15N	19W	MISSOULA

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	0.50 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	0.40 CFS
MARCH 1 TO MARCH 31	Flow Rate:	0.50 CFS
APRIL 1 TO APRIL 30	Flow Rate:	1.70 CFS
MAY 1 TO MAY 31	Flow Rate:	5.20 CFS
JUNE 1 TO JUNE 30	Flow Rate:	6.70 CFS
JULY 1 TO JULY 31	Flow Rate:	2.50 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	1.10 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	0.70 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	0.70 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	0.60 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	0.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	15N	19W	MISSOULA
2				6	15N	19W	MISSOULA

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052787 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052788 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 156.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN FINLEY CREEK, BELOW THE JOCKO E CANAL FIIP DIVERSION (NWNW SEC 2 T16N R20W) (LAT 47° 10' 43.77" N LONG 114° 6' 3.82" W).

Maximum Volume:

Source Name: FINLEY CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF JOCKO RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	2	16N	20W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	15.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	15.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	16.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	60.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	128.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	156.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	37.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	18.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	22.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	24.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	21.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	16.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	16N	19W	MISSOULA
2				30	16N	19W	MISSOULA
3				31	16N	19W	MISSOULA
4				2	16N	20W	LAKE
5				11	16N	20W	LAKE
6				13	16N	20W	LAKE
7				14	16N	20W	LAKE
8				24	16N	20W	LAKE
9				24	16N	20W	MISSOULA

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052788 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052789 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 983.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN JOCKO RIVER, BELOW THE LOWER JOCKO S CANAL FIIP DIVERSION (NENE SEC 2 T16N R20W) (LAT 47° 10' 53.26" N LONG 114° 6' 9.96" W).

Maximum Volume:

Source Name: JOCKO RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	2	16N	20W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	98.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	92.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	108.00 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	253.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	686.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	983.00 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	324.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	134.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	165.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	176.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	141.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	98.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	16N	20W	LAKE
2				8	17N	20W	LAKE
3				16	17N	20W	LAKE
4				17	17N	20W	LAKE
5				21	17N	20W	LAKE
6				22	17N	20W	LAKE
7				27	17N	20W	LAKE
8				34	17N	20W	LAKE
9				35	17N	20W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

SEE 30052789 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052790 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 1,075.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN JOCKO RIVER, BELOW THE LOWER JOCKO J CANAL FIIP DIVERSION (SENW SEC 31 T18N R20W) (LAT 47° 16' 45.01" N LONG 114° 11' 35.74" W).

Maximum Volume:

Source Name: JOCKO RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENW	31	18N	20W	LAKE

Period of Diversion:		**Flow Rate:**
	JANUARY 1 TO JANUARY 31	133.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	127.00 CFS
	MARCH 1 TO MARCH 31	141.00 CFS
	APRIL 1 TO APRIL 30	321.00 CFS
	MAY 1 TO MAY 31	778.00 CFS
	JUNE 1 TO JUNE 30	1,075.00 CFS
	JULY 1 TO JULY 31	395.00 CFS
	AUGUST 1 TO AUGUST 31	190.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	232.00 CFS
	OCTOBER 1 TO OCTOBER 31	241.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	191.00 CFS
	DECEMBER 1 TO DECEMBER 31	136.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	17N	20W	LAKE
2				8	17N	20W	LAKE
3				31	18N	20W	LAKE
4				31	18N	20W	SANDERS
5				32	18N	20W	LAKE
6				17	18N	21W	SANDERS
7				20	18N	21W	SANDERS
8				21	18N	21W	SANDERS
9				22	18N	21W	SANDERS
10				25	18N	21W	SANDERS
11				26	18N	21W	SANDERS
12				27	18N	21W	SANDERS
13				36	18N	21W	SANDERS

Remarks:

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

SEE 30052790 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052791 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 106.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN REVAIS CREEK, BELOW THE REVAIS R CANAL FIIP DIVERSION (SESW SEC 15 T18N R22W) (LAT 47° 18' 45.97" N LONG 114° 23' 2.42" W).

Maximum Volume:

Source Name: REVAIS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	15	18N	22W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	8.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	10.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	12.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	38.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	97.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	106.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	12.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	3.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	6.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	6.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	5.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				10	18N	22W	SANDERS
2				15	18N	22W	SANDERS
3				22	18N	22W	SANDERS

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052791 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052792 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 200.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MISSION CREEK, BELOW THE PABLO FEEDER CANAL FIIP DIVERSION (SWSE SEC 16 T18N R19W) (LAT 47° 18' 45.90" N LONG 114° 1' 17.60" W).

Maximum Volume:

Source Name: MISSION CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSE	16	18N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	24.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	15.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	15.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	22.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	101.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	200.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	191.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	136.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	138.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	119.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	48.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	24.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				16	18N	19W	LAKE
2				19	18N	19W	LAKE
3				20	18N	19W	LAKE
4				21	18N	19W	LAKE
5				24	18N	20W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052792 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052793 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 269.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN POST CREEK, BELOW THE PABLO FEEDER CANAL FIIP DIVERSION (SENE SEC 4 T19N R19W) (LAT 47° 26' 7.38" N LONG 114° 0' 53.08" W).

Maximum Volume:

Source Name: POST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENE	4	19N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	35.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	23.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	33.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	48.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	96.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	160.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	269.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	155.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	106.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	46.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	38.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	28.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	19N	19W	LAKE
2				4	19N	19W	LAKE
3				10	19N	19W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052793 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052794 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 24.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MIDDLE CROW CREEK, BELOW THE PABLO FEEDER CANAL FIIP DIVERSION (NENW SEC 33 T21N R19W) (LAT 47° 32' 32.73" N LONG 114° 2' 23.75" W).

Maximum Volume:

Source Name: MIDDLE CROW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENW	33	21N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	3.00 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	2.00 CFS
MARCH 1 TO MARCH 31	Flow Rate:	3.00 CFS
APRIL 1 TO APRIL 30	Flow Rate:	4.00 CFS
MAY 1 TO MAY 31	Flow Rate:	13.00 CFS
JUNE 1 TO JUNE 30	Flow Rate:	24.00 CFS
JULY 1 TO JULY 31	Flow Rate:	15.00 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	2.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	2.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	2.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	3.00 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	3.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	20N	19W	LAKE
2				6	20N	19W	LAKE
3				7	20N	19W	LAKE
4				27	21N	19W	LAKE
5				28	21N	19W	LAKE
6				33	21N	19W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052794 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052795 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 125.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN NORTH CROW CREEK, BELOW THE PABLO FEEDER CANAL FIIP DIVERSION (NWNW SEC 28 T21N R19W) (LAT 47° 33' 29.07" N LONG 114° 2' 50.14" W).

Maximum Volume:

Source Name: NORTH CROW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	28	21N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	17.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	14.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	16.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	23.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	67.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	125.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	78.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	20.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	15.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	10.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	20.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	16.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	20N	19W	LAKE
2				7	20N	19W	LAKE
3				18	20N	19W	LAKE
4				21	21N	19W	LAKE
5				28	21N	19W	LAKE
6				29	21N	19W	LAKE
7				32	21N	19W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

SEE 30052795 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052796 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 174.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MISSION CREEK, BELOW THE MISSION 6C CANAL FIIP DIVERSION (SESE SEC 4 T18N R20W) (LAT 47° 20' 33.36" N LONG 114° 8' 39.18" W).

Maximum Volume:

Source Name: MISSION CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	4	18N	20W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	22.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	18.00 CFS
	MARCH 1 TO MARCH 31	22.00 CFS
	APRIL 1 TO APRIL 30	24.00 CFS
	MAY 1 TO MAY 31	85.00 CFS
	JUNE 1 TO JUNE 30	174.00 CFS
	JULY 1 TO JULY 31	130.00 CFS
	AUGUST 1 TO AUGUST 31	70.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	119.00 CFS
	OCTOBER 1 TO OCTOBER 31	92.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	55.00 CFS
	DECEMBER 1 TO DECEMBER 31	26.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	18N	20W	LAKE
2				5	18N	20W	LAKE
3				9	18N	20W	LAKE
4				10	18N	20W	LAKE
5				13	18N	20W	LAKE
6				14	18N	20W	LAKE
7				15	18N	20W	LAKE
8				24	18N	20W	LAKE
9				32	19N	20W	LAKE
10				33	19N	20W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

SEE 30052796 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052797 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 178.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN POST CREEK, BELOW THE POST F CANAL FIIP DIVERSION (SWSW SEC 18 T19N R19W) (LAT 47° 24' 49.89" N LONG 114° 4' 31.55" W).

Maximum Volume:

Source Name: POST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	18	19N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	38.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	26.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	22.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	30.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	88.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	178.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	178.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	75.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	70.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	53.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	43.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	30.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	19N	19W	LAKE
2				5	19N	19W	LAKE
3				6	19N	19W	LAKE
4				7	19N	19W	LAKE
5				18	19N	19W	LAKE
6				13	19N	20W	LAKE
7				24	19N	20W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052797 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052798 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MARSH CREEK, BELOW THE KICKING HORSE FEEDER CANAL FIIP DIVERSION (NWSW SEC 7 T19N R19W) (LAT 47° 25' 6.96" N LONG 114° 4' 14.19" W).

Maximum Volume:

Source Name: MARSH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	7	19N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	2.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	2.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	2.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	2.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	6.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	4.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	4.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	2.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	2.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	2.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	19N	19W	LAKE
2				7	19N	19W	LAKE
3				28	20N	19W	LAKE
4				29	20N	19W	LAKE
5				31	20N	19W	LAKE
6				32	20N	19W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052798 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052799 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 94.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SOUTH CROW CREEK, BELOW THE SOUTH CROW FEEDER CANAL FIIP DIVERSION (NENE SEC 19 T20N R19W) (LAT 47° 29' 6.26" N LONG 114° 3' 27.91" W).

Maximum Volume:

Source Name: SOUTH CROW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	19	20N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	10.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	8.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	9.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	24.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	48.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	94.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	60.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	16.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	12.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	10.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	12.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	8.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				16	20N	19W	LAKE
2				17	20N	19W	LAKE
3				18	20N	19W	LAKE
4				19	20N	19W	LAKE
5				20	20N	19W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052799 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052800 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 157.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN CROW CREEK, BELOW THE CROW PUMP CANAL FIIP DIVERSION (NESE SEC 16 T20N R20W) (LAT 47° 29' 30.09" N LONG 114° 8' 27.90" W).

Maximum Volume:

Source Name: CROW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	16	20N	20W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	43.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	38.00 CFS
	MARCH 1 TO MARCH 31	40.00 CFS
	APRIL 1 TO APRIL 30	41.00 CFS
	MAY 1 TO MAY 31	90.00 CFS
	JUNE 1 TO JUNE 30	157.00 CFS
	JULY 1 TO JULY 31	111.00 CFS
	AUGUST 1 TO AUGUST 31	40.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	40.00 CFS
	OCTOBER 1 TO OCTOBER 31	40.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	49.00 CFS
	DECEMBER 1 TO DECEMBER 31	44.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				18	20N	19W	LAKE
2				8	20N	20W	LAKE
3				13	20N	20W	LAKE
4				14	20N	20W	LAKE
5				15	20N	20W	LAKE
6				16	20N	20W	LAKE
7				17	20N	20W	LAKE
8				18	20N	20W	LAKE
9				22	20N	20W	LAKE
10				23	20N	20W	LAKE
11				24	20N	20W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

SEE 30052800 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052801 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 50.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MUD CREEK, BELOW THE RONAN B CANAL FIIP DIVERSION (SWNW SEC 5 T21N R19W) (LAT 47° 36' 42.24" N LONG 114° 3' 55.26" W).

Maximum Volume:

Source Name: MUD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	5	21N	19W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	5.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	4.00 CFS
	MARCH 1 TO MARCH 31	5.00 CFS
	APRIL 1 TO APRIL 30	7.00 CFS
	MAY 1 TO MAY 31	25.00 CFS
	JUNE 1 TO JUNE 30	50.00 CFS
	JULY 1 TO JULY 31	35.00 CFS
	AUGUST 1 TO AUGUST 31	4.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	3.00 CFS
	OCTOBER 1 TO OCTOBER 31	3.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	4.00 CFS
	DECEMBER 1 TO DECEMBER 31	4.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	21N	19W	LAKE
2				6	21N	19W	LAKE
3				7	21N	19W	LAKE
4				8	21N	19W	LAKE
5				12	21N	20W	LAKE
6				32	22N	19W	LAKE
7				33	22N	19W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052801 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052802 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 191.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN CROW CREEK, BELOW THE MOIESE A CANAL FIIP DIVERSION (NWNW SEC 14 T20N R21W) (LAT 47° 29' 50.68" N LONG 114° 14' 30.96" W).

Maximum Volume:

Source Name: CROW CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	14	20N	21W	LAKE

	Period of Diversion		Flow Rate
Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	56.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	50.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	50.00 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	70.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	100.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	191.00 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	116.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	40.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	40.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	66.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	80.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	70.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				14	20N	21W	LAKE
2				15	20N	21W	LAKE
3				21	20N	21W	LAKE
4				22	20N	21W	LAKE
5				28	20N	21W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

SEE 30052802 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052803 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 30.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN HELLROARING CREEK, BELOW THE TWIN FEEDER CANAL FIIP DIVERSION (SESE SEC 32 T23N R19W) (LAT 47° 42' 16.31" N LONG 114° 3' 13.11" W).

Maximum Volume:

Source Name: HELLROARING CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	32	23N	19W	LAKE

Period of Diversion:		**Flow Rate:**
	JANUARY 1 TO JANUARY 31	8.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	7.00 CFS
	MARCH 1 TO MARCH 31	8.00 CFS
	APRIL 1 TO APRIL 30	14.00 CFS
	MAY 1 TO MAY 31	25.00 CFS
	JUNE 1 TO JUNE 30	30.00 CFS
	JULY 1 TO JULY 31	10.00 CFS
	AUGUST 1 TO AUGUST 31	9.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	10.00 CFS
	OCTOBER 1 TO OCTOBER 31	8.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	9.00 CFS
	DECEMBER 1 TO DECEMBER 31	7.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	22N	19W	LAKE
2				32	23N	19W	LAKE
3				33	23N	19W	LAKE
4				34	23N	19W	LAKE

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052803 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052804 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 114.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LITTLE BITTERROOT RIVER, BELOW THE HUBBART RESERVOIR FIIP DAM (SWNW SEC 34 T25N R24W) (LAT 47° 52' 59.67" N LONG 114° 40' 47.86" W).

Maximum Volume:

Source Name: LITTLE BITTERROOT RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	34	25N	24W	FLATHEAD

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	8.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	10.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	5.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	101.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	114.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	81.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	41.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	60.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	42.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	14.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	20.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	13.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				34	25N	24W	FLATHEAD

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052804 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052805 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 103.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LITTLE BITTERROOT RIVER, BELOW THE CAMAS A CANAL FIIP DIVERSION (NWSE SEC 16 T24N R24W) (LAT 47° 50' 16.16" N LONG 114° 40' 36.23" W).

Maximum Volume:

Source Name: LITTLE BITTERROOT RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	16	24N	24W	SANDERS

Period of Diversion:		Flow Rate:
JANUARY 1 TO JANUARY 31	**Flow Rate:**	15.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	18.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	6.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	95.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	103.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	71.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	9.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	23.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	10.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	9.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	20.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	15.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	24N	24W	FLATHEAD
2				4	24N	24W	SANDERS
3				9	24N	24W	SANDERS
4				16	24N	24W	SANDERS
5				21	24N	24W	SANDERS
6				22	24N	24W	SANDERS
7				34	25N	24W	FLATHEAD

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052805 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052806 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 51.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MILL CREEK, BELOW THE CAMAS A CANAL FIIP DIVERSION (SWNE SEC 21 T24N R24W) (LAT 47° 49' 45.26" N LONG 114° 40' 46.84" W).

Maximum Volume:

Source Name: MILL CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF LITTLE BITTERROOT RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	21	24N	24W	SANDERS

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	7.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	8.00 CFS
	MARCH 1 TO MARCH 31	13.00 CFS
	APRIL 1 TO APRIL 30	46.00 CFS
	MAY 1 TO MAY 31	51.00 CFS
	JUNE 1 TO JUNE 30	31.00 CFS
	JULY 1 TO JULY 31	11.00 CFS
	AUGUST 1 TO AUGUST 31	5.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	4.00 CFS
	OCTOBER 1 TO OCTOBER 31	3.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	4.00 CFS
	DECEMBER 1 TO DECEMBER 31	3.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				21	24N	24W	SANDERS

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052806 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052807 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 12.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN HOT SPRINGS CREEK, BELOW THE CAMAS C CANAL FIIP DIVERSION (SWNE SEC 4 T21N R23W) (LAT 47° 36' 38.25" N LONG 114° 33' 6.07" W).

Maximum Volume:

Source Name: HOT SPRINGS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	4	21N	23W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	3.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	2.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	11.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	12.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	1.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	1.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	21N	23W	LAKE
2				5	21N	23W	LAKE
3				6	21N	23W	SANDERS
4				2	21N	24W	SANDERS
5				3	21N	24W	SANDERS
6				4	21N	24W	SANDERS
7				5	21N	24W	SANDERS
8				31	22N	23W	SANDERS
9				32	22N	23W	LAKE
10				32	22N	23W	SANDERS
11				35	22N	24W	SANDERS
12				36	22N	24W	SANDERS

Remarks:

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

SEE 30052807 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052808 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 198.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LITTLE BITTERROOT RIVER, BELOW HOT SPRINGS CREEK (SWNE SEC 4 T21N R23W) (LAT 47° 36' 36.54" N LONG 114° 33' 4.03" W).

Maximum Volume:

Source Name: LITTLE BITTERROOT RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	4	21N	23W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	75.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	106.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	116.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	198.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	176.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	108.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	28.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	47.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	35.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	32.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	37.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	26.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	21N	23W	LAKE
2				6	22N	23W	SANDERS
3				7	22N	23W	SANDERS
4				17	22N	23W	LAKE
5				17	22N	23W	SANDERS
6				18	22N	23W	SANDERS
7				20	22N	23W	LAKE
8				29	22N	23W	LAKE
9				32	22N	23W	LAKE
10				33	22N	23W	LAKE
11				1	22N	24W	SANDERS
12				3	23N	24W	SANDERS
13				10	23N	24W	SANDERS
14				15	23N	24W	SANDERS
15				21	23N	24W	SANDERS
16				22	23N	24W	SANDERS
17				25	23N	24W	SANDERS
18				26	23N	24W	SANDERS

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
19				27	23N	24W	SANDERS
20				36	23N	24W	SANDERS
21				22	24N	24W	SANDERS
22				27	24N	24W	SANDERS
23				34	24N	24W	SANDERS

Remarks:

THIS WATER RIGHT SHALL BE ADMINISTERED IN ACCORDANCE WITH ARTICLE IV.C THROUGH F OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA,

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THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

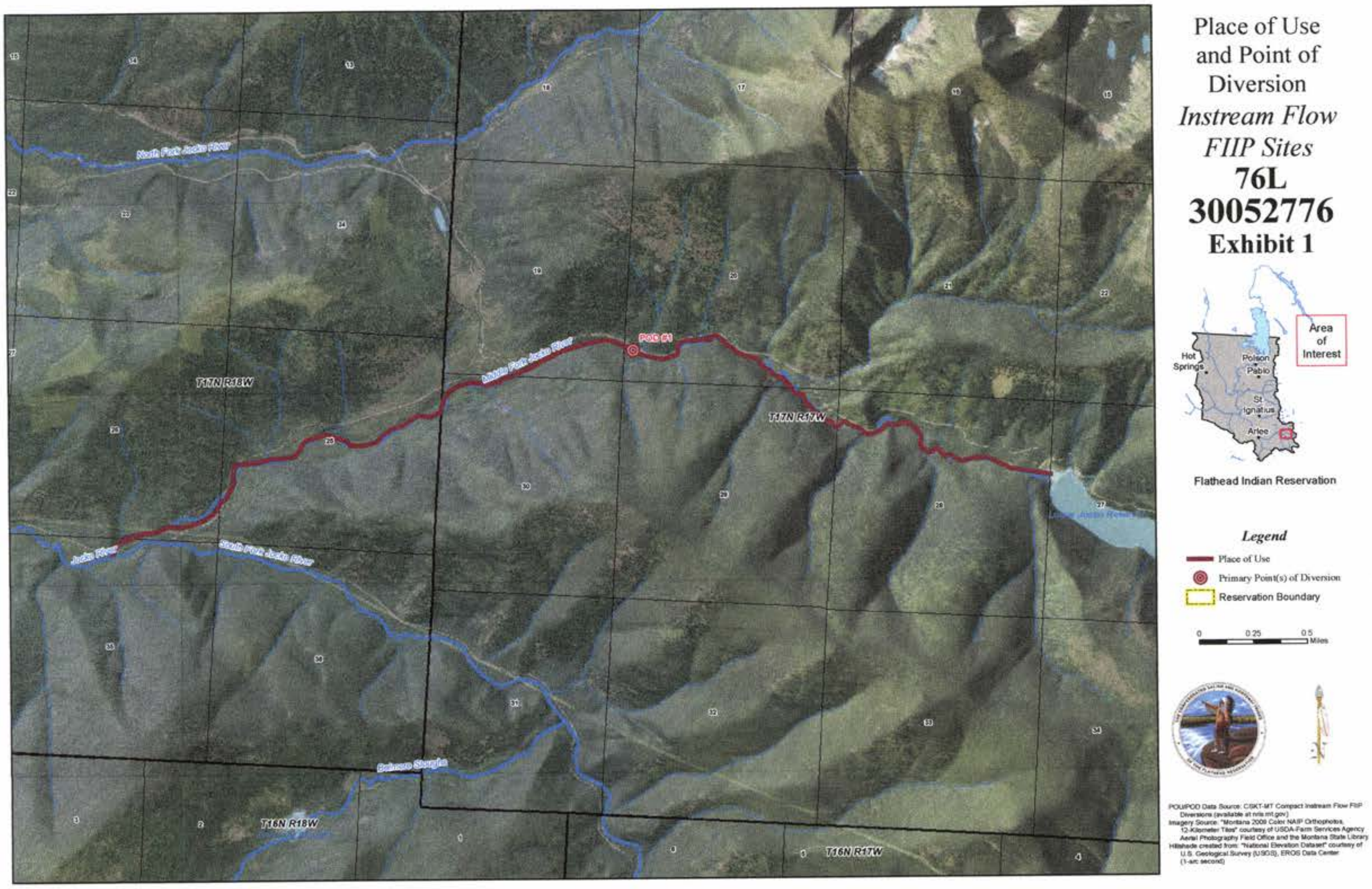
SEE 30052808 MAP EXHIBIT(S) 1.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT; HOWEVER, IMPLEMENTATION OF THIS WATER RIGHT PURSUANT TO ARTICLE IV.C THROUGH F OF COMPACT MAY REQUIRE ARTIFICIAL MEANS OF DIVERSION OR CONTROL.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

Appex#11

76L FIIP
38 pages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Middle Fork Jocko River
POD #1
T17N R18W
T17N R17W
Jocko River
South Fork Jocko River
Lower Jocko Reservoir
Belmore Slough
T16N R18W
T16N R17W
Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Place of Use
and Point of
Diversion
Instream Flow
FIIP Sites
76L
30052776
Exhibit 1

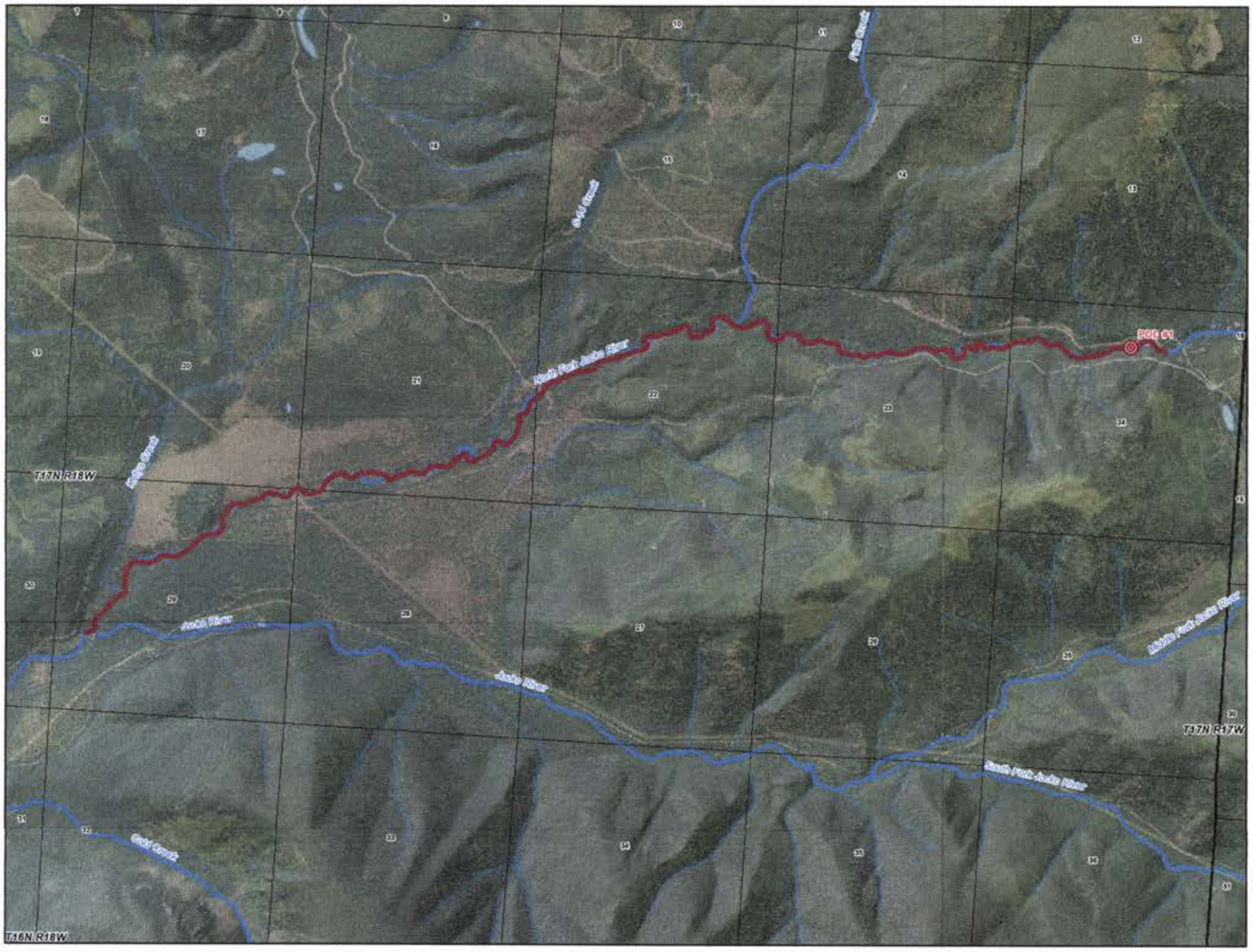
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
North Fork Jocko River
Falls Creek
Jocko River
Middle Fork Jocko River
South Fork Jocko River
Cold Creek
T17N R18W
T17N R17W
T16N R18W

Place of Use and Point of Diversion *Instream Flow FIIP Sites*

76L
30052777
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

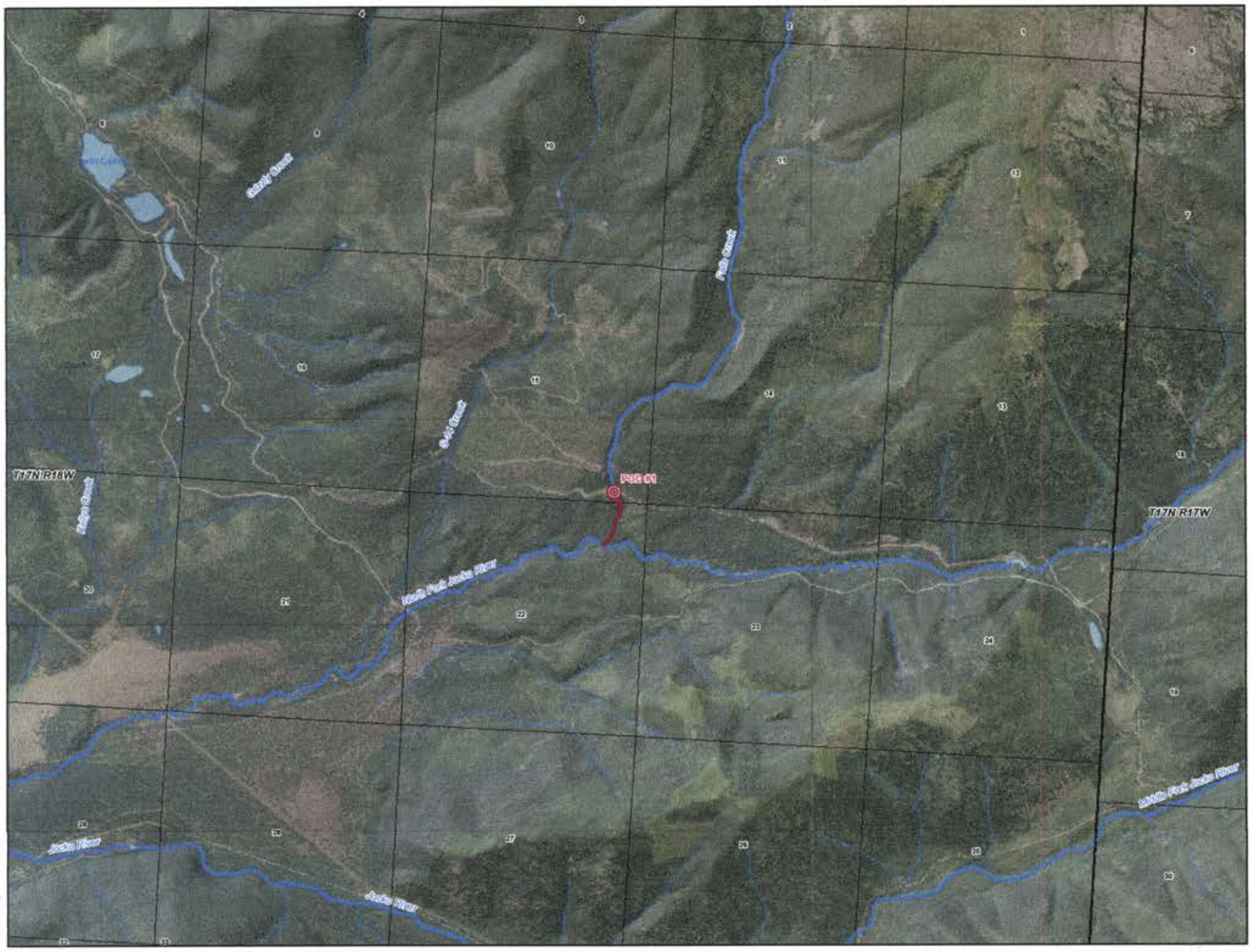
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
North Fork Jocko River
Middle Fork Jocko River
Jocko River
Falls Creek
Grizzly Creek
T17N R18W
T17N R17W

Place of Use
and Point of
Diversion
Instream Flow
FIIP Sites

76L
30052778
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee

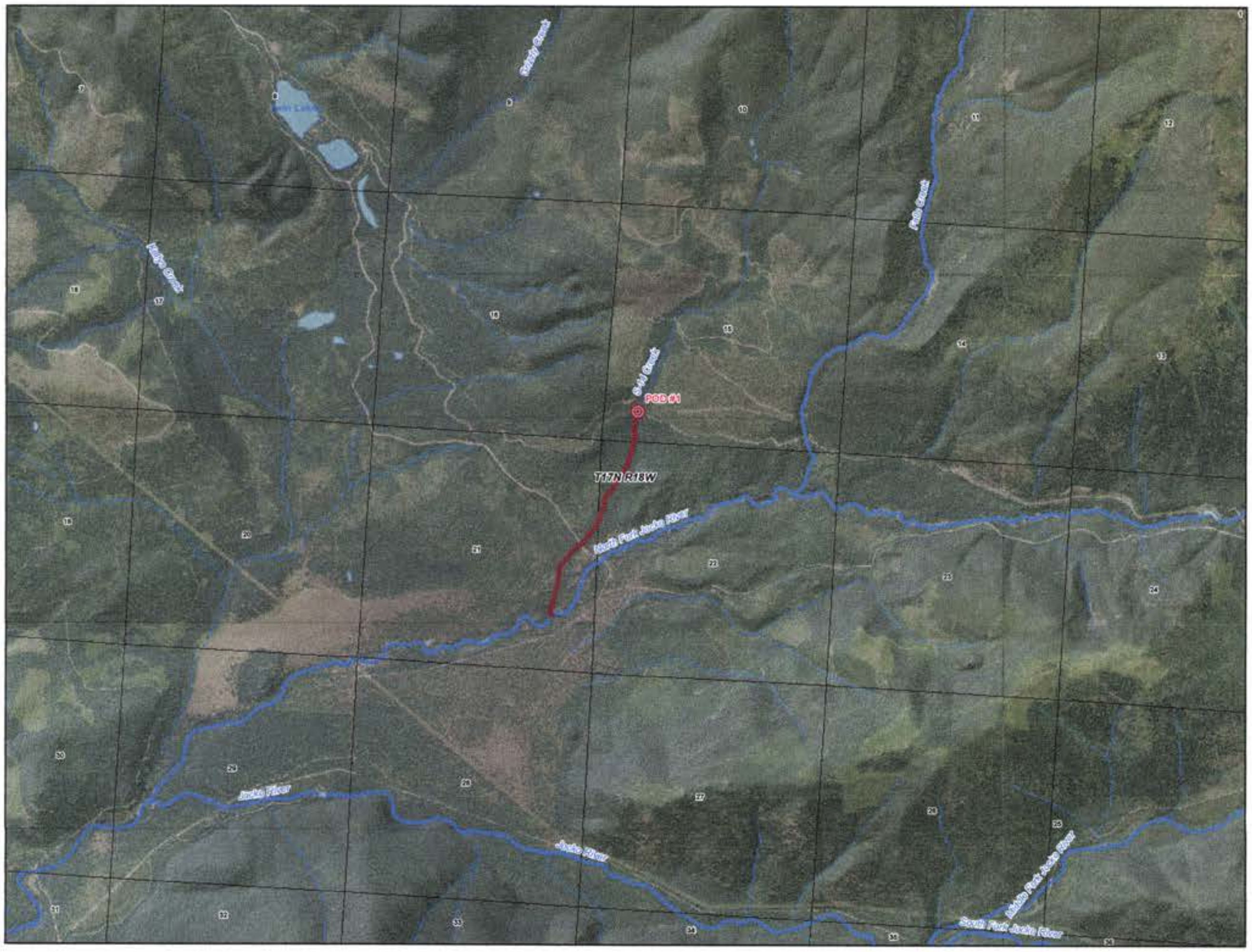
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP
Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
T17N R18W
North Fork Jocko River
Falls Creek
Jocko River
Middle Fork Jocko River
South Fork Jocko River

Place of Use
and Point of
Diversion
Instream Flow
FIIP Sites

76L
30052779
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

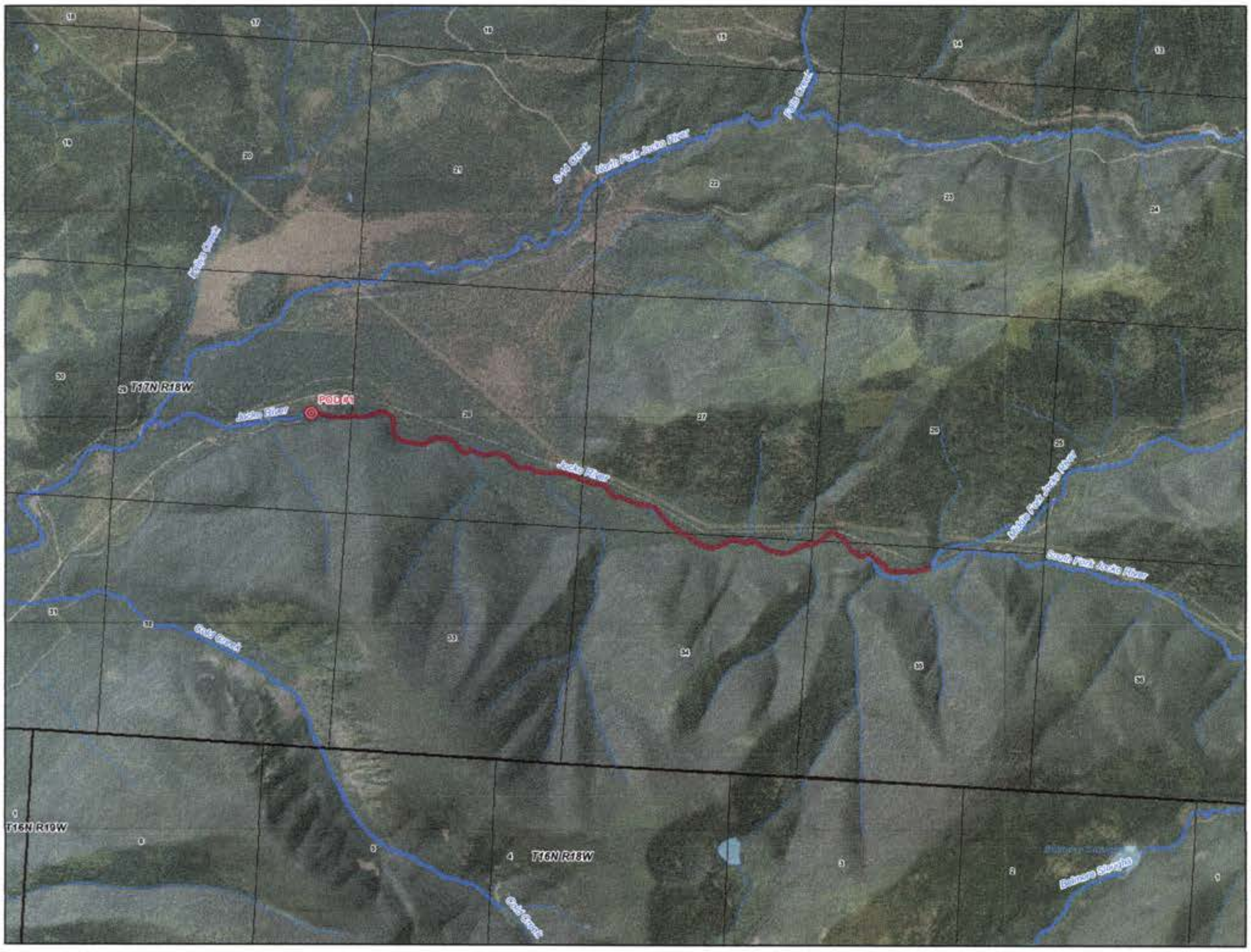
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
Jocko River
Jocko River
T17N R18W
North Fork Jocko River
S-14 Creek
Falls Creek
Finley Creek
Middle Fork Jocko River
South Fork Jocko River
Gold Creek
Gold Creek
T16N R19W
T16N R18W
Belmore Sloughs
18
17
16
15
14
13
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36
1
6
5
4
3
2
1

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052780

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

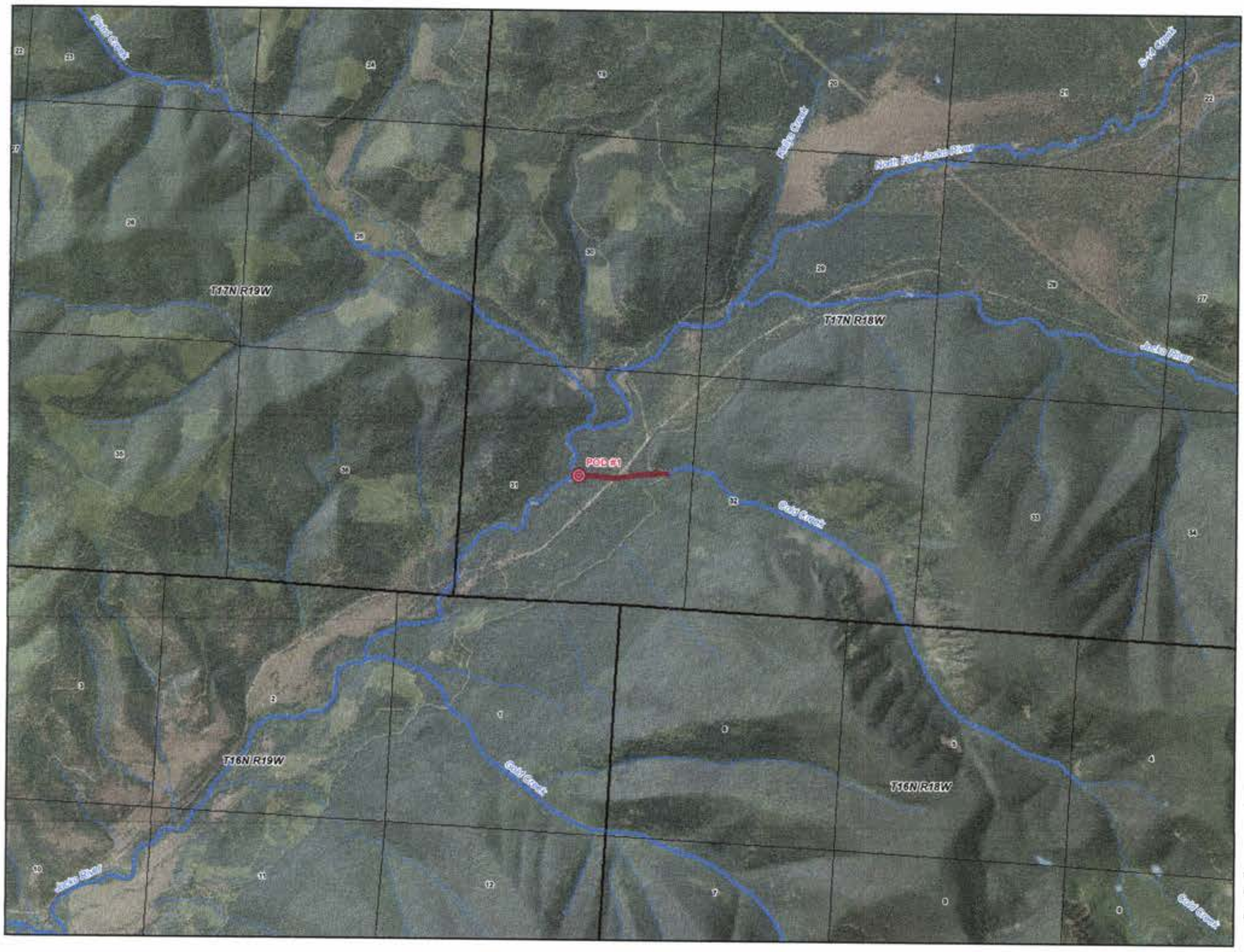
▬ Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP
Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
T17N R19W
T17N R18W
T16N R19W
T16N R18W
North Fork Jocko River
Jocko River
Gold Creek
Gold Creek
Jocko River
Gold Creek

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052781

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

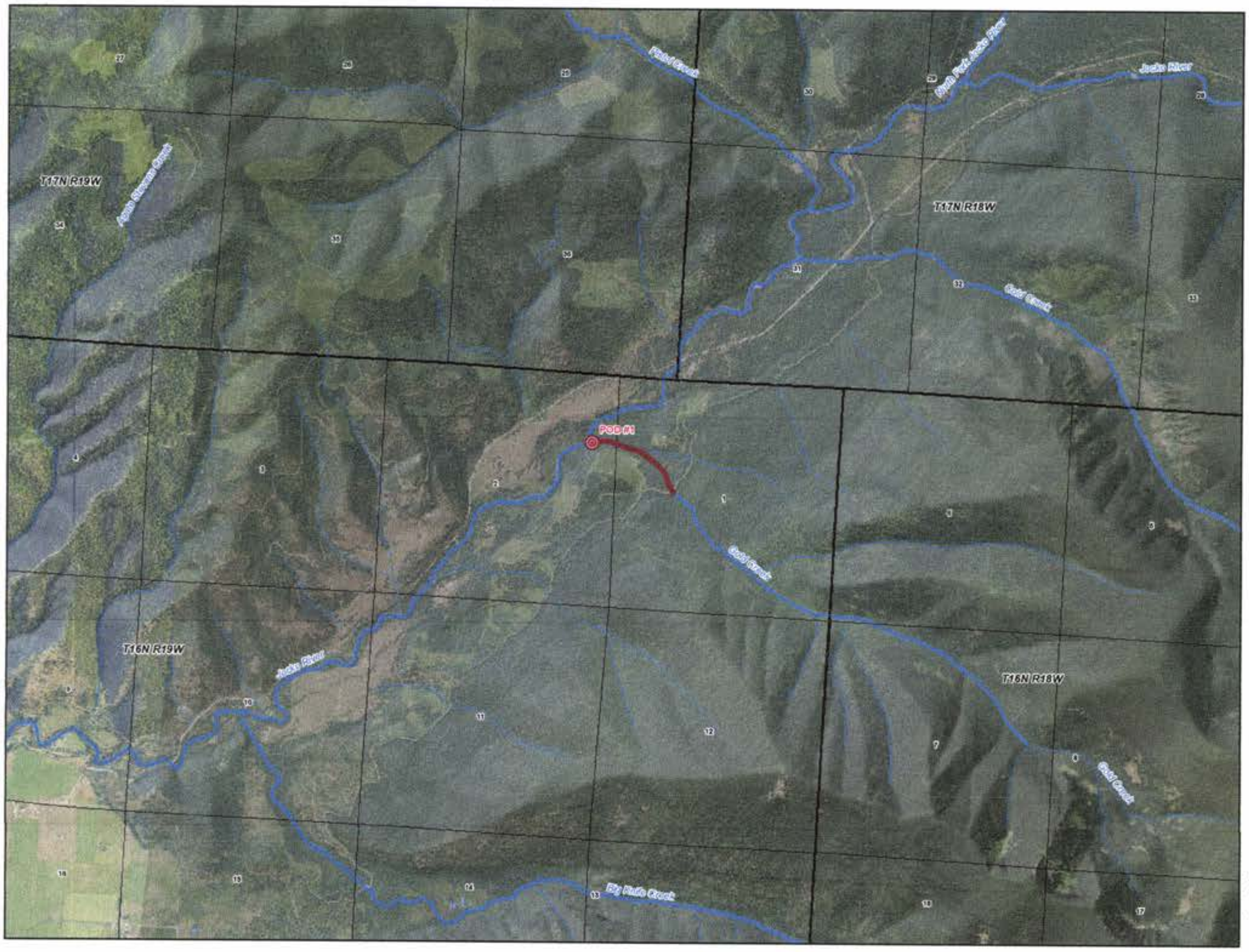
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Pistol Creek
Middle Fork Jocko River
Jocko River
T17N R19W
T17N R18W
Gold Creek
POD #1
T16N R19W
Jocko River
T16N R18W
Gold Creek
Big Knife Creek

Place of Use and Point of Diversion
Instream Flow FIIP Sites
76L
30052782
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

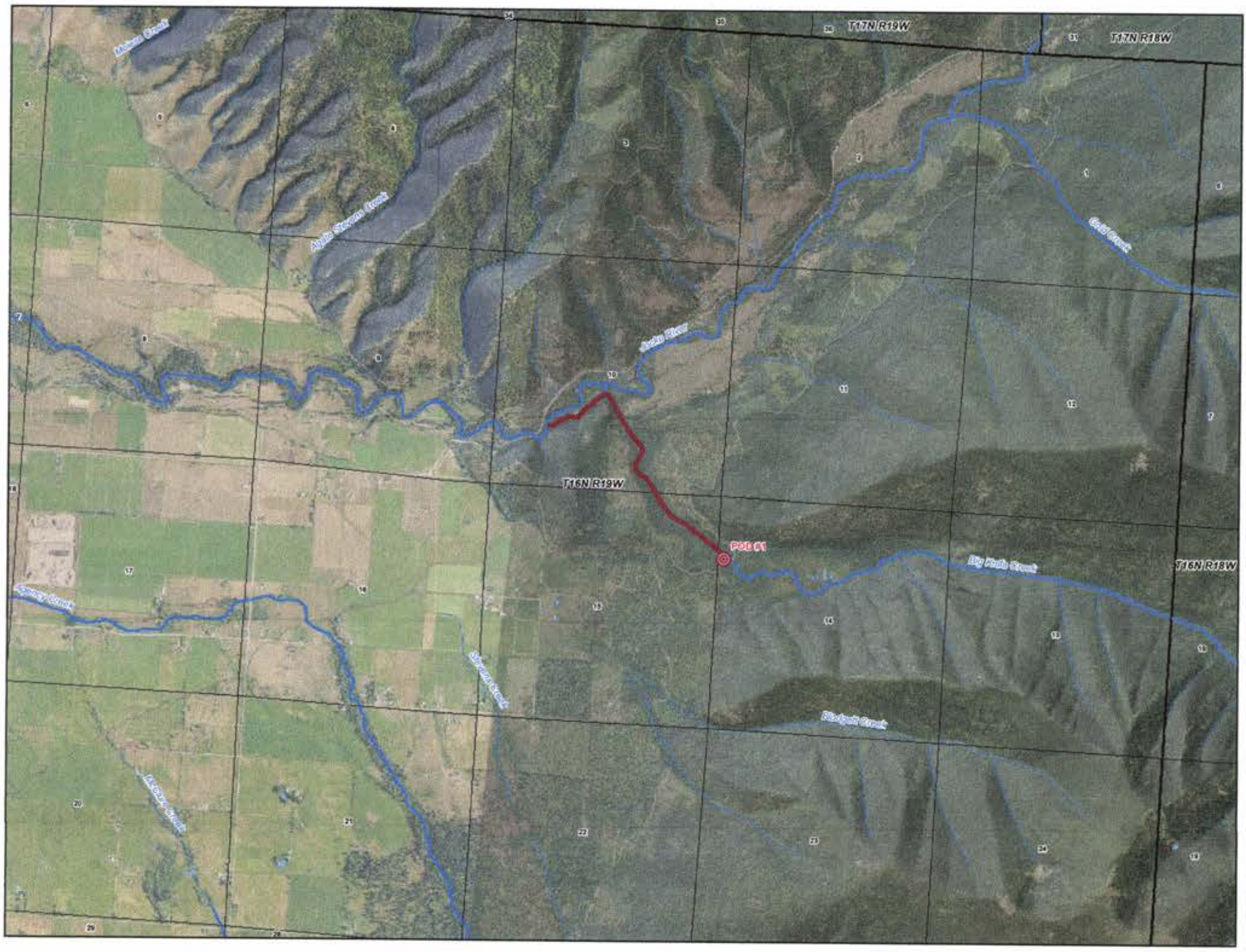
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Mission Creek
T17N R19W
T17N R18W
Jocko River
Cold Creek
T16N R19W
POD #1
Big Knife Creek
T16N R18W
Agency Creek

Place of Use and Point of Diversion

Instream Flow

FIIP Sites

76L

30052783

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

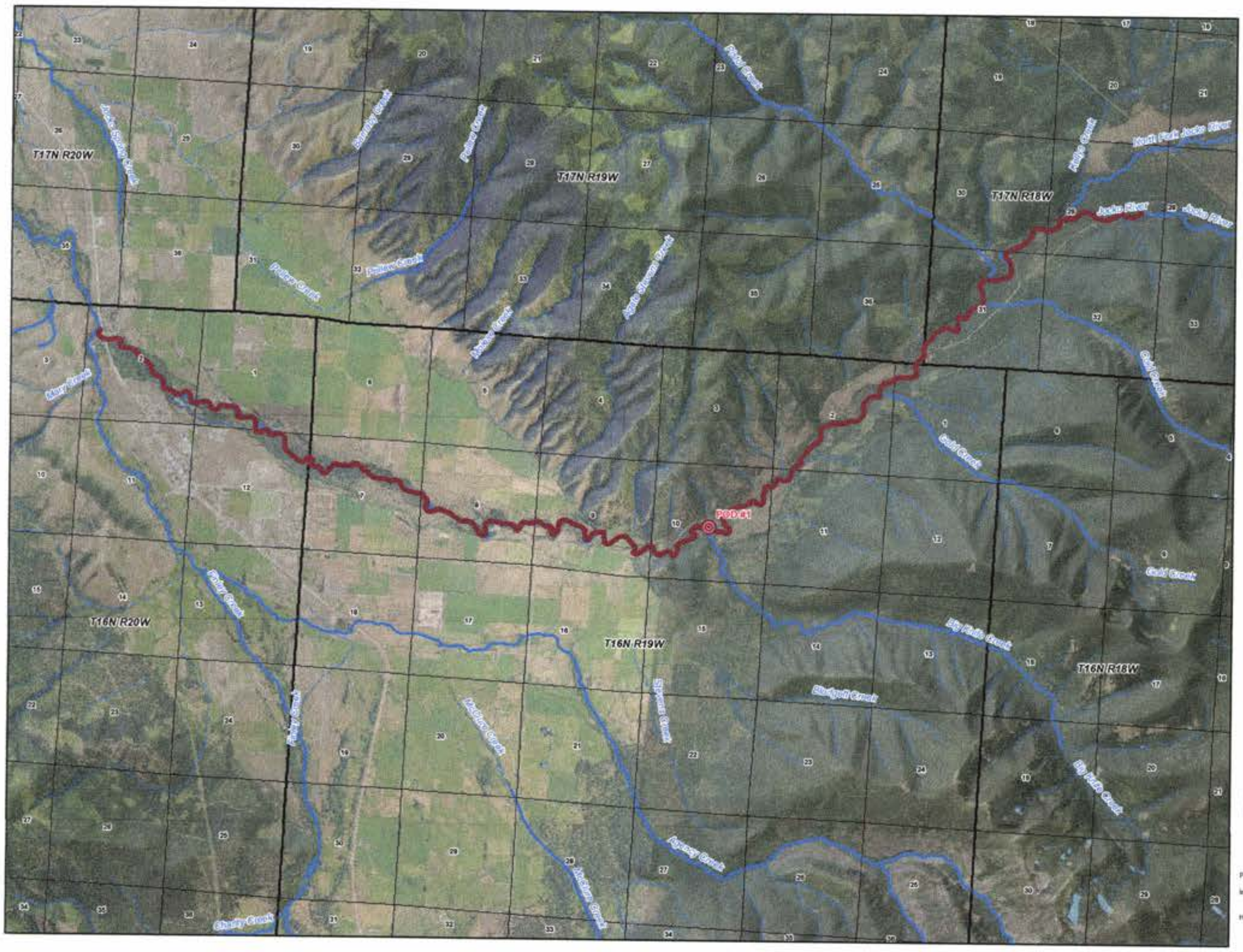
▬ Place of Use

◎ Primary Point(s) of Diversion

☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T17N R20W
T17N R19W
T17N R18W
T16N R20W
T16N R19W
T16N R18W
North Fork Jocko River
Jocko River
Gold Creek
Big Knife Creek
Agency Creek
Mary Creek
POD #1

Place of Use and Point of Diversion

Instream Flow
FIIP Sites

76L
30052784
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

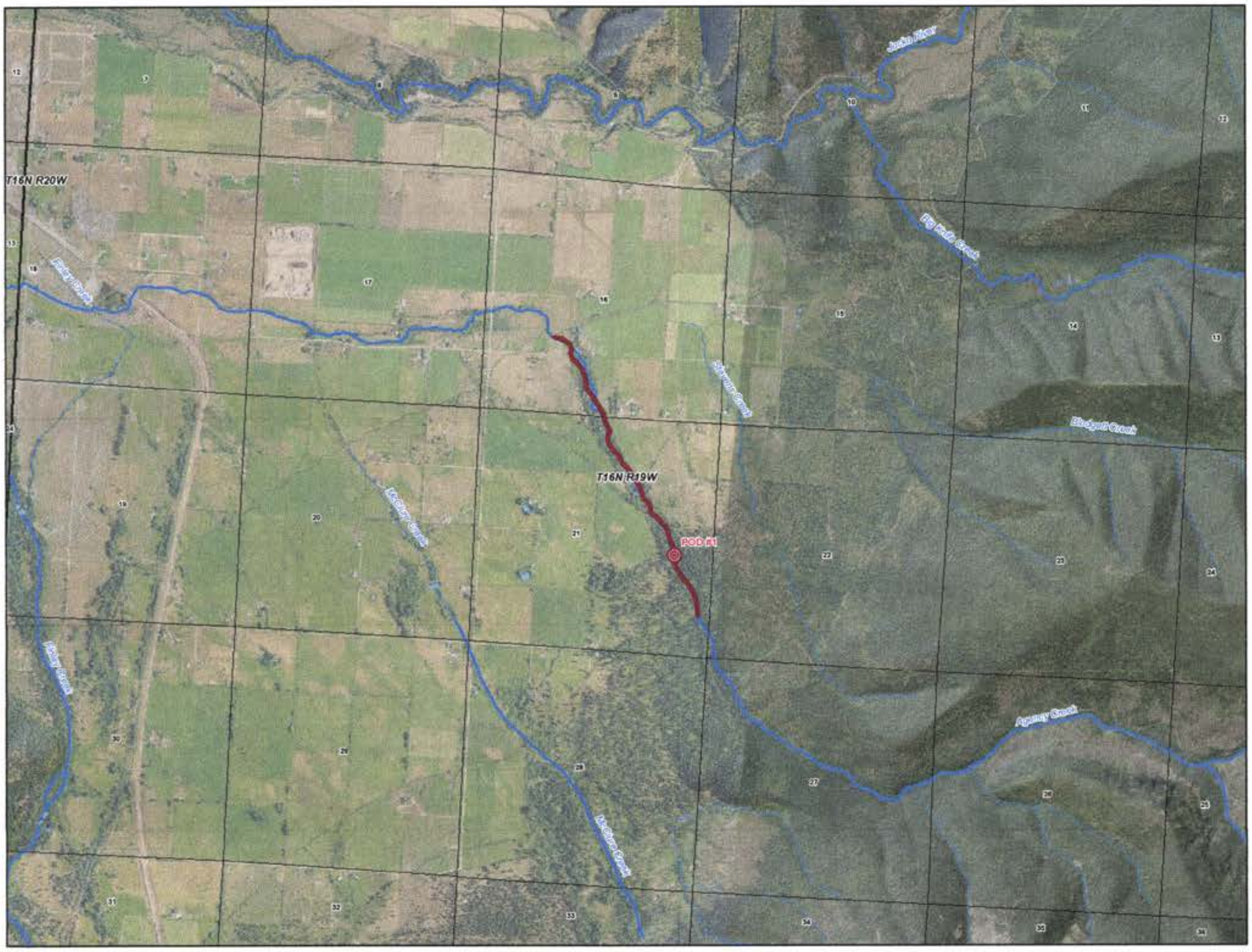
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Jocko River
12
7
8
9
10
11
12
T16N R20W
Big Knife Creek
13
18
Finley Creek
17
16
15
14
13
Sabine Creek
Blodgett Creek
24
T16N R19W
McClure Creek
19
20
21
POD #1
22
23
24
Finley Creek
Agency Creek
30
29
28
27
26
25
McClure Creek
31
32
33
34
35
36

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052785

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

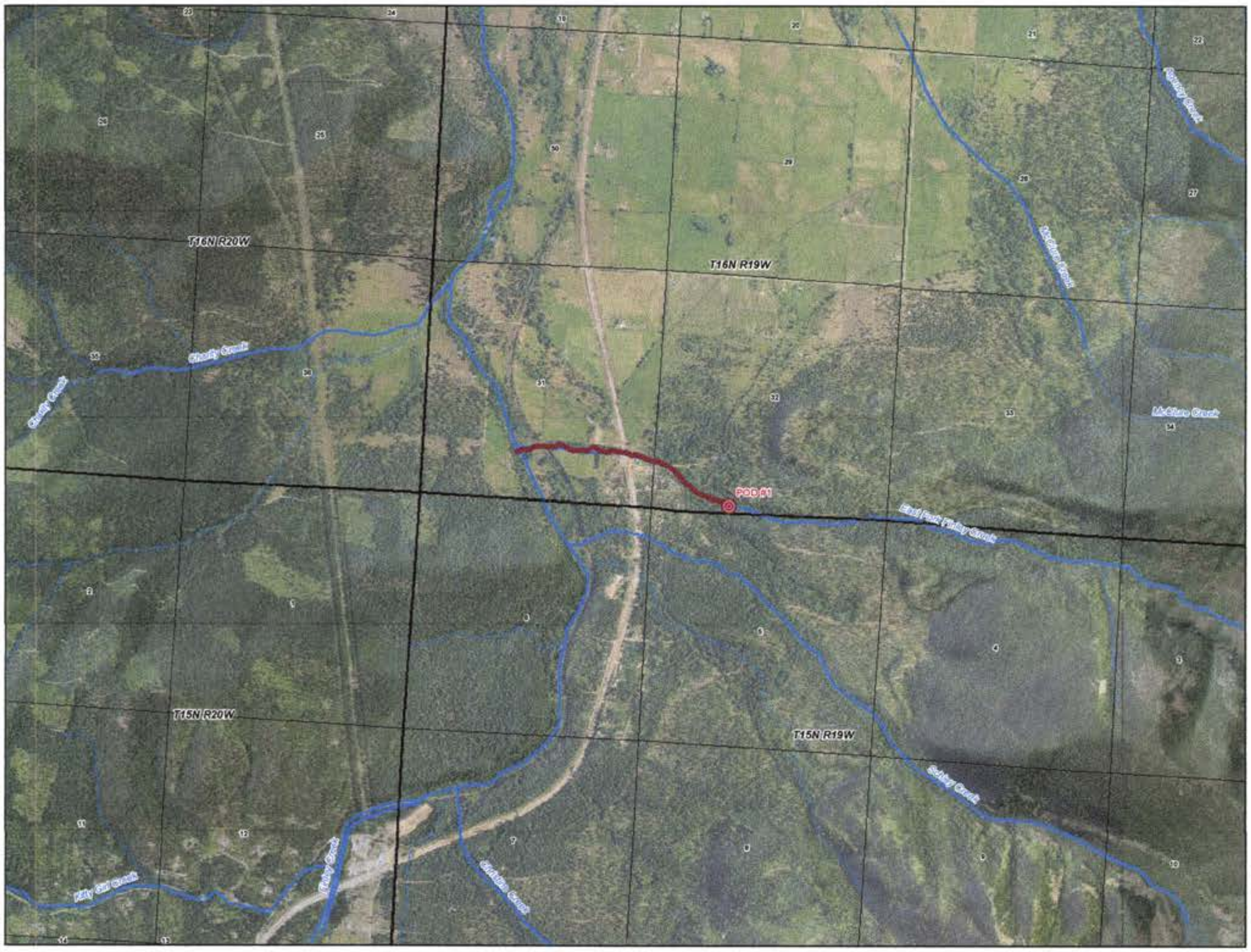
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T16N R20W
T16N R19W
T15N R20W
T15N R19W
Cherry Creek
POD #1
East Fork Finley Creek
McClure Creek
Schley Creek
Kitty Girl Creek
Finley Creek

Place of Use and Point of Diversion *Instream Flow FIIP Sites* 76L 30052786 Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

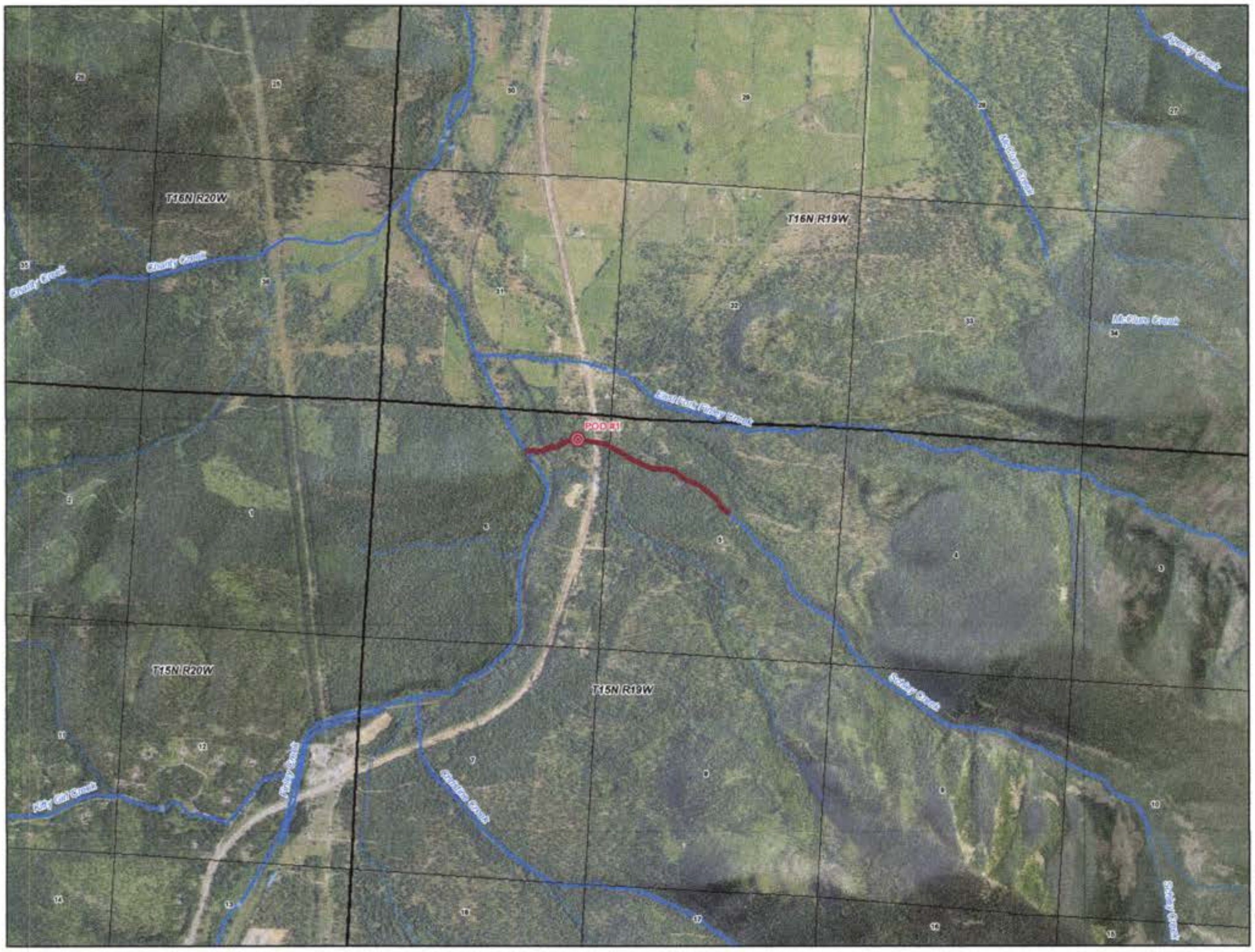
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T16N R20W
T16N R19W
T15N R20W
T15N R19W
POD #1
Cherry Creek
East Fork Finley Creek
Finley Creek
McClure Creek
Agency Creek
Schley Creek
26
25
30
29
28
27
35
36
31
32
33
34
2
1
6
5
4
3
11
12
7
8
9
10
14
13
18
17
16
15

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L
30052787
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

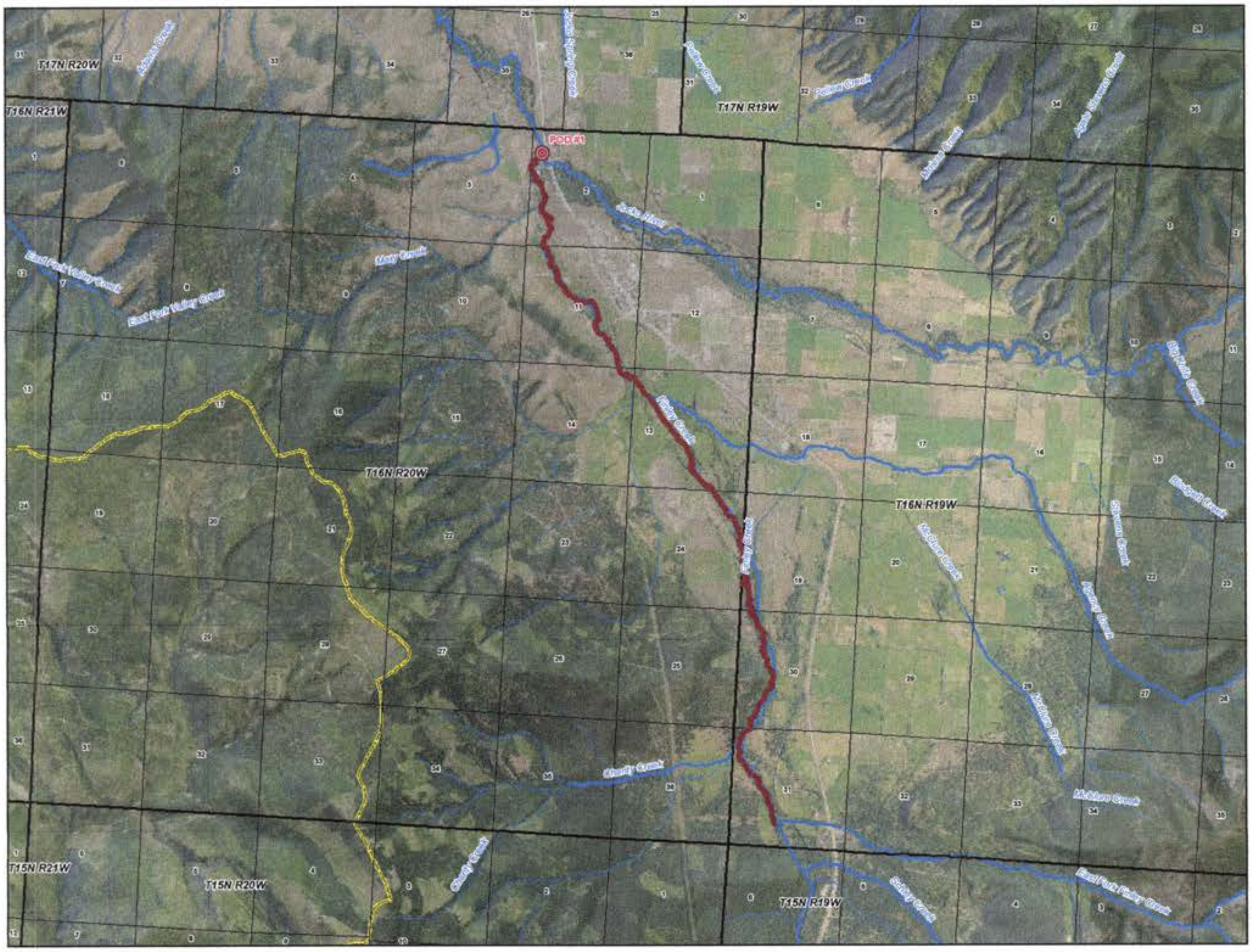
Flathead Indian Reservation

Legend

- Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T17N R20W
T16N R21W
T17N R19W
POD #1
Jocko River
T16N R20W
T16N R19W
Finley Creek
T15N R21W
T15N R20W
T15N R19W
East Fork Finley Creek

Place of Use
and Point of
Diversion

Instream Flow
FIIP Sites

76L
30052788
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

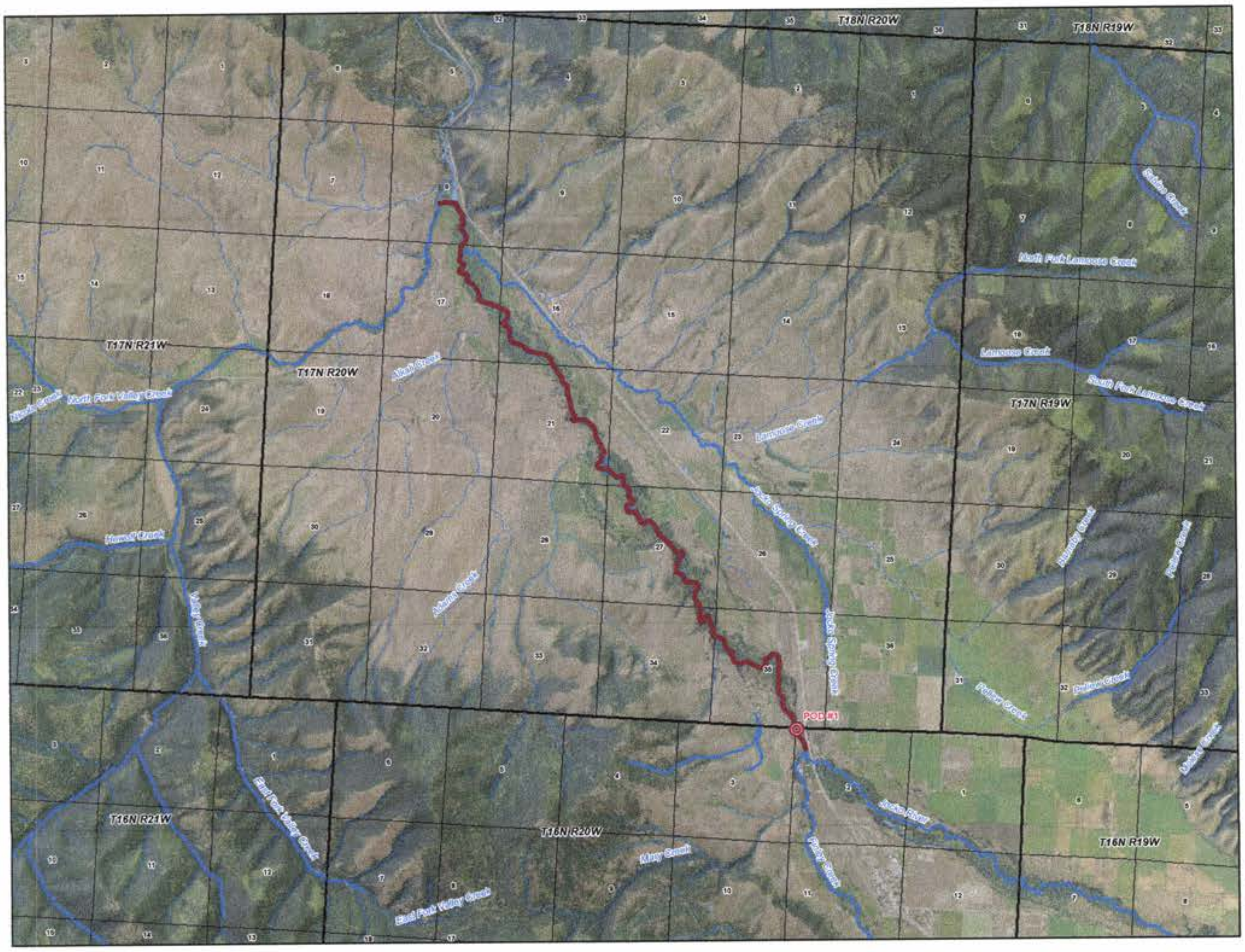
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP
Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R20W
T18N R19W
T17N R21W
T17N R20W
T17N R19W
T16N R21W
T16N R20W
T16N R19W
North Fork Valley Creek
Alkali Creek
Howard Creek
Valley Creek
Jocko Spring Creek
Lamoose Creek
North Fork Lamoose Creek
South Fork Lamoose Creek
East Fork Valley Creek
Mary Creek
Finley Creek
Jocko River
POD #1

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052789

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

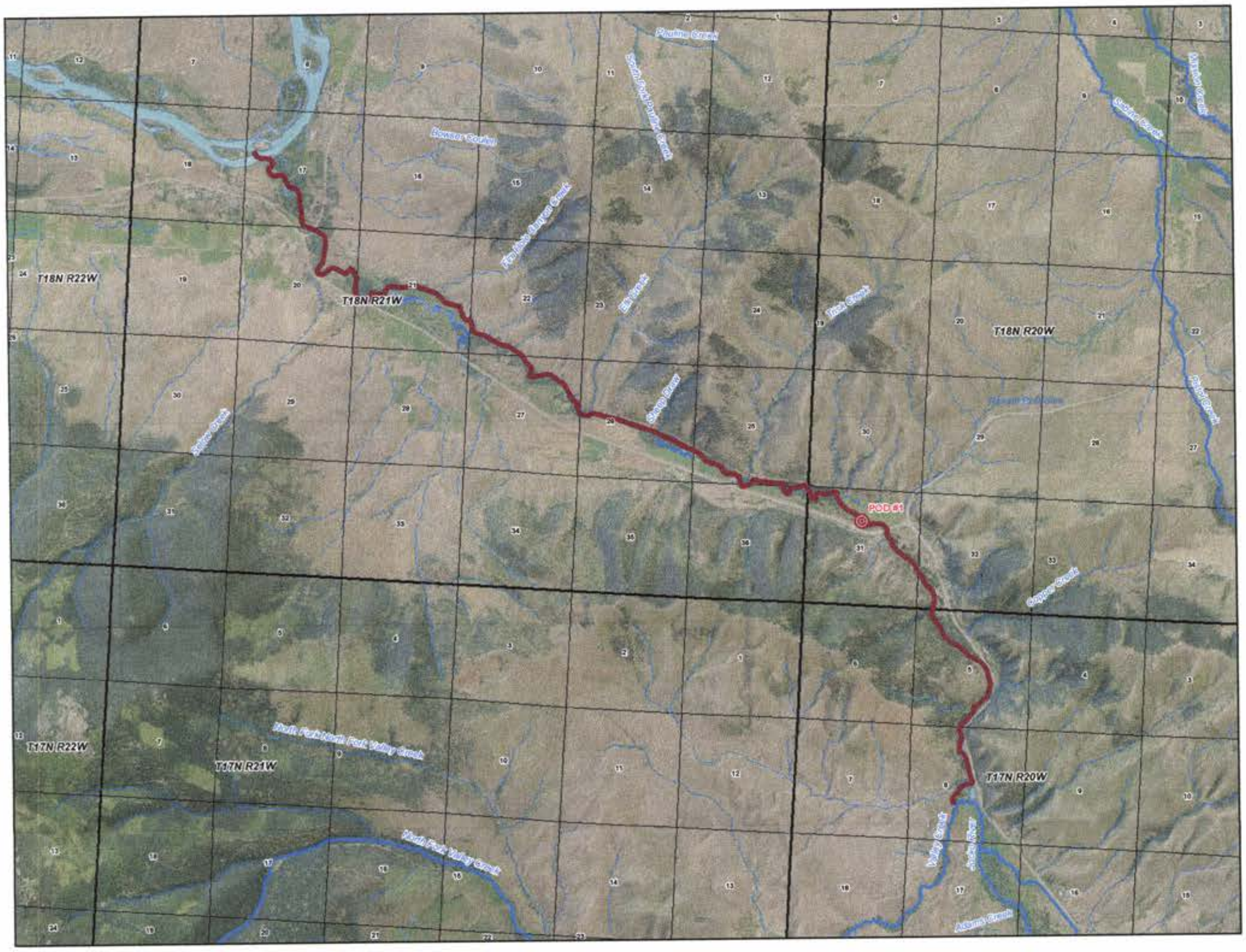
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R22W
T18N R21W
T18N R20W
T17N R22W
T17N R21W
T17N R20W
Pauline Creek
Bowser Coulee
Elk Creek
Copper Creek
North Fork North Fork Valley Creek
North Fork Valley Creek
Valley Creek
Jocko River
Adams Creek
POD #1

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052790

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

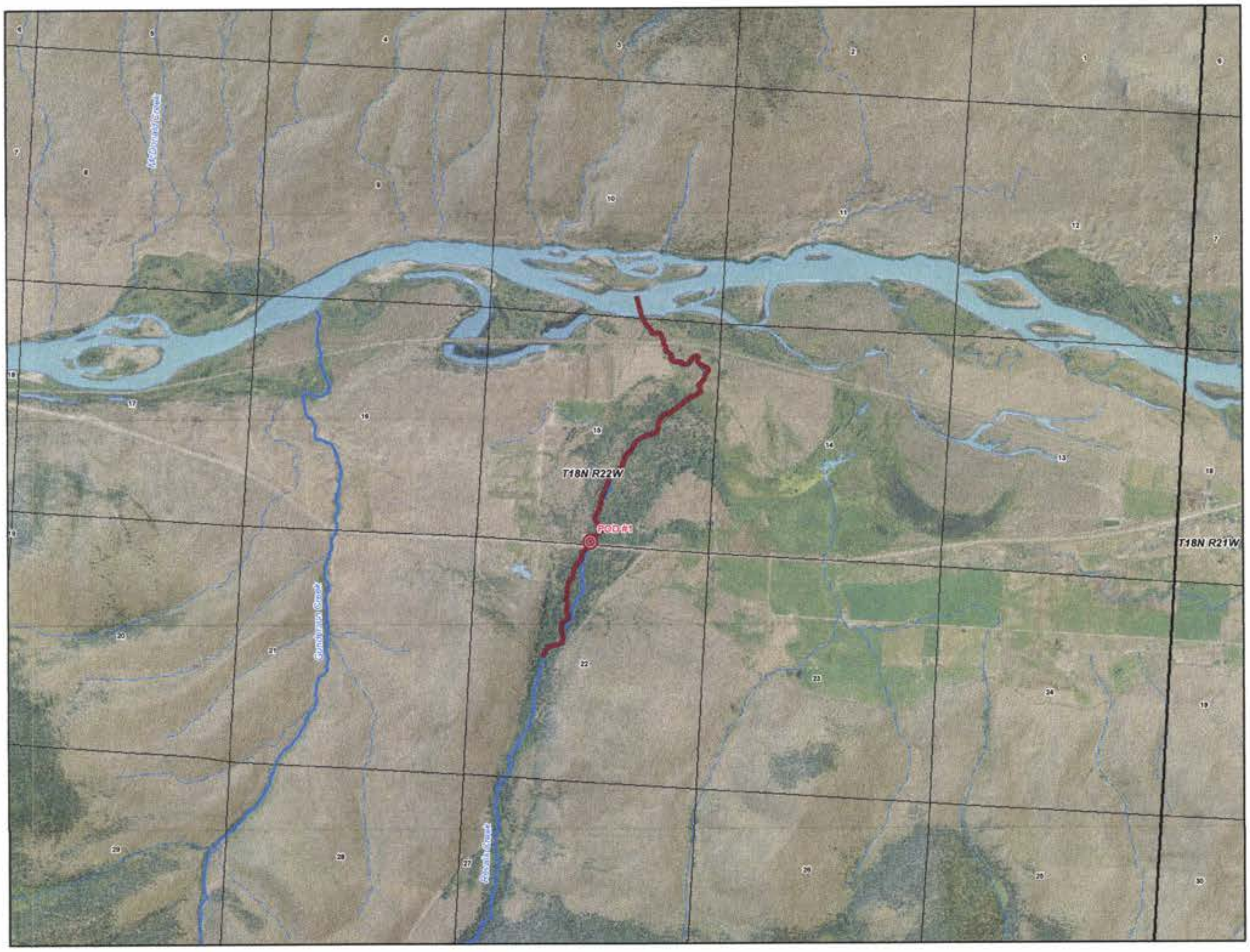
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R22W
T18N R21W
POD #1

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L 30052791

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

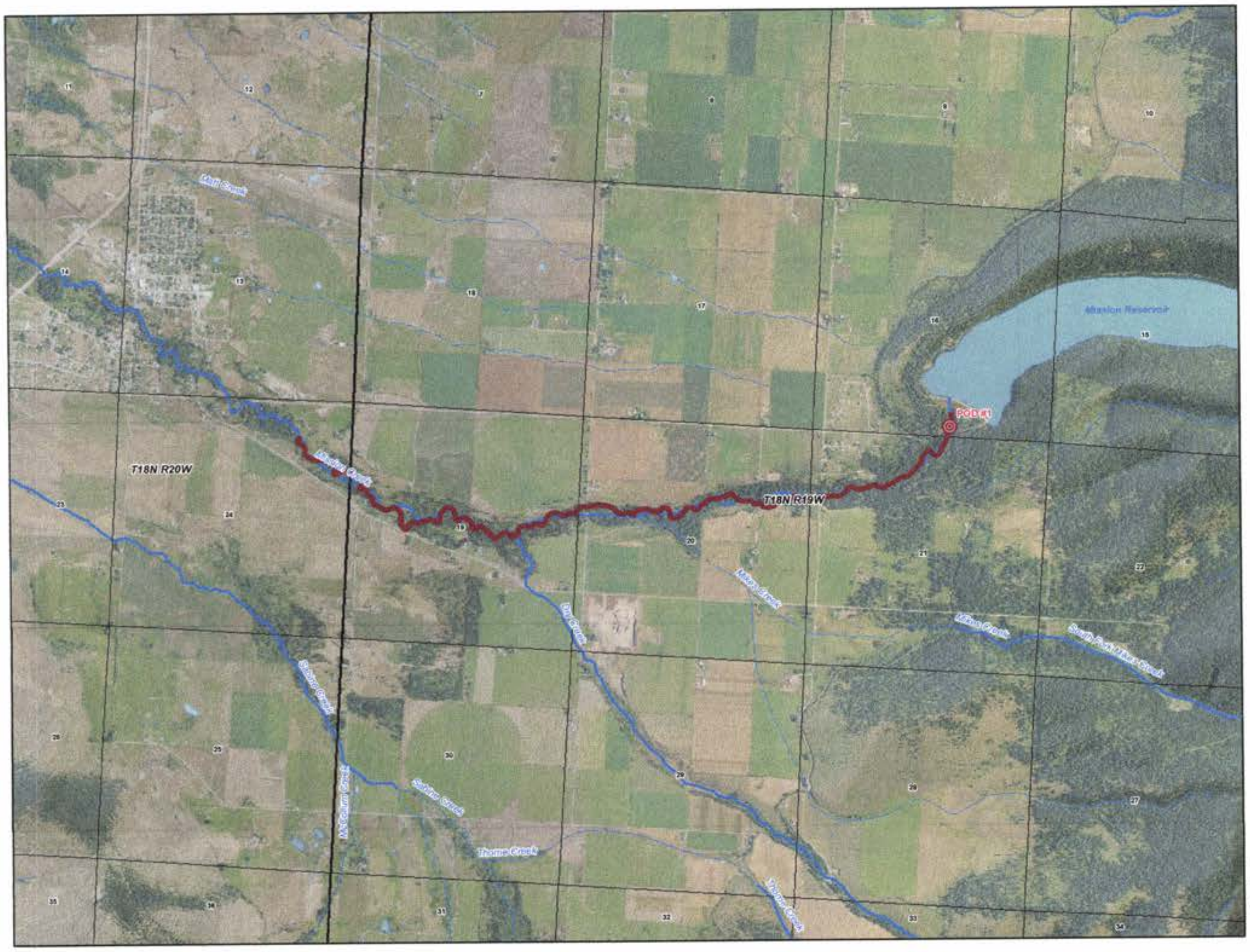
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


11
12
7
8
9
10
Mill Creek
14
13
18
17
16
Mission Reservoir
15
POD #1
T18N R20W
Mission Creek
T18N R19W
23
24
19
20
21
22
Dry Creek
Sabine Creek
McCallum Creek
Thorne Creek
26
25
30
29
28
27
35
36
31
32
33
34

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052792

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

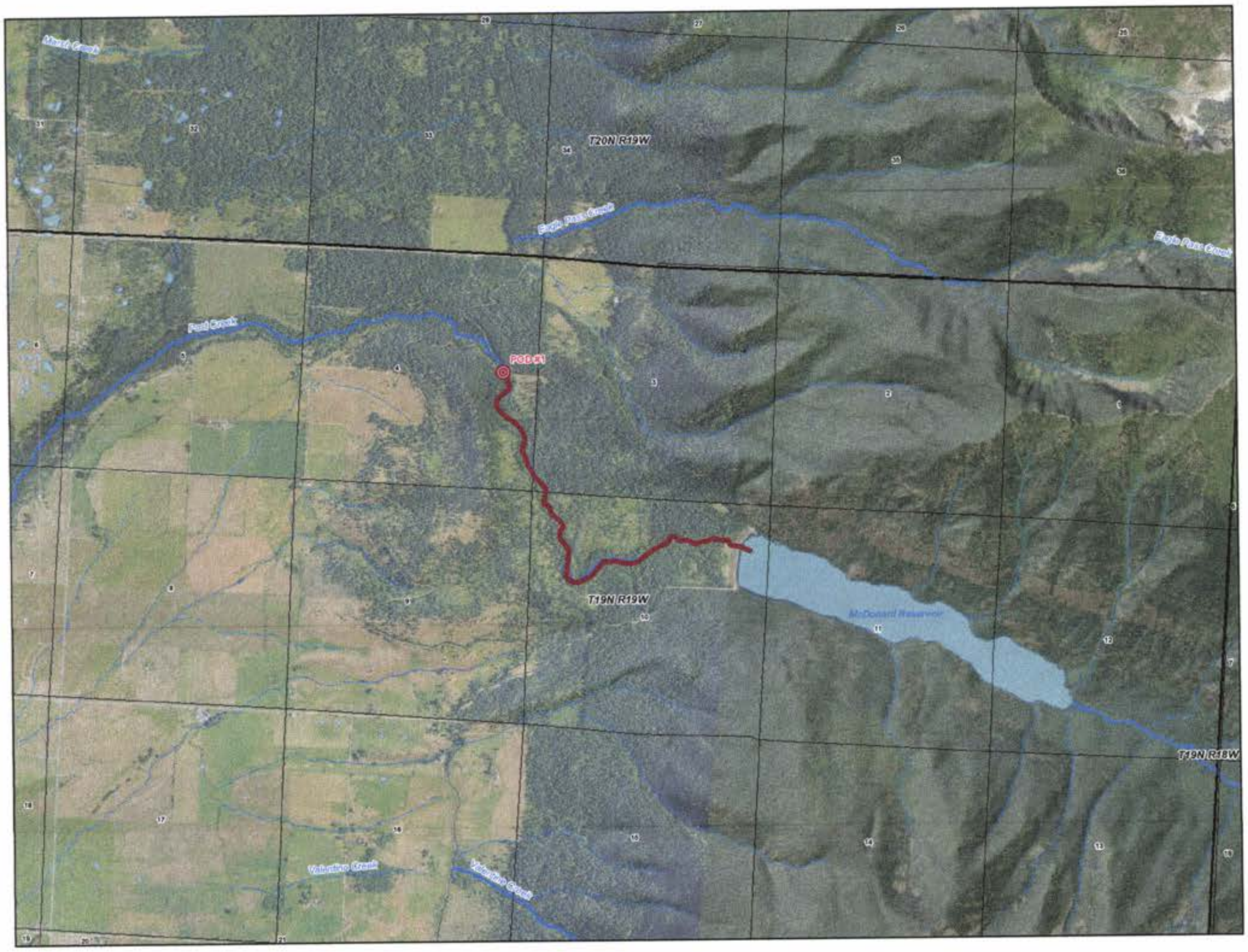
▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)

Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library

Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Marsh Creek
T20N R19W
Eagle Pass Creek
Eagle Pass Creek
Post Creek
POD #1
T19N R19W
McDonald Reservoir
T19N R18W
Valentine Creek
Valentine Creek

Place of Use and Point of Diversion
Instream Flow FIIP Sites
76L
30052793
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

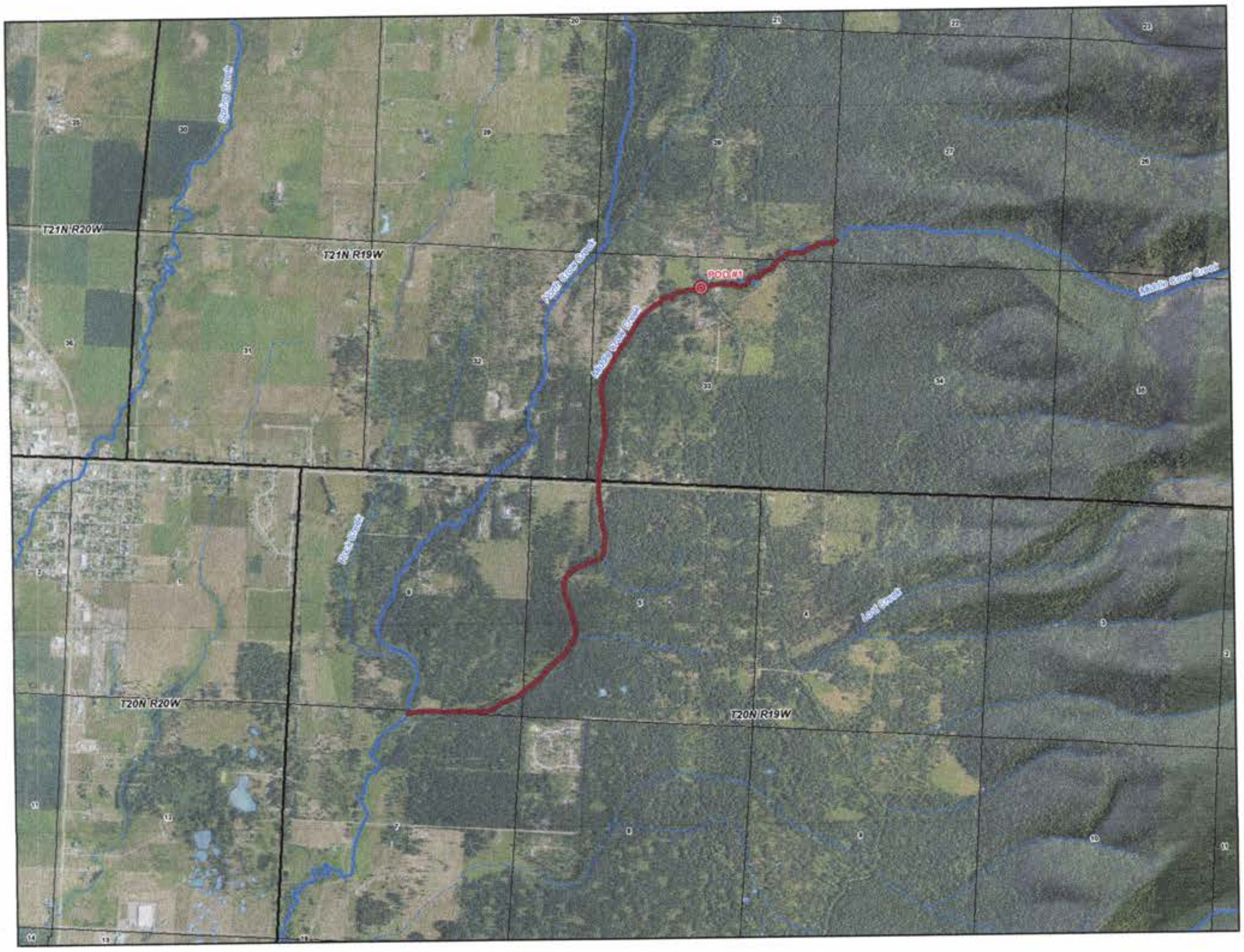
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T21N R20W
T21N R19W
T20N R20W
T20N R19W
Spring Creek
North Crow Creek
Middle Crow Creek
POD #1
Lost Creek

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L 30052794

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

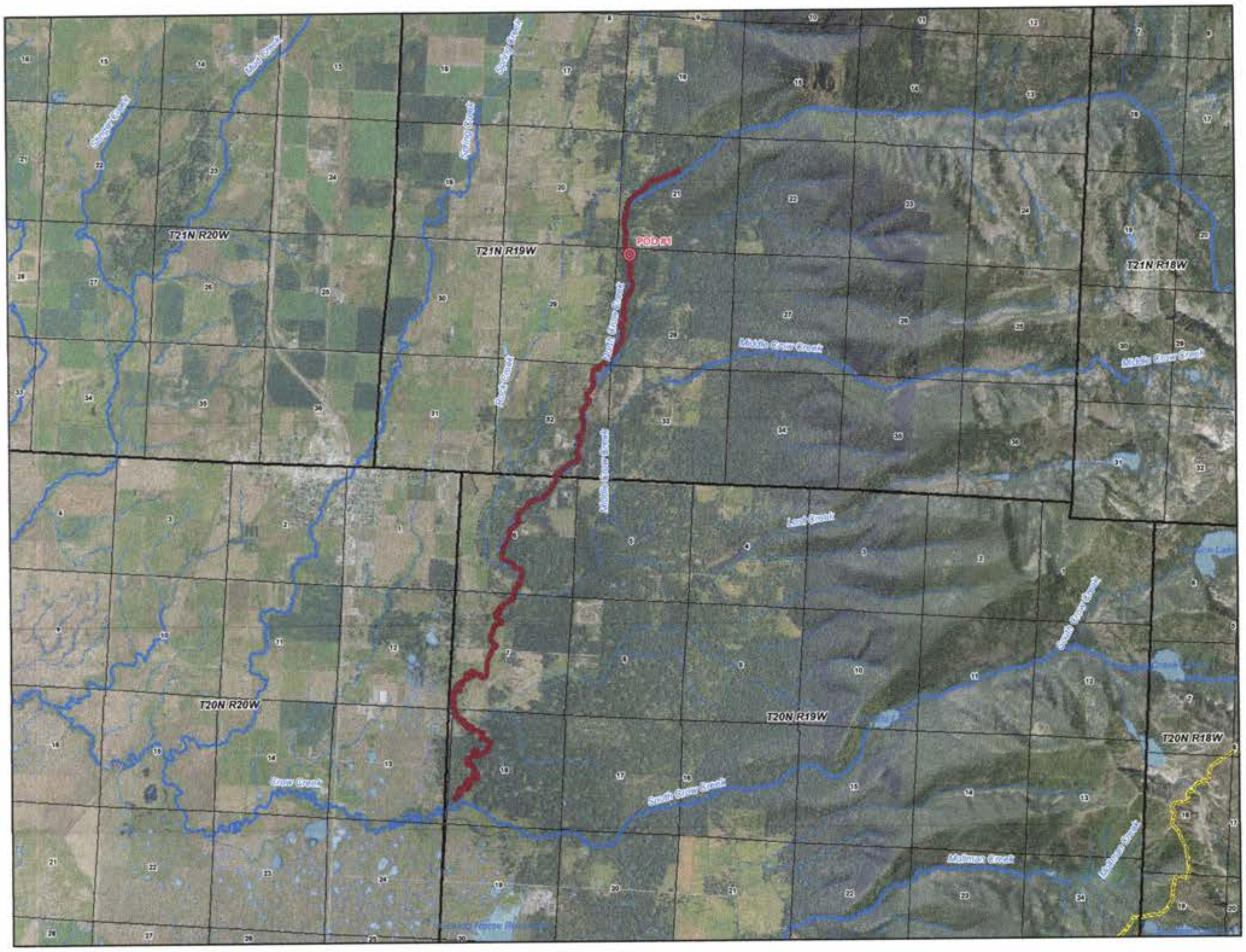
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
⬚	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T21N R20W
T21N R19W
T21N R18W
T20N R20W
T20N R19W
T20N R18W
POD #1
Mud Creek
Spring Creek
Rock Creek
North Crow Creek
Middle Crow Creek
Lost Creek
South Crow Creek
Crow Creek
Mollman Creek

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052795

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

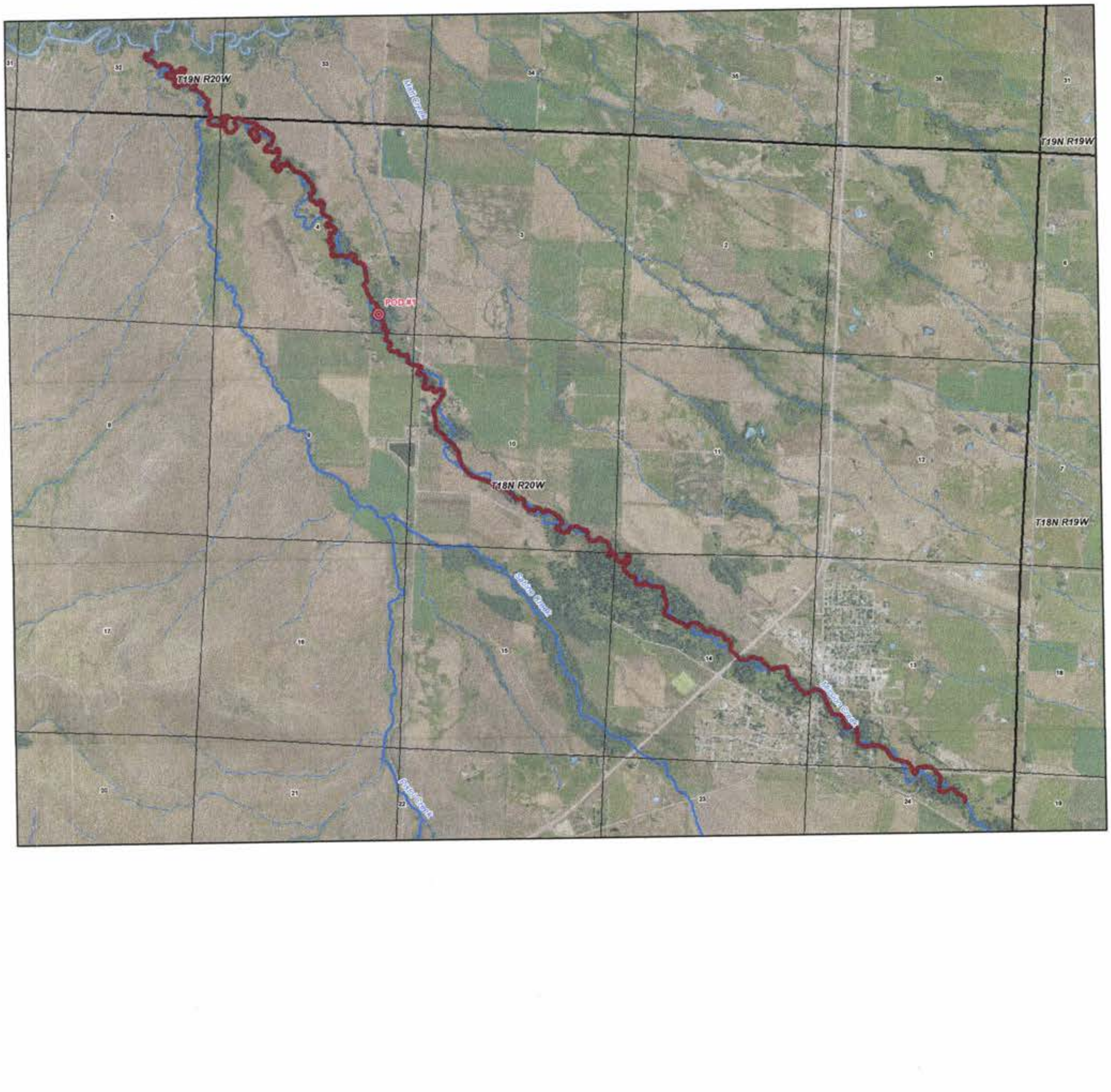
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T19N R20W
T19N R19W
POD #1
T18N R20W
T18N R19W

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052796

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

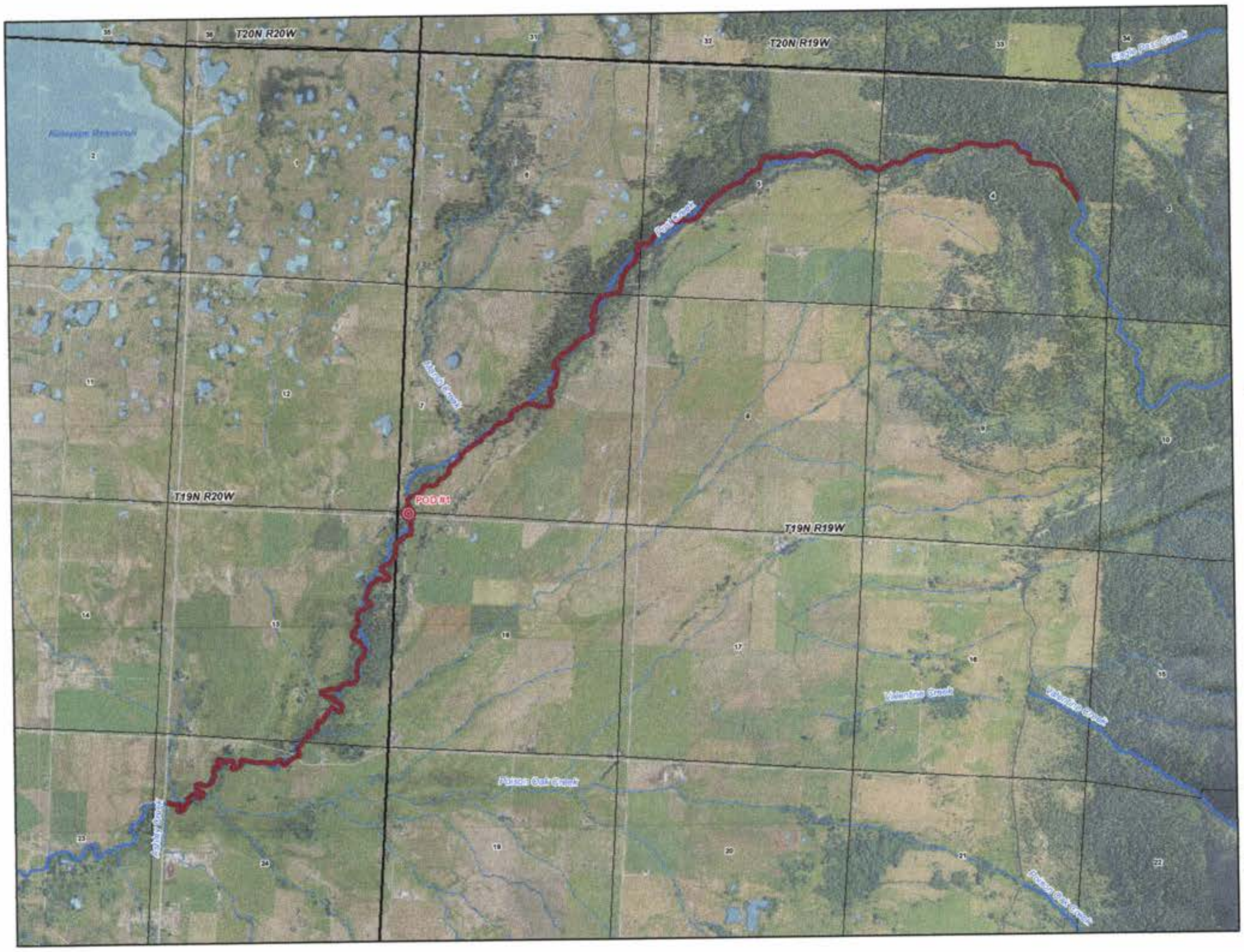
▬ Place of Use

◎ Primary Point(s) of Diversion

☐ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


35
36
T20N R20W
31
32
T20N R19W
33
34
Eagle Pass Creek
2
1
6
5
4
3
Post Creek
Marsh Creek
11
12
7
8
9
10
T19N R20W
POD #1
T19N R19W
14
13
18
17
16
15
Valentine Creek
Valentine Creek
Poison Oak Creek
Ashley Creek
23
24
19
20
21
22
Poison Oak Creek

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052797

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

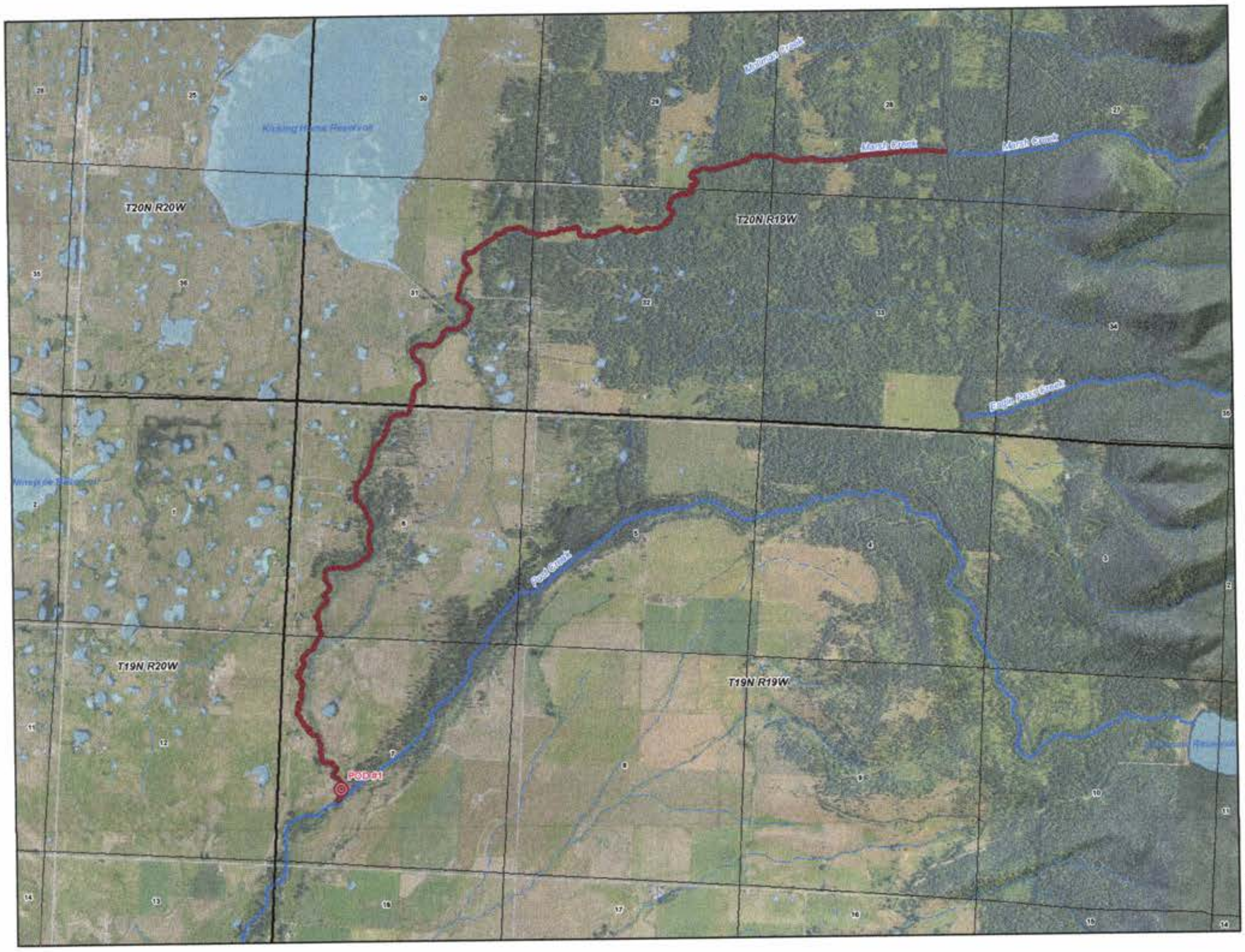
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Kicking Horse Reservoir
Mollman Creek
Marsh Creek
Marsh Creek
T20N R20W
T20N R19W
Eagle Pass Creek
Post Creek
POD #1
T19N R20W
T19N R19W

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052798

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

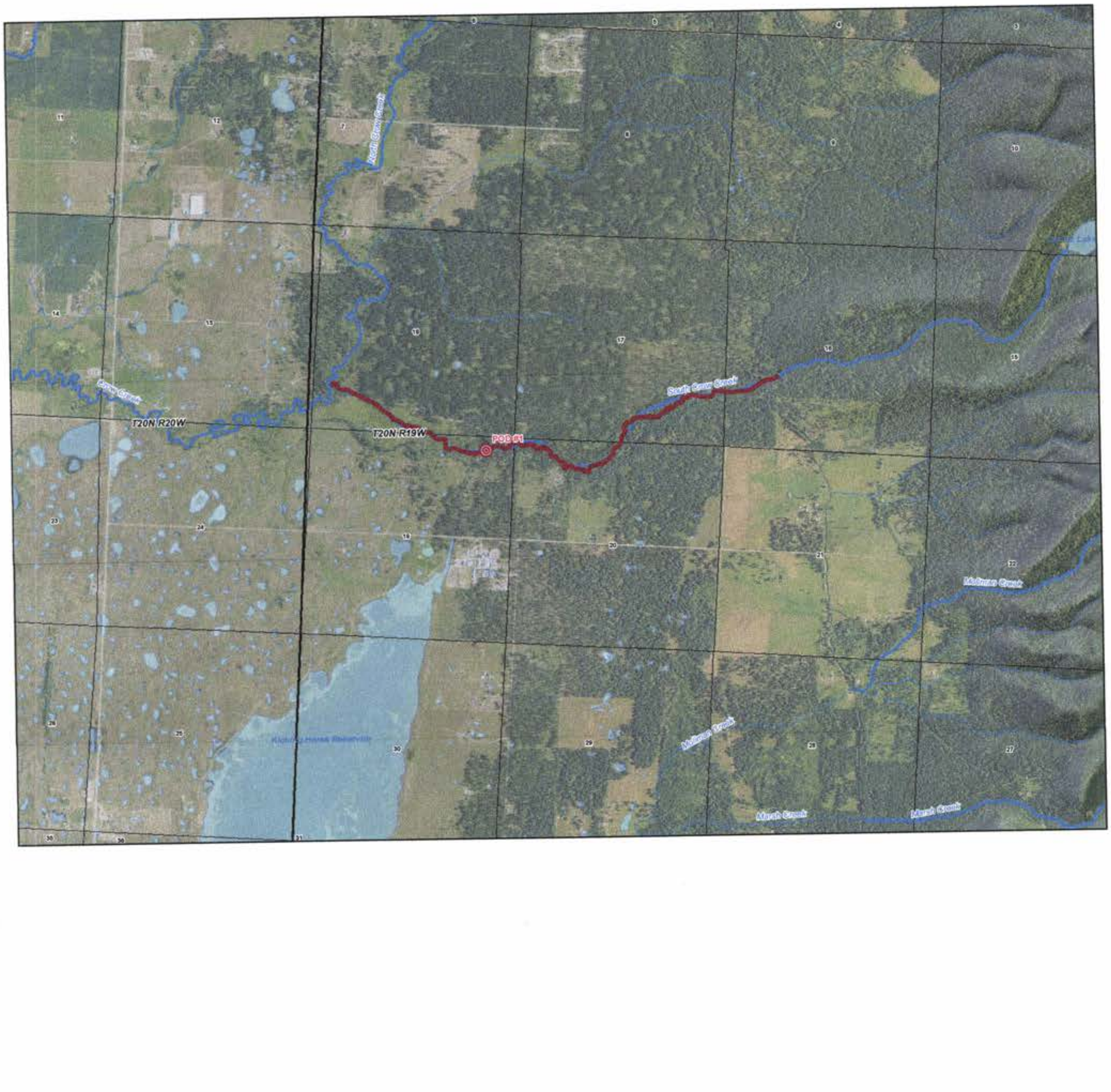
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP
Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


North Crow Creek
Crow Creek
South Crow Creek
T20N R20W
T20N R19W
POD #1
Kicking Horse Reservoir
Mollman Creek
Marsh Creek

Place of Use and Point of Diversion
Instream Flow FIIP Sites
76L
30052799
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

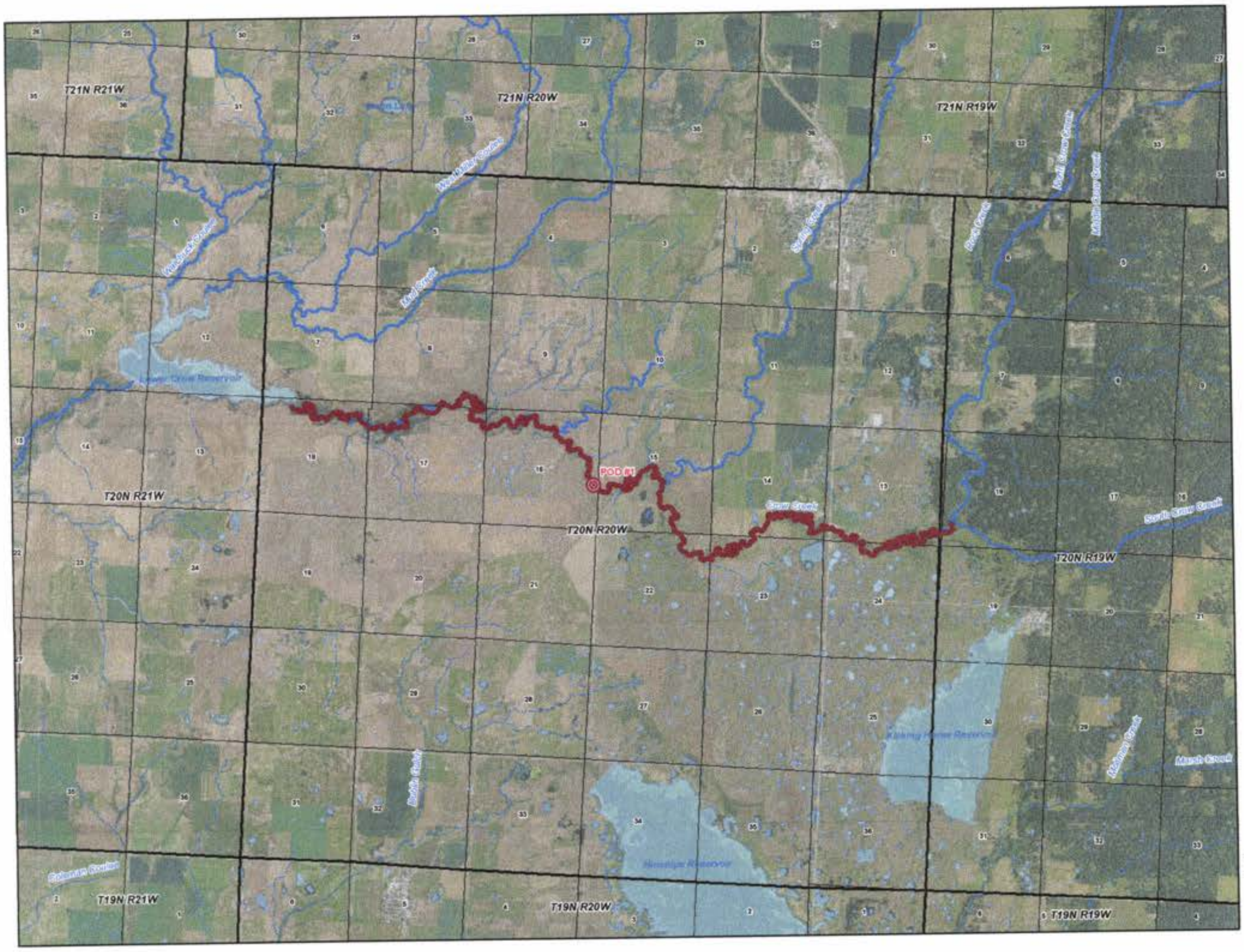
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T21N R21W
T21N R20W
T21N R19W
T20N R21W
T20N R20W
T20N R19W
T19N R21W
T19N R20W
T19N R19W
POD #1
Lower Crow Reservoir
Mud Creek
Spring Creek
Rock Creek
North Crow Creek
Middle Crow Creek
Crow Creek
South Crow Creek
Kicking Horse Reservoir
Ninepipe Reservoir
Marsh Creek
Coleman Coulee

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052800

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

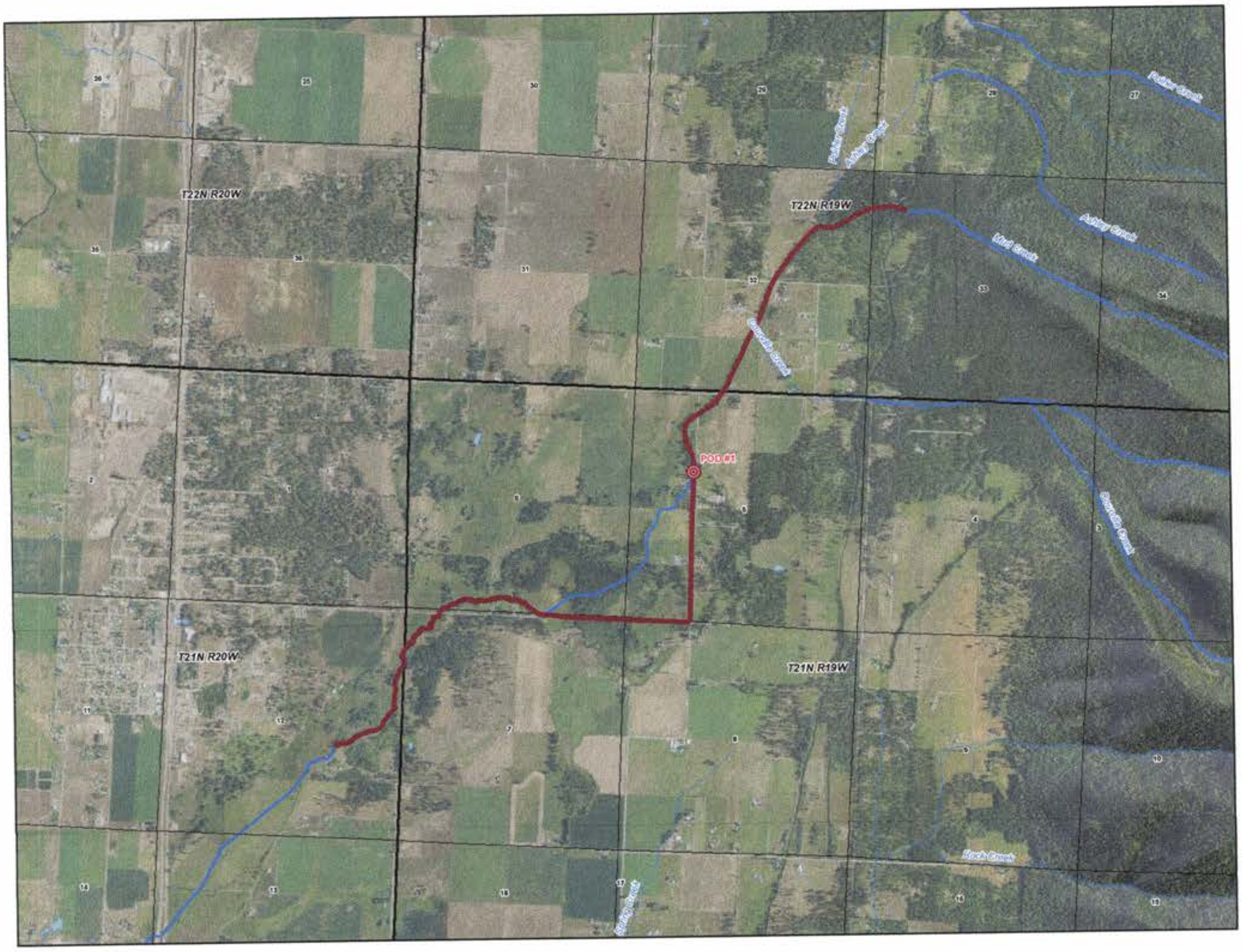
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
⬚	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T22N R20W
T22N R19W
T21N R20W
T21N R19W
POD #1
Ashley Creek
Mud Creek
Rock Creek

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052801

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

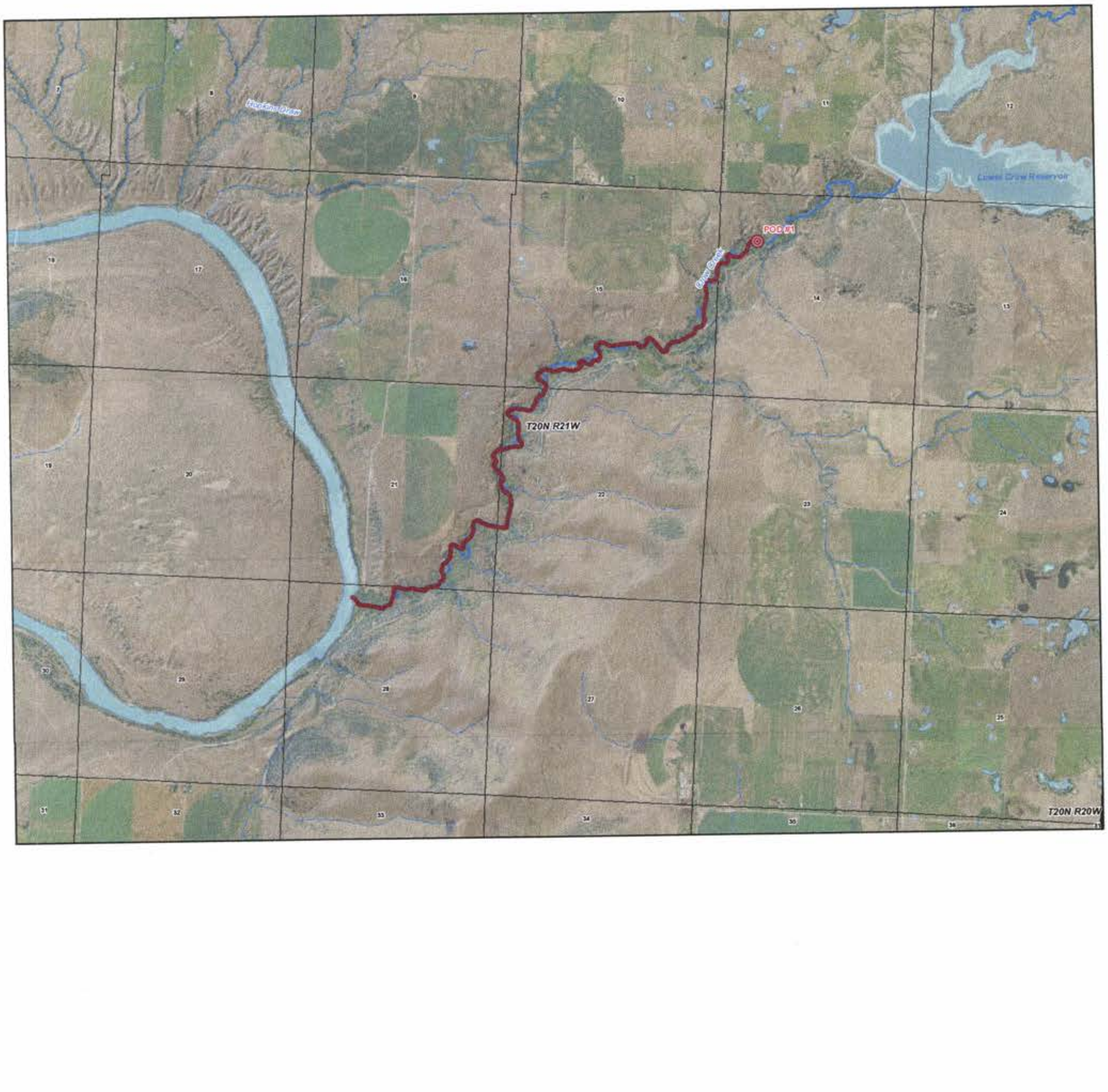
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Hopkins Draw
Lower Crow Reservoir
POD #1
Crow Creek
T20N R21W
T20N R20W
7
8
9
10
11
12
18
17
16
15
14
13
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052802

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

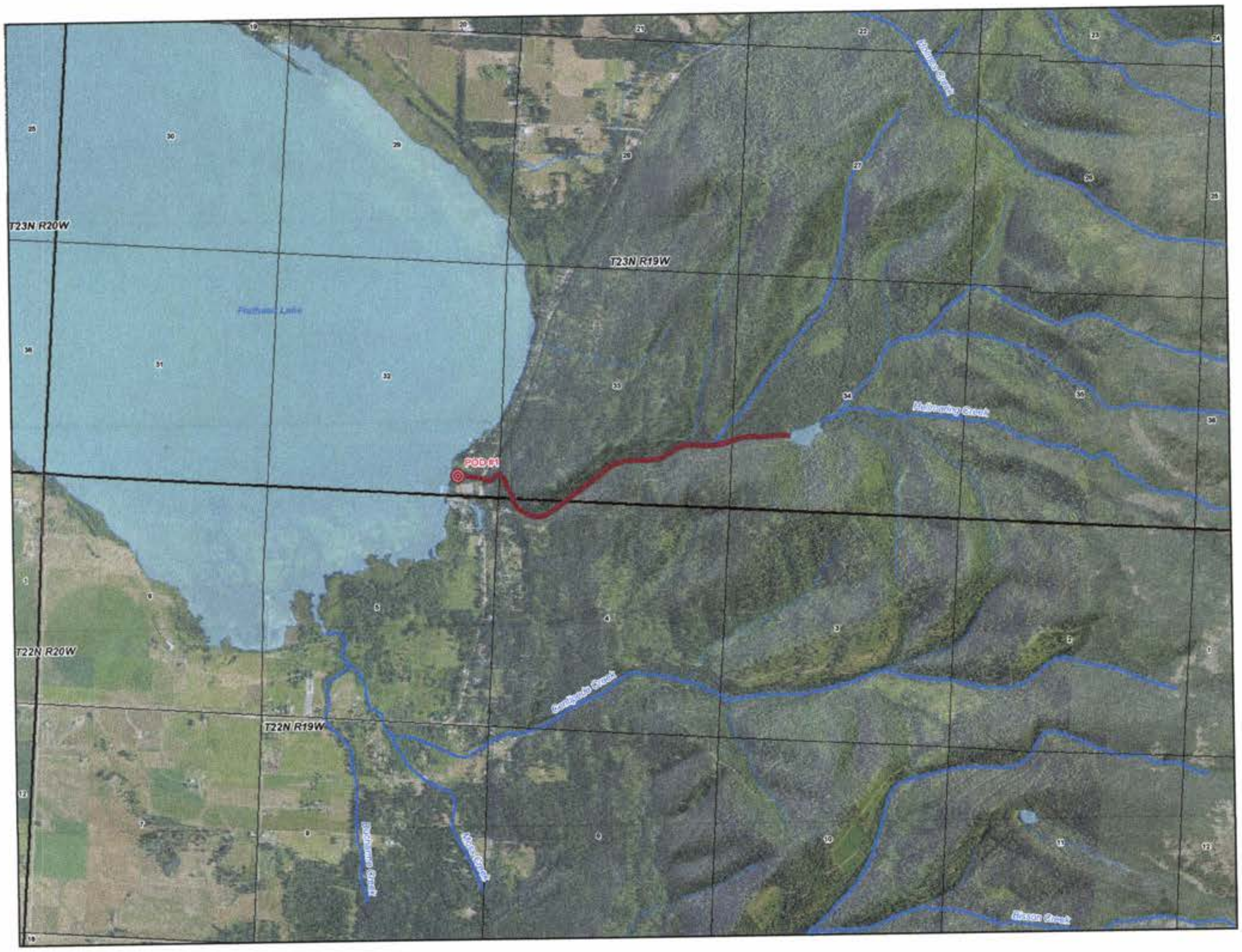
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T23N R20W
T23N R19W
T22N R20W
T22N R19W
Flathead Lake
POD #1
Hellroaring Creek

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76LJ 30052803

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

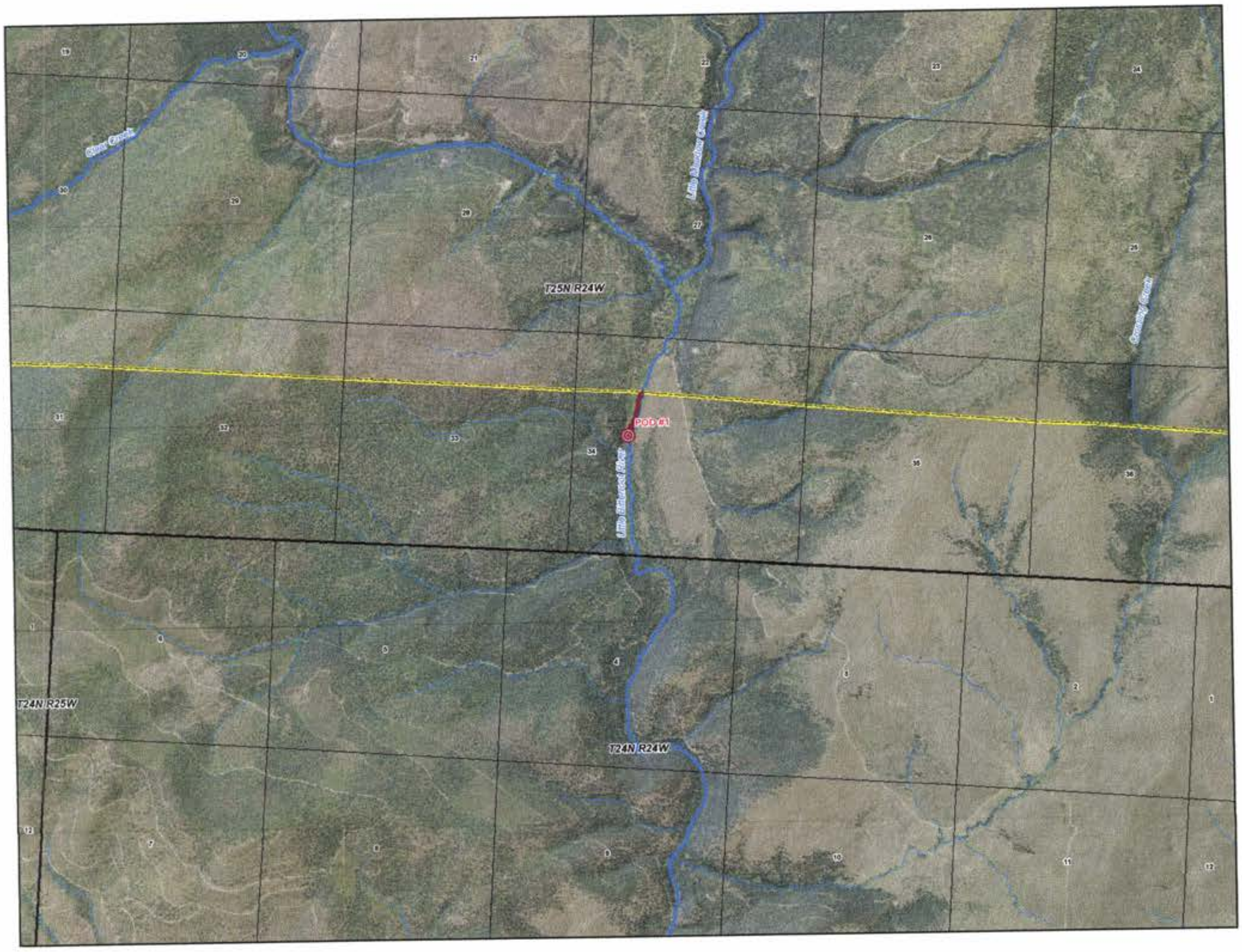
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


19
20
21
22
23
24
30
29
28
27
26
25
T25N R24W
31
32
33
34
35
36
POD #1
T24N R25W
6
5
4
3
2
1
T24N R24W
12
7
8
9
10
11
12

Place of Use
and Point of
Diversion

Instream Flow
FIIP Sites

76L
30052804
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

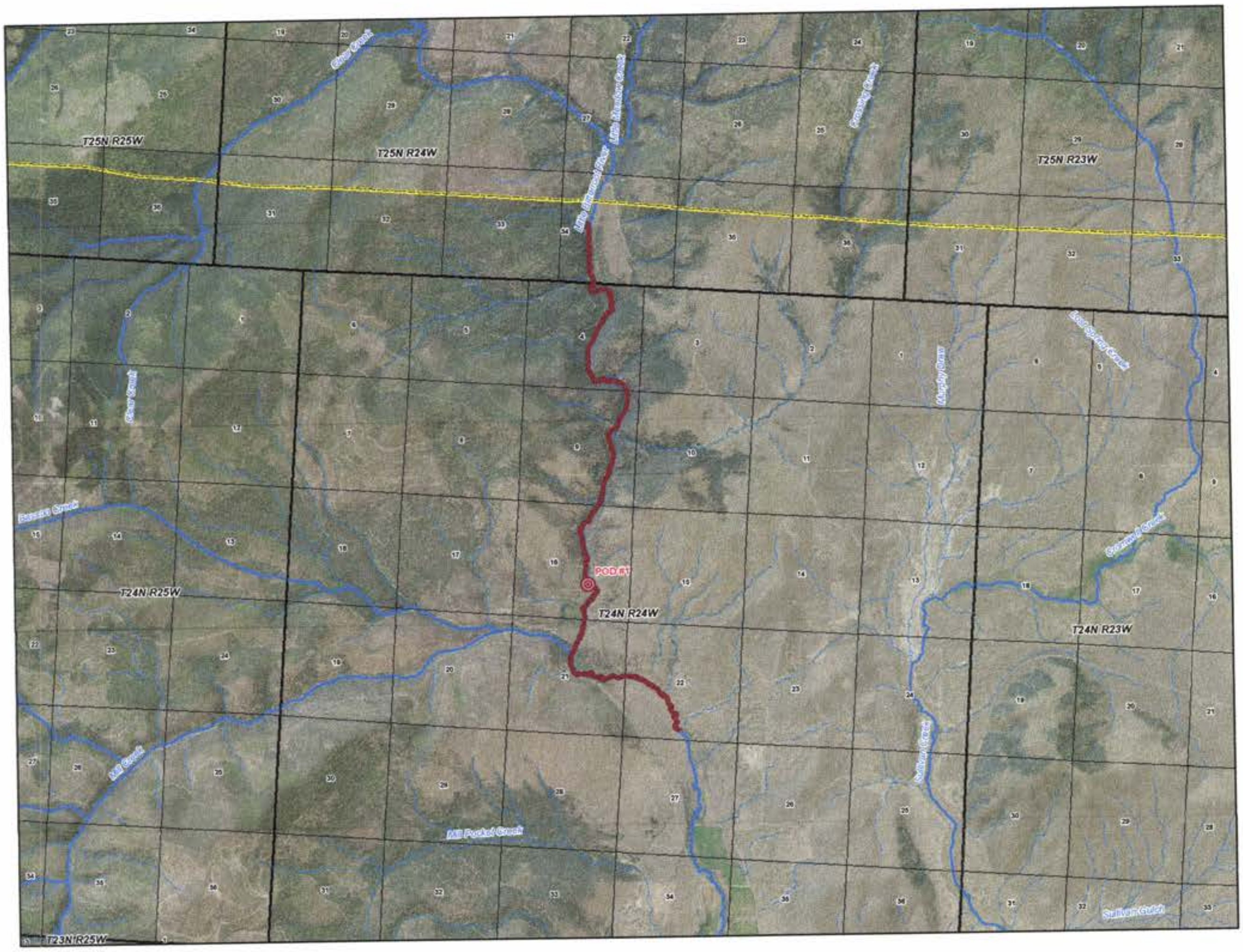
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
⬚	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP
Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T25N R25W
T25N R24W
T25N R23W
Little Bitterroot River
POD #1
T24N R25W
T24N R24W
T24N R23W
Murphy Draw
Mill Creek
Mill Pocket Creek
Sullivan Creek
Sullivan Gulch
T23N R25W

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052805

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

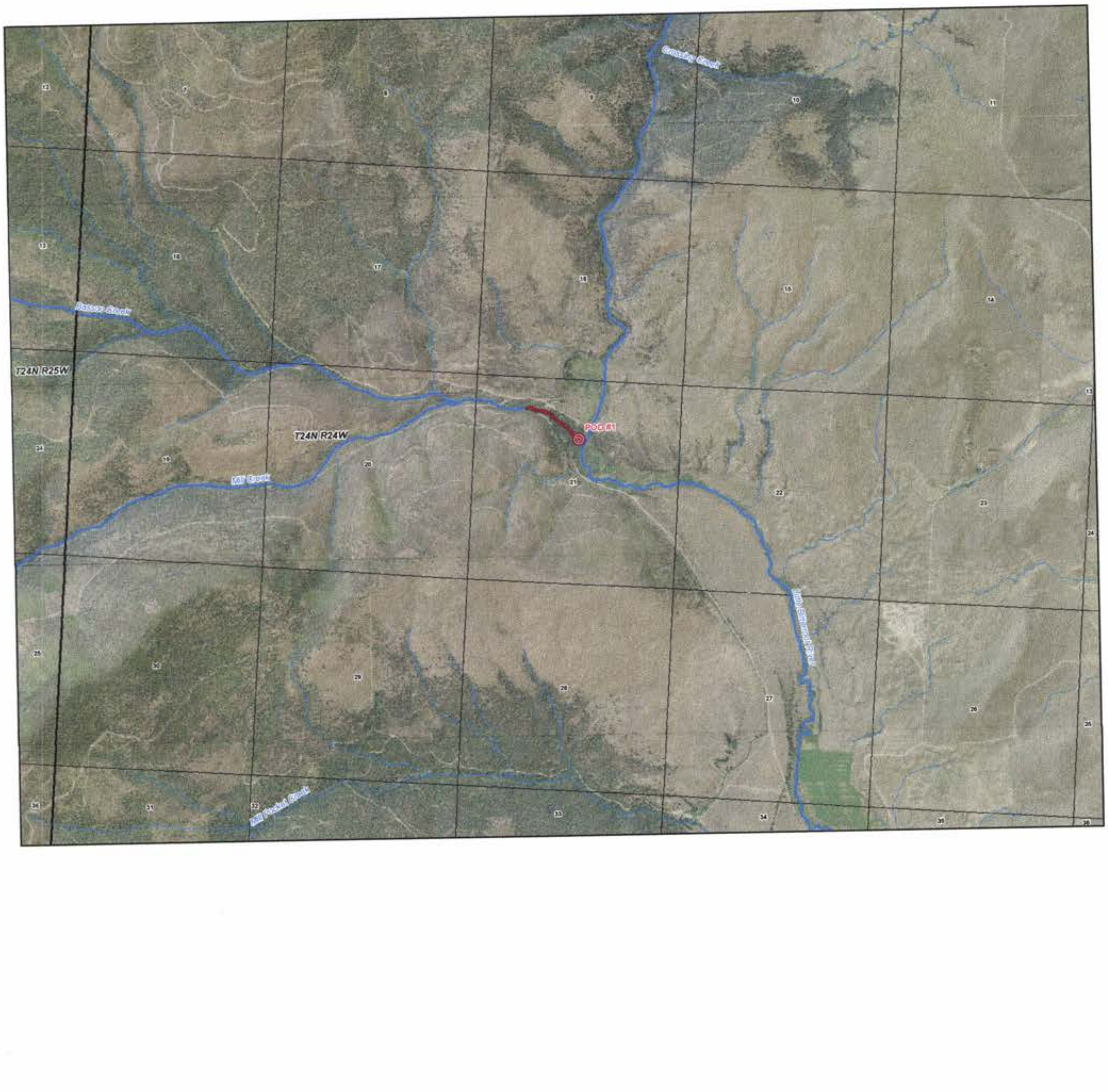
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP
Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Crosby Creek
T24N R25W
T24N R24W
POD #1
Mill Creek
Little Bitterroot River
Mill Pocket Creek

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052806

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

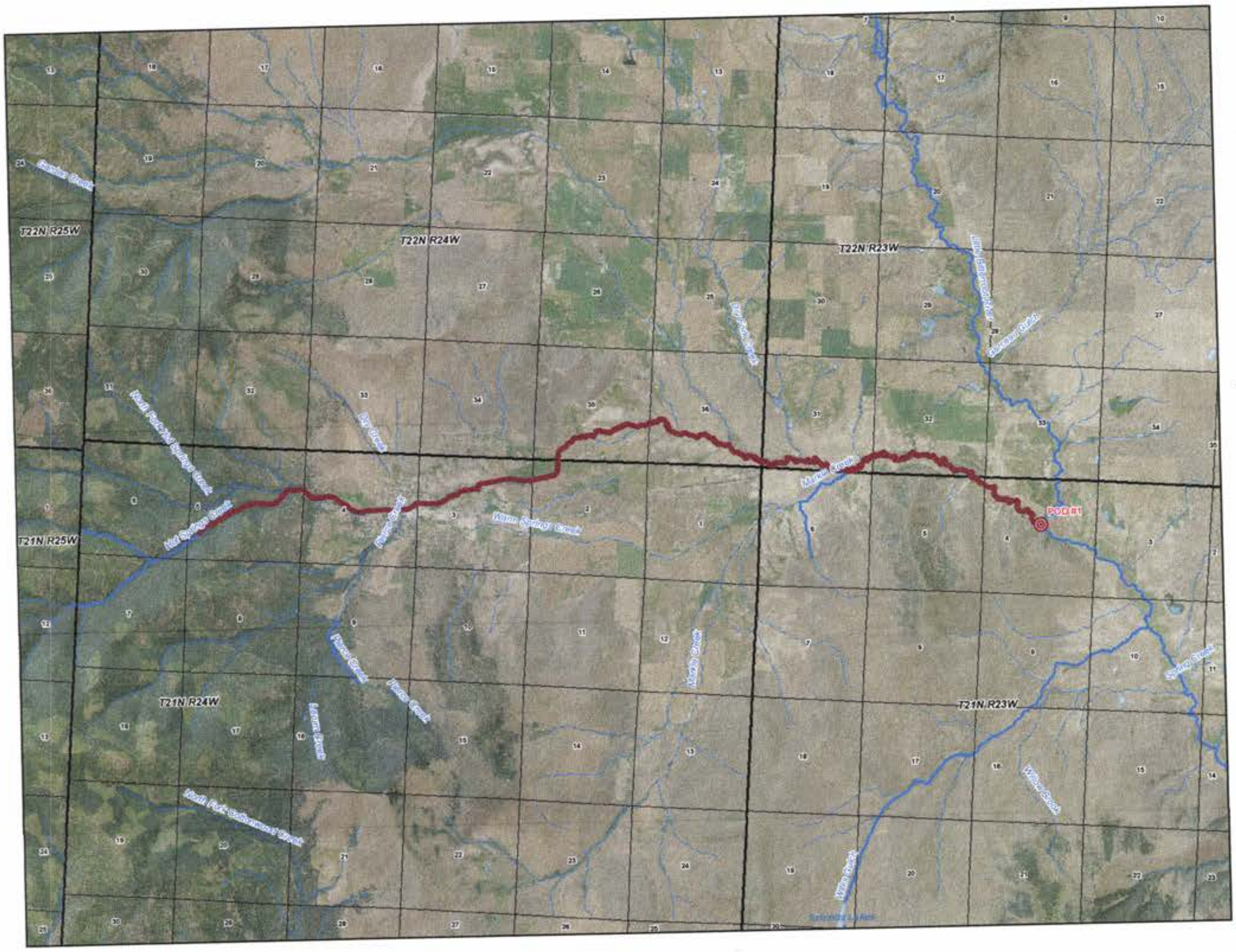
Flathead Indian Reservation

Legend

- Place of Use
- ◎ Primary Point(s) of Diversion
- ▢ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T22N R25W
T22N R24W
T22N R23W
T21N R25W
T21N R24W
T21N R23W
Hot Springs Creek
Warm Springs Creek
Dry Creek
Little Bitterroot River
POD #1
Spring Creek
Willow Creek
North Fork Cottonwood Creek

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052807

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

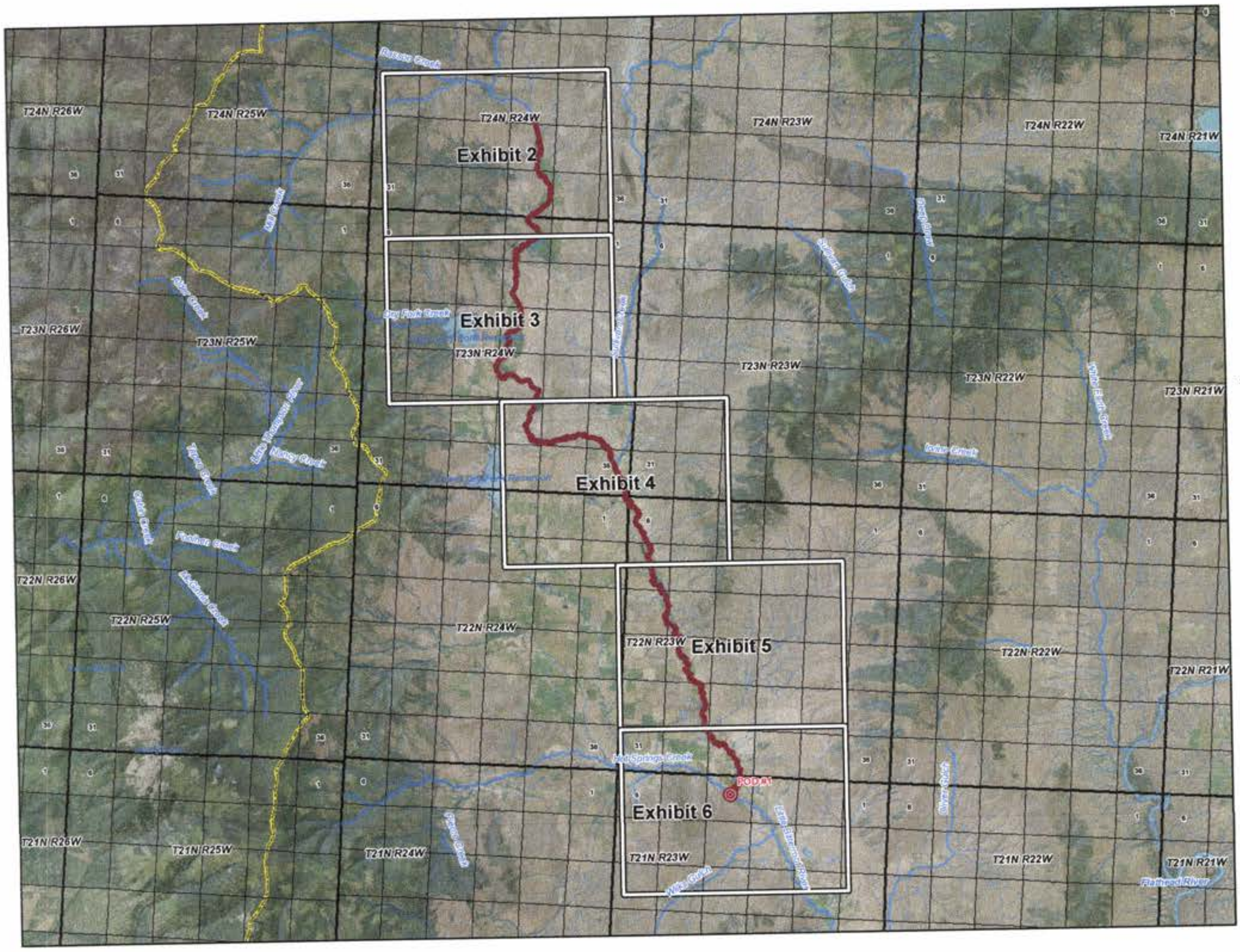


Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
POD #1
T24N R26W
T24N R25W
T24N R24W
T24N R23W
T24N R22W
T24N R21W
T23N R26W
T23N R25W
T23N R24W
T23N R23W
T23N R22W
T23N R21W
T22N R26W
T22N R25W
T22N R24W
T22N R23W
T22N R22W
T22N R21W
T21N R26W
T21N R25W
T21N R24W
T21N R23W
T21N R22W
T21N R21W
Hot Springs Creek
Flathead River

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L 30052808

Exhibit 1

2
3
4
5
6
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

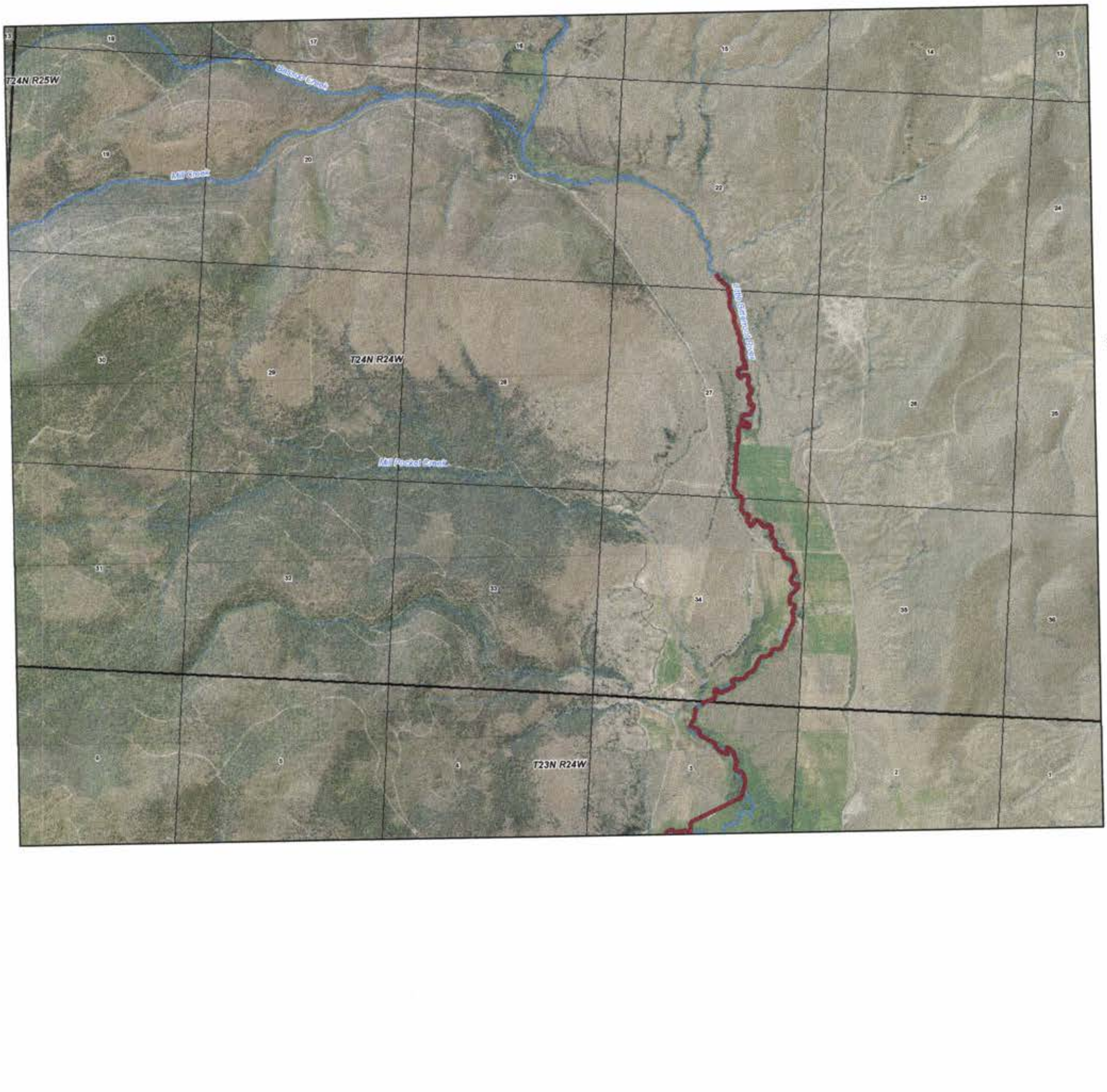
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 1.25 2.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T24N R25W
T24N R24W
T23N R24W
Mill Creek
Little Bitterroot River
Mill Pocket Creek
13
18
17
16
15
14
13
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36
6
5
4
3
2
1

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052808

Exhibit 2

Area of Interest
Hot Springs
2
3
4
5
6
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

Place of Use

◎ Primary Point(s) of Diversion

☐ Reservation Boundary

0 0.25 0.5 Miles

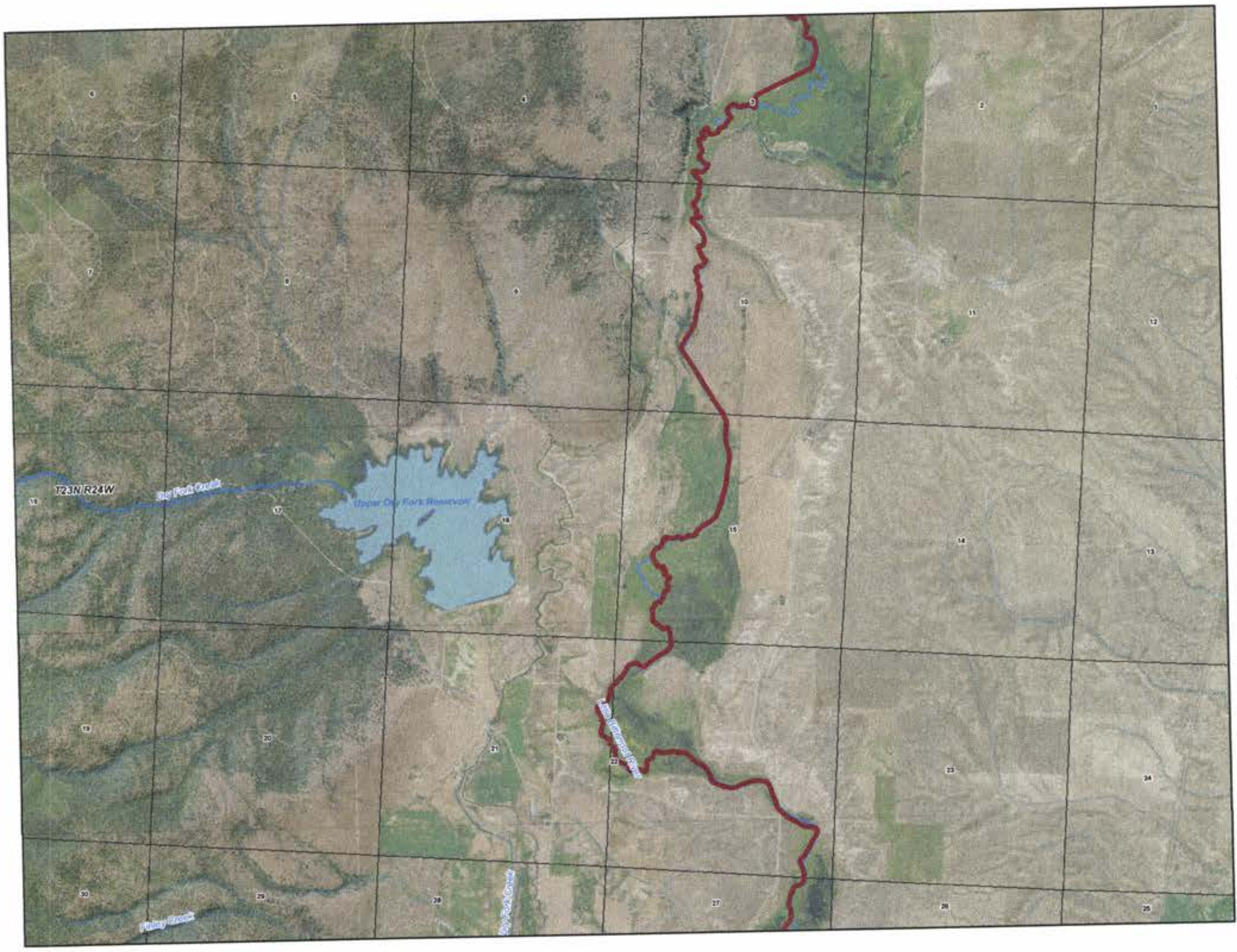
POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L 30052808

Exhibit 3


6
5
4
3
2
1
7
8
9
10
11
12
T23N R24W
18
Dry Fork Creek
17
Upper Dry Fork Reservoir
16
15
14
13
19
20
21
22
23
24
30
Finley Creek
29
28
Dry Fork Creek
27
26
25

Area of Interest
2
3
4
5
6
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

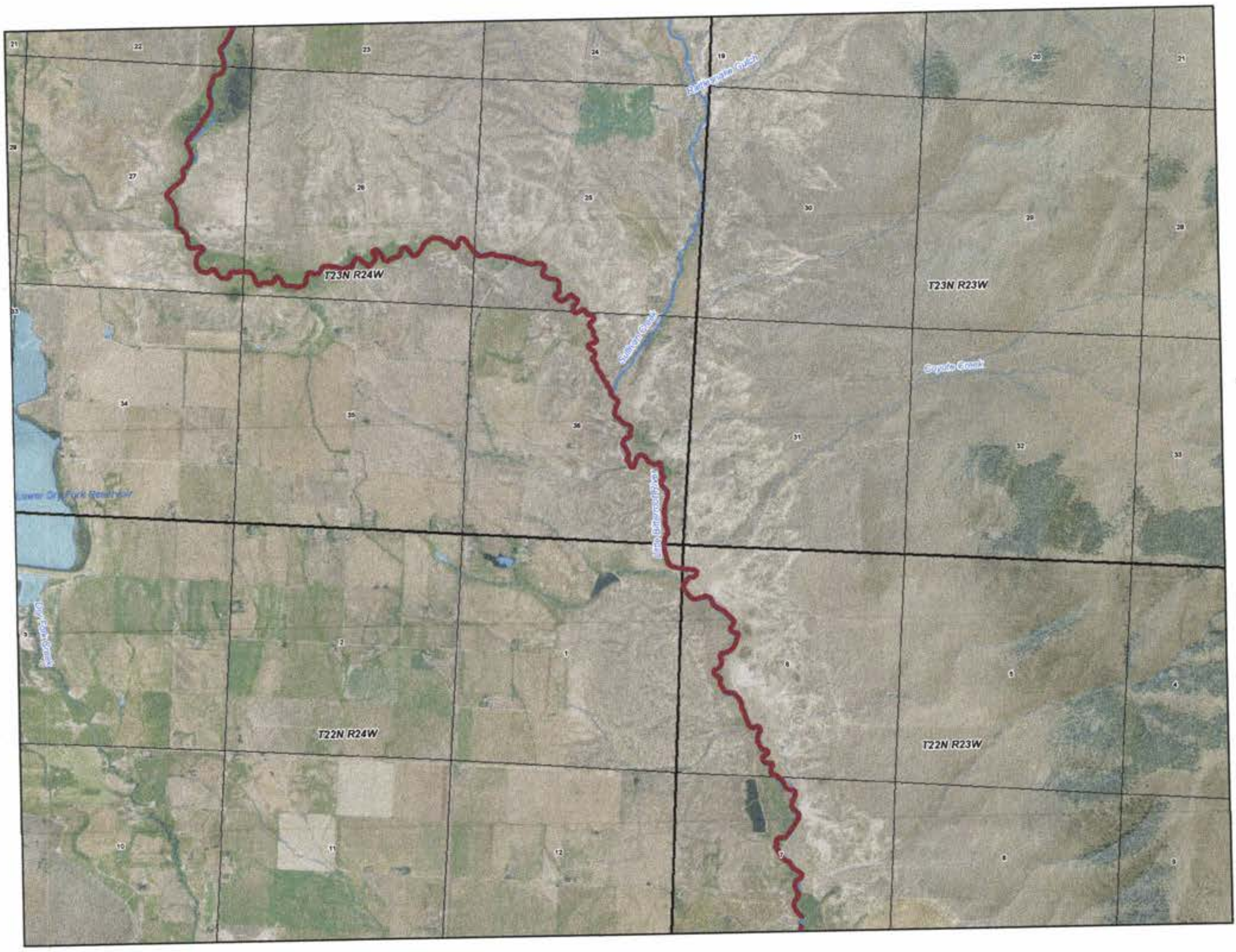
▬ Place of Use

◎ Primary Point(s) of Diversion

☐ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T23N R24W
T23N R23W
T22N R24W
T22N R23W
Sullivan Creek
Coyote Creek
Lower Dry Fork Reservoir
Dry Fork Creek
Little Bitterroot River
21
22
23
24
19
20
21
28
27
26
25
30
29
28
33
34
35
36
31
32
33
3
2
1
6
5
4
10
11
12
7
8
9

Place of Use and Point of Diversion
Instream Flow FIIP Sites
76L
30052808
Exhibit 4

Hot Springs
2
3
4
5
6
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

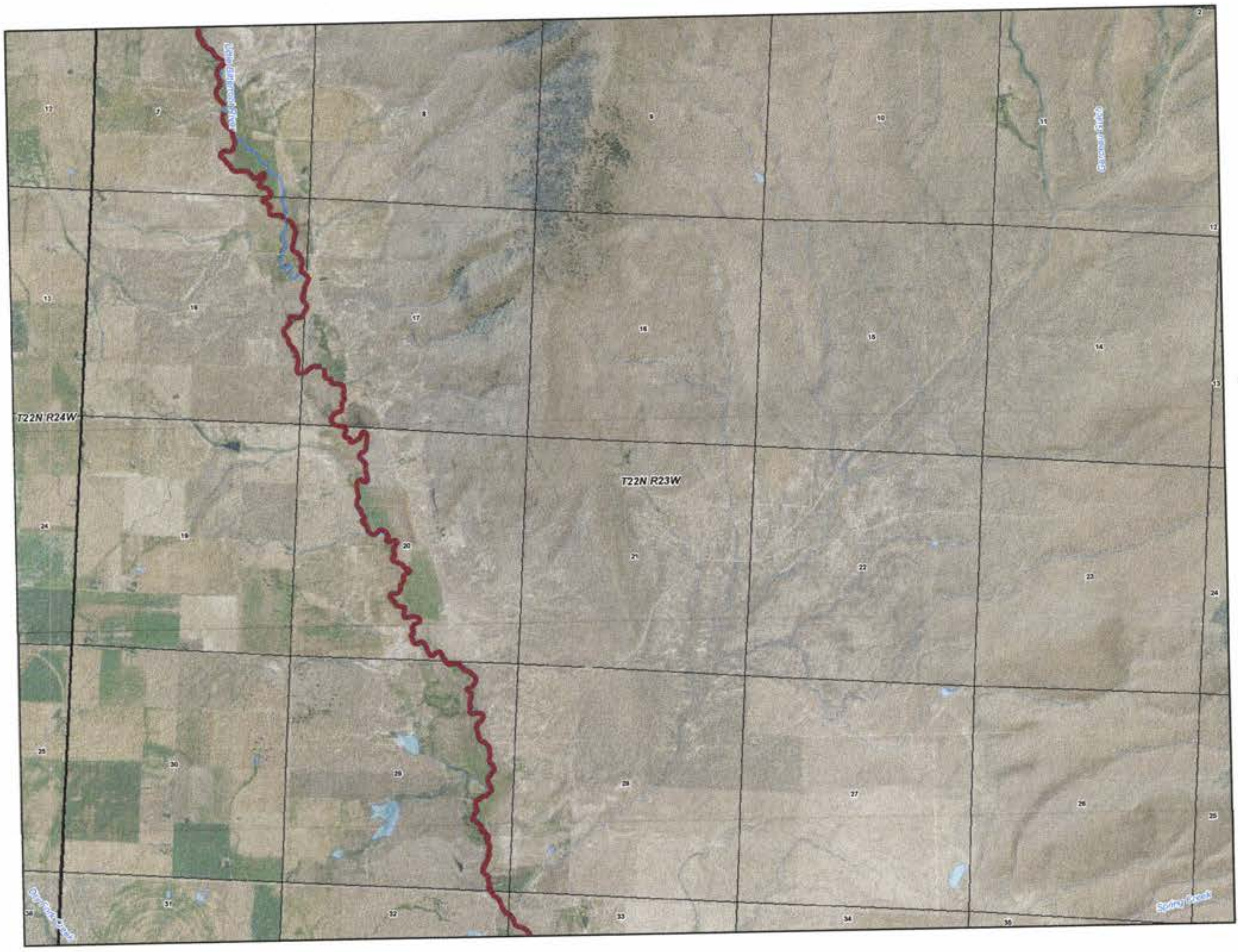
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T22N R24W
T22N R23W
12
7
8
9
10
11
2
13
18
17
16
15
14
12
13
24
19
20
21
22
23
24
25
30
29
28
27
26
25
36
31
32
33
34
35
Spring Creek

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L
30052808
Exhibit 5

Hot Springs
2
3
4
5
6
Polson
Pablo
St Ignatius
Arlee
Area of Interest

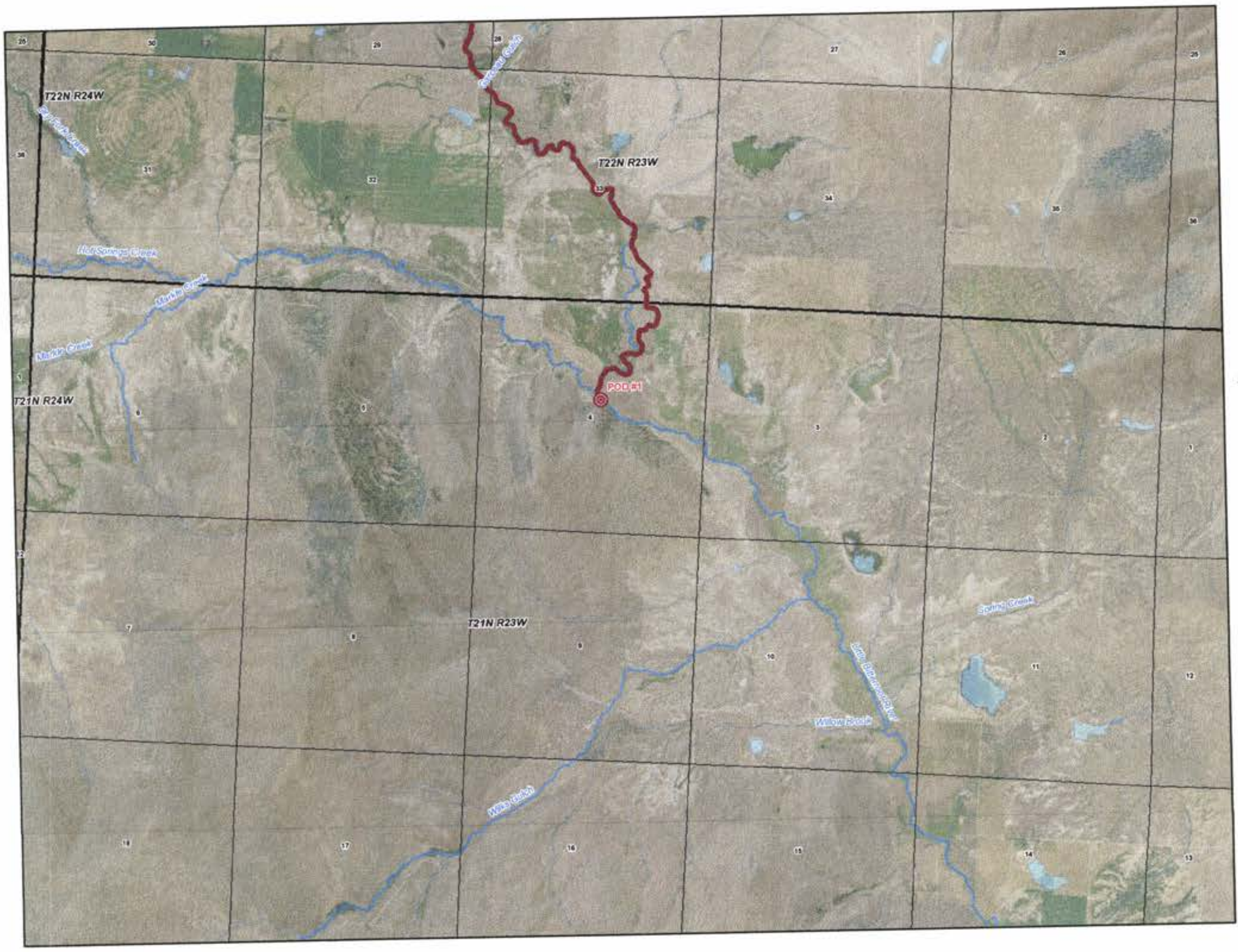
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T22N R24W
T22N R23W
T21N R24W
T21N R23W
Hot Springs Creek
Markle Creek
POD #1
Spring Creek
Willow Creek
Wilks Gulch
Little Bitterroot River
25
30
29
28
27
26
25
36
31
32
33
34
35
36
1
6
5
4
3
2
1
12
7
8
9
10
11
12
18
17
16
15
14
13

Place of Use and Point of Diversion

Instream Flow FIIP Sites

76L

30052808

Exhibit 6

Hot Springs
2
3
4
5
6
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow FIIP Diversions (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052818 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 403.95 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LOLO CREEK (SESE SEC 32 T25N R19W) (LAT 47° 52' 45.46" N LONG 114° 1' 59.16" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: LOLO CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	32	25N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	134.65 GPM
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	134.65 GPM
MARCH 1 TO MARCH 31	**Flow Rate:**	134.65 GPM
APRIL 1 TO APRIL 30	**Flow Rate:**	134.65 GPM
MAY 1 TO MAY 31	**Flow Rate:**	269.30 GPM
JUNE 1 TO JUNE 30	**Flow Rate:**	403.95 GPM
JULY 1 TO JULY 31	**Flow Rate:**	269.30 GPM
AUGUST 1 TO AUGUST 31	**Flow Rate:**	134.65 GPM
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	134.65 GPM
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	134.65 GPM
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	134.65 GPM
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	134.65 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				32	25N	19W	LAKE
2				33	25N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052818 MAP EXHIBIT(S) 1.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052819 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 5.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN YELLOW BAY CREEK (NENE SEC 4 T24N R19W) (LAT 47° 52' 31.10" N LONG 114° 1' 39.98" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: YELLOW BAY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	4	24N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.60 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.50 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	1.60 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.70 CFS
MAY 1 TO MAY 31	**Flow Rate:**	3.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	5.20 CFS
JULY 1 TO JULY 31	**Flow Rate:**	3.10 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.70 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.70 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.70 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.70 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	24N	19W	LAKE
2				3	24N	19W	LAKE
3				4	24N	19W	LAKE
4				33	25N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052819 MAP EXHIBIT(S) 1.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052820 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 4.60 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BLUE BAY CREEK (NESE SEC 21 T24N R19W) (LAT 47° 49' 40.45" N LONG 114° 1' 39.75" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: BLUE BAY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	21	24N	19W	LAKE

Period of Diversion:		**Flow Rate:**
	JANUARY 1 TO JANUARY 31	1.40 CFS
	FEBRUARY 1 TO FEBRUARY 28	1.30 CFS
	MARCH 1 TO MARCH 31	1.40 CFS
	APRIL 1 TO APRIL 30	1.50 CFS
	MAY 1 TO MAY 31	2.90 CFS
	JUNE 1 TO JUNE 30	4.60 CFS
	JULY 1 TO JULY 31	2.70 CFS
	AUGUST 1 TO AUGUST 31	1.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	1.50 CFS
	OCTOBER 1 TO OCTOBER 31	1.50 CFS
	NOVEMBER 1 TO NOVEMBER 30	1.50 CFS
	DECEMBER 1 TO DECEMBER 31	1.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				15	24N	19W	LAKE
2				21	24N	19W	LAKE
3				22	24N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052820 MAP EXHIBIT(S) 1.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052821 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 1.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN STATION CREEK (SESW SEC 10 T23N R19W) (LAT 47° 45' 44.10" N LONG 114° 1' 8.90" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: STATION CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	10	23N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.70 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.70 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	0.80 CFS
MAY 1 TO MAY 31	**Flow Rate:**	1.50 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	1.80 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.90 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.70 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.70 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.70 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.70 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				10	23N	19W	LAKE
2				14	23N	19W	LAKE
3				15	23N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

SEE 30052821 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052822 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 3.60 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SKIDOO CREEK (NENE SEC 21 T23N R19W) (LAT 47° 44' 35.42" N LONG 114° 1' 58.79" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: SKIDOO CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	21	23N	19W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.50 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.50 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	1.50 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	1.60 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	3.10 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	3.60 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	1.70 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.50 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.50 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.50 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				21	23N	19W	LAKE
2				22	23N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052822 MAP EXHIBIT(S) 1.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052823 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 314.18 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN HOLMES CREEK (NESE SEC 29 T23N R19W) (LAT 47° 43' 22.86" N LONG 114° 3' 4.78" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: HOLMES CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	29	23N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	134.65 GPM
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	134.65 GPM
MARCH 1 TO MARCH 31	Flow Rate:	134.65 GPM
APRIL 1 TO APRIL 30	Flow Rate:	134.65 GPM
MAY 1 TO MAY 31	Flow Rate:	269.30 GPM
JUNE 1 TO JUNE 30	Flow Rate:	314.18 GPM
JULY 1 TO JULY 31	Flow Rate:	134.65 GPM
AUGUST 1 TO AUGUST 31	Flow Rate:	134.65 GPM
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	134.65 GPM
OCTOBER 1 TO OCTOBER 31	Flow Rate:	134.65 GPM
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	134.65 GPM
DECEMBER 1 TO DECEMBER 31	Flow Rate:	134.65 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				21	23N	19W	LAKE
2				22	23N	19W	LAKE
3				28	23N	19W	LAKE
4				29	23N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052823 MAP EXHIBIT(S) 1.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052824 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 3.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MOSS CREEK (NESW SEC 5 T22N R19W) (LAT 47° 41' 39.66" N LONG 114° 3' 53.77" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: MOSS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	5	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 3.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	22N	19W	LAKE
2				5	22N	19W	LAKE
3				8	22N	19W	LAKE
4				9	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052824 MAP EXHIBIT(S) 1.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052825 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 41.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN DAYTON CREEK (SESE SEC 4 T24N R21W) (LAT 47° 51' 47.17" N LONG 114° 17' 18.08" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: DAYTON CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	4	24N	21W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	3.70 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	5.40 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	8.40 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	41.50 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	16.50 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	19.50 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	8.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.30 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.30 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	24N	21W	LAKE
2				5	24N	21W	LAKE
3				9	24N	21W	LAKE
4				10	24N	21W	LAKE
5				33	25N	21W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

SEE 30052825 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052826 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 1.18 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN PROCTOR CREEK (SESE SEC 4 T24N R21W) (LAT 47° 51' 56.20" N LONG 114° 17' 15.81" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: PROCTOR CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	4	24N	21W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.11 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.15 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.24 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	1.18 CFS
MAY 1 TO MAY 31	**Flow Rate:**	0.47 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	0.55 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.23 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.08 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.06 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.03 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.04 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.03 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	24N	21W	LAKE
2				4	24N	21W	LAKE
3				33	25N	21W	LAKE
4				34	25N	21W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052826 MAP EXHIBIT(S) 1.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052827 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 12,700.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN FLATHEAD RIVER (NESE SEC 11 T22N R21W) (LAT 47° 40' 46.85" N LONG 114° 14' 41.72" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: FLATHEAD RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	11	22N	21W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	3,200.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	3,200.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	3,200.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	3,620.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	10,702.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	12,700.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	7,252.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	3,200.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	3,200.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	3,200.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	3,200.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	3,200.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	20N	22W	LAKE
2				2	20N	22W	SANDERS
3				11	20N	22W	LAKE
4				11	20N	22W	SANDERS
5				13	20N	22W	LAKE
6				13	20N	22W	SANDERS
7				14	20N	22W	LAKE
8				14	20N	22W	SANDERS
9				15	20N	22W	LAKE
10				15	20N	22W	SANDERS
11				22	20N	22W	LAKE
12				22	20N	22W	SANDERS
13				23	20N	22W	LAKE
14				23	20N	22W	SANDERS
15				6	21N	21W	LAKE
16				7	21N	21W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
17				7	21N	21W	SANDERS
18				8	21N	21W	LAKE
19				8	21N	21W	SANDERS
20				18	21N	21W	LAKE
21				18	21N	21W	SANDERS
22				19	21N	21W	LAKE
23				19	21N	21W	SANDERS
24				30	21N	21W	LAKE
25				30	21N	21W	SANDERS
26				1	21N	22W	LAKE
27				12	21N	22W	LAKE
28				12	21N	22W	SANDERS
29				25	21N	22W	LAKE
30				25	21N	22W	SANDERS
31				36	21N	22W	LAKE
32				36	21N	22W	SANDERS
33				10	22N	21W	LAKE
34				11	22N	21W	LAKE
35				15	22N	21W	LAKE
36				19	22N	21W	LAKE
37				20	22N	21W	LAKE
38				21	22N	21W	LAKE
39				22	22N	21W	LAKE
40				24	22N	22W	LAKE
41				25	22N	22W	LAKE
42				36	22N	22W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052827 MAP EXHIBIT(S) 1 THROUGH 6.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052828 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 33.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN WHITE EARTH CREEK (NWNW SEC 36 T22N R22W) (LAT 47° 37' 49.43" N LONG 114° 22' 4.42" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: WHITE EARTH CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	36	22N	22W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	3.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.30 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	6.80 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	33.40 CFS
MAY 1 TO MAY 31	**Flow Rate:**	13.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	15.70 CFS
JULY 1 TO JULY 31	**Flow Rate:**	6.50 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	2.40 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.90 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.80 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.10 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.80 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	22N	22W	LAKE
2				11	22N	22W	LAKE
3				14	22N	22W	LAKE
4				23	22N	22W	LAKE
5				26	22N	22W	LAKE
6				35	22N	22W	LAKE
7				36	22N	22W	LAKE
8				29	23N	22W	LAKE
9				30	23N	22W	LAKE
10				32	23N	22W	LAKE
11				33	23N	22W	LAKE
12				34	23N	22W	LAKE
13				35	23N	22W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052828 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052829 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 18.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN RONAN SPRING CREEK (NWSE SEC 15 T20N R20W) (LAT 47° 29' 32.45" N LONG 114° 7' 37.91" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: SPRING CREEK
Source Type: SURFACE WATER

ALSO KNOWN AS RONAN SPRING CREEK

THE SOURCE IS A TRIBUTARY OF CROW CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	15	20N	20W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	16.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	16.60 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	10.90 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	11.80 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	12.20 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	13.20 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	15.10 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	14.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	15.60 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	16.10 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	14.20 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	18.90 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	20N	20W	LAKE
2				2	20N	20W	LAKE
3				11	20N	20W	LAKE
4				14	20N	20W	LAKE
5				15	20N	20W	LAKE
6				31	21N	19W	LAKE
7				36	21N	20W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

SEE 30052829 MAP EXHIBIT(S) 1.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052830 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 53.60 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MUD CREEK (NESE SEC 27 T21N R20W) (LAT 47° 33' 3.64" N LONG 114° 8' 19.34" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: MUD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	27	21N	20W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	8.10 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	6.30 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	6.20 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	8.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	27.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	53.60 CFS
JULY 1 TO JULY 31	**Flow Rate:**	41.20 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	13.50 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	14.50 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	14.20 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	14.40 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	11.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				12	21N	20W	LAKE
2				13	21N	20W	LAKE
3				14	21N	20W	LAKE
4				23	21N	20W	LAKE
5				26	21N	20W	LAKE
6				27	21N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052830 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052831 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 1.30 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN STINGER CREEK (NWSE SEC 27 T21N R20W) (LAT 47° 33' 2.48" N LONG 114° 8' 28.35" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: STINGER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	27	21N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 1.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				14	21N	20W	LAKE
2				15	21N	20W	LAKE
3				22	21N	20W	LAKE
4				27	21N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052831 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052832 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 58.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MUD CREEK (NENW SEC 12 T20N R21W) (LAT 47° 30' 48.94" N LONG 114° 12' 52.59" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: MUD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENW	12	20N	21W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	14.50 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	12.70 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	12.50 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	14.10 CFS
MAY 1 TO MAY 31	**Flow Rate:**	33.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	58.10 CFS
JULY 1 TO JULY 31	**Flow Rate:**	44.40 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	17.40 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	20.10 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	21.40 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	21.40 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	18.30 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	20N	20W	LAKE
2				5	20N	20W	LAKE
3				6	20N	20W	LAKE
4				7	20N	20W	LAKE
5				8	20N	20W	LAKE
6				1	20N	21W	LAKE
7				12	20N	21W	LAKE
8				27	21N	20W	LAKE
9				34	21N	20W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

SEE 30052832 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052833 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 2.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN POISON OAK CREEK (SWNW SEC 24 T19N R20W) (LAT 47° 23' 43.79" N LONG 114° 5' 33.90" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: POISON OAK CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	24	19N	20W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.80 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.70 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	0.70 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	0.90 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	1.50 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	2.90 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	2.10 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.20 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.90 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.90 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.90 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.90 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				24	19N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052833 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052834 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 19.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN ASHLEY CREEK (SWNW SEC 24 T19N R20W) (LAT 47° 23' 38.72" N LONG 114° 5' 48.20" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: ASHLEY CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF POST CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	24	19N	20W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	5.30 CFS
	FEBRUARY 1 TO FEBRUARY 28	4.30 CFS
	MARCH 1 TO MARCH 31	4.90 CFS
	APRIL 1 TO APRIL 30	6.20 CFS
	MAY 1 TO MAY 31	10.00 CFS
	JUNE 1 TO JUNE 30	19.40 CFS
	JULY 1 TO JULY 31	13.90 CFS
	AUGUST 1 TO AUGUST 31	7.70 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	6.20 CFS
	OCTOBER 1 TO OCTOBER 31	6.20 CFS
	NOVEMBER 1 TO NOVEMBER 30	6.20 CFS
	DECEMBER 1 TO DECEMBER 31	6.20 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				24	19N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052834 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052835 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 18.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN ASHLEY CREEK (NWNE SEC 4 T18N R19W) (LAT 47° 21' 12.33" N LONG 114° 1' 1.24" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: ASHLEY CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF POST CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNE	4	18N	19W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	5.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.40 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	4.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	5.90 CFS
MAY 1 TO MAY 31	**Flow Rate:**	9.40 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	18.50 CFS
JULY 1 TO JULY 31	**Flow Rate:**	12.90 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	7.30 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	5.90 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	5.90 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	5.90 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	5.90 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	18N	19W	LAKE
2				33	19N	19W	LAKE
3				34	19N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

SEE 30052835 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052836 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 27.50 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE UNNAMED TRIBUTARY TO ASHLEY CREEK (SW SEC 3 T18N R19W) (LAT 47° 20' 38.68" N LONG 114° 0' 38.14" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: UNNAMED TRIBUTARY OF ASHLEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	3	18N	19W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.20 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.50 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	1.50 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	27.50 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	6.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	3.10 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	0.10 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	18N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052836 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052837 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 4.70 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MIKES CREEK (SWSE SEC 21 T18N R19W) (LAT 47° 18' 0.89" N LONG 114° 1' 12.56" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: MIKES CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSE	21	18N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.90 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.90 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	2.00 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	4.20 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	4.70 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	2.90 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	1.90 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.90 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.90 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.90 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.90 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				21	18N	19W	LAKE
2				22	18N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052837 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052838 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 2.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MATT CREEK (SENW SEC 33 T19N R20W) (LAT 47° 21' 51.34" N LONG 114° 9' 1.07" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: MATT CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENW	33	19N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 2.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	18N	20W	LAKE
2				4	18N	20W	LAKE
3				10	18N	20W	LAKE
4				11	18N	20W	LAKE
5				33	19N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052838 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052839 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 223.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN POST CREEK (SENW SEC 33 T19N R20W) (LAT 47° 21' 47.56" N LONG 114° 9' 14.06" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: POST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENW	33	19N	20W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	71.00 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	59.00 CFS
MARCH 1 TO MARCH 31	Flow Rate:	49.00 CFS
APRIL 1 TO APRIL 30	Flow Rate:	55.00 CFS
MAY 1 TO MAY 31	Flow Rate:	117.00 CFS
JUNE 1 TO JUNE 30	Flow Rate:	213.00 CFS
JULY 1 TO JULY 31	Flow Rate:	223.00 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	113.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	84.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	100.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	88.00 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	71.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	19N	20W	LAKE
2				23	19N	20W	LAKE
3				24	19N	20W	LAKE
4				26	19N	20W	LAKE
5				27	19N	20W	LAKE
6				28	19N	20W	LAKE
7				32	19N	20W	LAKE
8				33	19N	20W	LAKE
9				34	19N	20W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052839 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052840 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 5.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SABINE CREEK (SWNE SEC 15 T18N R20W) (LAT 47° 19' 19.33" N LONG 114° 7' 34.07" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: SABINE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	15	18N	20W	LAKE

Period of Diversion:

Period		Flow Rate
JANUARY 1 TO JANUARY 31	**Flow Rate:**	2.30 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	2.40 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	2.90 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	5.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	4.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	0.50 CFS
JULY 1 TO JULY 31	**Flow Rate:**	0.40 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.60 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.30 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	3.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	2.90 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	2.80 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				30	18N	19W	LAKE
2				31	18N	19W	LAKE
3				32	18N	19W	LAKE
4				14	18N	20W	LAKE
5				15	18N	20W	LAKE
6				23	18N	20W	LAKE
7				24	18N	20W	LAKE
8				25	18N	20W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052840 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052841 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 224.42 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN PISTOL CREEK (SESE SEC 9 T18N R20W) (LAT 47° 19' 38.67" N LONG 114° 8' 31.05" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: PISTOL CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF SABINE CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	9	18N	20W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	134.65 GPM
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	134.65 GPM
MARCH 1 TO MARCH 31	Flow Rate:	134.65 GPM
APRIL 1 TO APRIL 30	Flow Rate:	179.53 GPM
MAY 1 TO MAY 31	Flow Rate:	224.42 GPM
JUNE 1 TO JUNE 30	Flow Rate:	179.53 GPM
JULY 1 TO JULY 31	Flow Rate:	134.65 GPM
AUGUST 1 TO AUGUST 31	Flow Rate:	134.65 GPM
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	134.65 GPM
OCTOBER 1 TO OCTOBER 31	Flow Rate:	134.65 GPM
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	134.65 GPM
DECEMBER 1 TO DECEMBER 31	Flow Rate:	134.65 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	17N	20W	LAKE
2				9	18N	20W	LAKE
3				16	18N	20W	LAKE
4				21	18N	20W	LAKE
5				22	18N	20W	LAKE
6				27	18N	20W	LAKE
7				34	18N	20W	LAKE
8				35	18N	20W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

SEE 30052841 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052842 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 14.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SABINE CREEK (NENE SEC 5 T18N R20W) (LAT 47° 21' 20.07" N LONG 114° 9' 48.23" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: SABINE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	5	18N	20W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	11.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	12.00 CFS
	MARCH 1 TO MARCH 31	12.00 CFS
	APRIL 1 TO APRIL 30	14.00 CFS
	MAY 1 TO MAY 31	12.00 CFS
	JUNE 1 TO JUNE 30	8.90 CFS
	JULY 1 TO JULY 31	8.00 CFS
	AUGUST 1 TO AUGUST 31	7.90 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	11.00 CFS
	OCTOBER 1 TO OCTOBER 31	11.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	13.00 CFS
	DECEMBER 1 TO DECEMBER 31	13.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	18N	20W	LAKE
2				5	18N	20W	LAKE
3				9	18N	20W	LAKE
4				10	18N	20W	LAKE
5				15	18N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052842 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052843 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 387.20 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MISSION CREEK (NENE SEC 35 T19N R21W) (LAT 47° 22' 5.74" N LONG 114° 13' 32.05" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: MISSION CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	35	19N	21W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	116.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	102.40 CFS
	MARCH 1 TO MARCH 31	92.20 CFS
	APRIL 1 TO APRIL 30	101.20 CFS
	MAY 1 TO MAY 31	214.60 CFS
	JUNE 1 TO JUNE 30	387.20 CFS
	JULY 1 TO JULY 31	354.00 CFS
	AUGUST 1 TO AUGUST 31	191.70 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	222.60 CFS
	OCTOBER 1 TO OCTOBER 31	218.50 CFS
	NOVEMBER 1 TO NOVEMBER 30	175.60 CFS
	DECEMBER 1 TO DECEMBER 31	126.90 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	18N	21W	LAKE
2				4	18N	21W	SANDERS
3				31	19N	20W	LAKE
4				32	19N	20W	LAKE
5				27	19N	21W	LAKE
6				28	19N	21W	LAKE
7				33	19N	21W	LAKE
8				34	19N	21W	LAKE
9				35	19N	21W	LAKE
10				36	19N	21W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052843 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052844 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 6.10 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SULLIVAN CREEK (NENE SEC 8 T24N R23W) (LAT 47° 51' 32.78" N LONG 114° 33' 54.08" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: SULLIVAN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	8	24N	23W	FLATHEAD

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.90 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	1.90 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	1.90 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	6.10 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	3.70 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	3.40 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	1.90 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.90 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.90 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.90 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.90 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.90 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	24N	23W	FLATHEAD
2				8	24N	23W	FLATHEAD
3				33	25N	23W	FLATHEAD

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052844 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052845 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 15.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN SULLIVAN CREEK (NWNE SEC 36 T23N R24W) (LAT 47° 42' 52.37" N LONG 114° 36' 39.27" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: SULLIVAN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNE	36	23N	24W	SANDERS

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	2.70 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	2.80 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	4.60 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	15.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	8.40 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	7.30 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	1.70 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.30 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.70 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	2.10 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	2.60 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	2.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	23N	23W	LAKE
2				7	23N	23W	LAKE
3				7	23N	23W	SANDERS
4				30	23N	23W	SANDERS
5				12	23N	24W	SANDERS
6				13	23N	24W	SANDERS
7				24	23N	24W	SANDERS
8				25	23N	24W	SANDERS
9				36	23N	24W	SANDERS
10				31	24N	23W	FLATHEAD
11				31	24N	23W	LAKE
12				24	24N	24W	SANDERS
13				25	24N	24W	SANDERS
14				36	24N	24W	FLATHEAD
15				36	24N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052845 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052846 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 3.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN GARDEN CREEK (SENE SEC 21 T22N R24W) (LAT 47° 39' 12.66" N LONG 114° 40' 26.34" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: GARDEN CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENE	21	22N	24W	SANDERS

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	1.00 CFS
	MARCH 1 TO MARCH 31	0.80 CFS
	APRIL 1 TO APRIL 30	3.40 CFS
	MAY 1 TO MAY 31	2.30 CFS
	JUNE 1 TO JUNE 30	1.30 CFS
	JULY 1 TO JULY 31	0.00 CFS
	AUGUST 1 TO AUGUST 31	0.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.00 CFS
	OCTOBER 1 TO OCTOBER 31	0.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.00 CFS
	DECEMBER 1 TO DECEMBER 31	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				20	22N	24W	SANDERS
2				21	22N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052846 MAP EXHIBIT(S) 1.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052847 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 8.30 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN GARCEAU GULCH (NWNW SEC 33 T22N R23W) (LAT 47° 37' 47.01" N LONG 114° 33' 43.19" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: GARCEAU GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNW	33	22N	23W	LAKE

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	2.50 CFS
MARCH 1 TO MARCH 31	Flow Rate:	2.10 CFS
APRIL 1 TO APRIL 30	Flow Rate:	8.30 CFS
MAY 1 TO MAY 31	Flow Rate:	5.60 CFS
JUNE 1 TO JUNE 30	Flow Rate:	3.30 CFS
JULY 1 TO JULY 31	Flow Rate:	0.00 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	0.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	0.00 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	22N	22W	LAKE
2				1	22N	23W	LAKE
3				11	22N	23W	LAKE
4				12	22N	23W	LAKE
5				14	22N	23W	LAKE
6				15	22N	23W	LAKE
7				21	22N	23W	LAKE
8				22	22N	23W	LAKE
9				28	22N	23W	LAKE
10				33	22N	23W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

SEE 30052847 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052848 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 179.53 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN WILKS GULCH (SENW SEC 10 T21N R23W) (LAT 47° 35' 52.84" N LONG 114° 31' 53.88" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: WILKS GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENW	10	21N	23W	SANDERS

Period of Diversion:	Flow Rate:
JANUARY 1 TO JANUARY 31	89.77 GPM
FEBRUARY 1 TO FEBRUARY 28	89.77 GPM
MARCH 1 TO MARCH 31	89.77 GPM
APRIL 1 TO APRIL 30	134.65 GPM
MAY 1 TO MAY 31	179.53 GPM
JUNE 1 TO JUNE 30	134.65 GPM
JULY 1 TO JULY 31	89.77 GPM
AUGUST 1 TO AUGUST 31	89.77 GPM
SEPTEMBER 1 TO SEPTEMBER 30	44.88 GPM
OCTOBER 1 TO OCTOBER 31	44.88 GPM
NOVEMBER 1 TO NOVEMBER 30	44.88 GPM
DECEMBER 1 TO DECEMBER 31	44.88 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				9	21N	23W	SANDERS
2				10	21N	23W	SANDERS
3				16	21N	23W	SANDERS
4				17	21N	23W	SANDERS
5				19	21N	23W	SANDERS
6				20	21N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052848 MAP EXHIBIT(S) 1.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052849 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 1.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN OLIVER GULCH (NENE SEC 25 T21N R23W) (LAT 47° 33' 26.51" N LONG 114° 28' 44.33" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: OLIVER GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	25	21N	23W	SANDERS

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	0.60 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.80 CFS
	MARCH 1 TO MARCH 31	0.60 CFS
	APRIL 1 TO APRIL 30	1.20 CFS
	MAY 1 TO MAY 31	1.40 CFS
	JUNE 1 TO JUNE 30	1.10 CFS
	JULY 1 TO JULY 31	0.60 CFS
	AUGUST 1 TO AUGUST 31	0.60 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.50 CFS
	OCTOBER 1 TO OCTOBER 31	0.50 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.50 CFS
	DECEMBER 1 TO DECEMBER 31	0.50 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	21N	22W	LAKE
2				7	21N	22W	SANDERS
3				8	21N	22W	LAKE
4				8	21N	22W	SANDERS
5				18	21N	22W	SANDERS
6				19	21N	22W	SANDERS
7				30	21N	22W	SANDERS
8				25	21N	23W	SANDERS
9				20	22N	22W	LAKE
10				29	22N	22W	LAKE
11				32	22N	22W	LAKE

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

SEE 30052849 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052850 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 2.40 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BIG GULCH (SENE SEC 1 T20N R23W) (LAT 47° 31' 28.53" N LONG 114° 27' 44.85" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: BIG GULCH

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENE	1	20N	23W	SANDERS

Period of Diversion:		**Flow Rate:**
	JANUARY 1 TO JANUARY 31	0.40 CFS
	FEBRUARY 1 TO FEBRUARY 28	0.50 CFS
	MARCH 1 TO MARCH 31	0.60 CFS
	APRIL 1 TO APRIL 30	2.00 CFS
	MAY 1 TO MAY 31	2.40 CFS
	JUNE 1 TO JUNE 30	1.20 CFS
	JULY 1 TO JULY 31	0.60 CFS
	AUGUST 1 TO AUGUST 31	0.30 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	0.20 CFS
	OCTOBER 1 TO OCTOBER 31	0.10 CFS
	NOVEMBER 1 TO NOVEMBER 30	0.20 CFS
	DECEMBER 1 TO DECEMBER 31	0.20 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	20N	23W	SANDERS
2				2	20N	23W	SANDERS
3				3	20N	23W	SANDERS
4				4	20N	23W	SANDERS
5				9	20N	23W	SANDERS
6				16	20N	23W	SANDERS
7				35	21N	23W	SANDERS
8				36	21N	23W	SANDERS

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052850 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052851 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 296.23 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN WHISKEY CREEK (NWNE SEC 24 T20N R23W) (LAT 47° 29' 1.38" N LONG 114° 27' 46.87" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: WHISKEY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNE	24	20N	23W	SANDERS

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.00 GPM
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	89.77 GPM
	MARCH 1 TO MARCH 31	**Flow Rate:**	76.30 GPM
	APRIL 1 TO APRIL 30	**Flow Rate:**	296.23 GPM
	MAY 1 TO MAY 31	**Flow Rate:**	201.97 GPM
	JUNE 1 TO JUNE 30	**Flow Rate:**	116.70 GPM
	JULY 1 TO JULY 31	**Flow Rate:**	0.00 GPM
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	0.00 GPM
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	0.00 GPM
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.00 GPM
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.00 GPM
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.00 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	20N	23W	SANDERS
2				23	20N	23W	SANDERS
3				24	20N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052851 MAP EXHIBIT(S) 1.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052852 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 202.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN LITTLE BITTERROOT RIVER (SESE SEC 13 T20N R22W) (LAT 47° 29' 18.74" N LONG 114° 20' 3.00" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: LITTLE BITTERROOT RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESE	13	20N	22W	SANDERS

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	75.30 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	106.60 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	115.70 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	202.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	179.10 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	110.10 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	28.40 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	48.80 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	38.50 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	38.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	38.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	26.80 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				18	20N	21W	SANDERS
2				6	20N	22W	SANDERS
3				7	20N	22W	SANDERS
4				13	20N	22W	LAKE
5				13	20N	22W	SANDERS
6				19	20N	22W	SANDERS
7				23	20N	22W	SANDERS
8				24	20N	22W	SANDERS
9				26	20N	22W	SANDERS
10				27	20N	22W	SANDERS
11				28	20N	22W	SANDERS
12				29	20N	22W	SANDERS
13				30	20N	22W	SANDERS
14				32	20N	22W	SANDERS
15				33	20N	22W	SANDERS
16				1	20N	23W	SANDERS

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
17				12	20N	23W	SANDERS
18				13	20N	23W	SANDERS
19				24	20N	23W	SANDERS
20				25	20N	23W	SANDERS
21				27	20N	23W	SANDERS
22				30	21N	22W	SANDERS
23				31	21N	22W	SANDERS
24				3	21N	23W	LAKE
25				4	21N	23W	LAKE
26				10	21N	23W	LAKE
27				10	21N	23W	SANDERS
28				14	21N	23W	SANDERS
29				15	21N	23W	SANDERS
30				23	21N	23W	SANDERS
31				24	21N	23W	SANDERS
32				25	21N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

SEE 30052852 MAP EXHIBIT(S) 1 THROUGH 6.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052853 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 24.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN CAMAS CREEK (SESW SEC 30 T19N R23W) (LAT 47° 22' 17.38" N LONG 114° 34' 41.82" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: CAMAS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	30	19N	23W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	7.20 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	10.10 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	9.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	24.80 CFS
MAY 1 TO MAY 31	**Flow Rate:**	19.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	13.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	4.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.80 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.40 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	2.50 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	2.80 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	2.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				18	19N	23W	SANDERS
2				19	19N	23W	SANDERS
3				30	19N	23W	SANDERS
4				2	19N	24W	SANDERS
5				11	19N	24W	SANDERS
6				12	19N	24W	SANDERS
7				13	19N	24W	SANDERS
8				18	20N	24W	SANDERS
9				19	20N	24W	SANDERS
10				20	20N	24W	SANDERS
11				21	20N	24W	SANDERS
12				27	20N	24W	SANDERS
13				28	20N	24W	SANDERS
14				34	20N	24W	SANDERS
15				35	20N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

SEE 30052853 MAP EXHIBIT(S) 1 THROUGH 4.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052854 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 105.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN REVAIS CREEK (SENW SEC 22 T18N R22W) (LAT 47° 18' 19.68" N LONG 114° 23' 15.98" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: REVAIS CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENW	22	18N	22W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	8.30 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	9.60 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	12.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	38.20 CFS
MAY 1 TO MAY 31	**Flow Rate:**	97.30 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	105.90 CFS
JULY 1 TO JULY 31	**Flow Rate:**	11.80 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	3.10 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	6.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	6.30 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	5.20 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	18N	22W	SANDERS
2				27	18N	22W	SANDERS
3				28	18N	22W	SANDERS
4				33	18N	22W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052854 MAP EXHIBIT(S) 1.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052855 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 30.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN MAGPIE CREEK (SWSW SEC 12 T18N R23W) (LAT 47° 19' 46.03" N LONG 114° 28' 33.96" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: MAGPIE CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF FLATHEAD RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSW	12	18N	23W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	4.90 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	6.90 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	7.90 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	10.30 CFS
MAY 1 TO MAY 31	**Flow Rate:**	30.80 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	29.90 CFS
JULY 1 TO JULY 31	**Flow Rate:**	7.90 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	5.90 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	4.40 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	4.30 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	4.30 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	3.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				12	18N	23W	SANDERS
2				13	18N	23W	SANDERS
3				14	18N	23W	SANDERS
4				23	18N	23W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052855 MAP EXHIBIT(S) 1.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052856 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 9.91 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN ANTOINE CREEK (NESW SEC 13 T15N R20W) (LAT 47° 3' 28.68" N LONG 114° 4' 27.53" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: ANTOINE CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	13	15N	20W	MISSOULA

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	0.72 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.56 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	0.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	2.59 CFS
MAY 1 TO MAY 31	**Flow Rate:**	7.74 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	9.91 CFS
JULY 1 TO JULY 31	**Flow Rate:**	3.70 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	1.67 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	1.07 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	0.98 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	0.83 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	0.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	15N	19W	MISSOULA
2				13	15N	20W	MISSOULA
3				24	15N	20W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

SEE 30052856 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052857 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 403.95 GPM

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN KITTY GIRL CREEK (NWSE SEC 12 T15N R20W) (LAT 47° 4' 16.62" N LONG 114° 3' 59.82" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: KITTY GIRL CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	12	15N	20W	MISSOULA

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	89.77 GPM
	FEBRUARY 1 TO FEBRUARY 28	89.77 GPM
	MARCH 1 TO MARCH 31	134.65 GPM
	APRIL 1 TO APRIL 30	134.65 GPM
	MAY 1 TO MAY 31	403.95 GPM
	JUNE 1 TO JUNE 30	403.95 GPM
	JULY 1 TO JULY 31	179.53 GPM
	AUGUST 1 TO AUGUST 31	134.65 GPM
	SEPTEMBER 1 TO SEPTEMBER 30	134.65 GPM
	OCTOBER 1 TO OCTOBER 31	134.65 GPM
	NOVEMBER 1 TO NOVEMBER 30	89.77 GPM
	DECEMBER 1 TO DECEMBER 31	89.77 GPM

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				10	15N	20W	MISSOULA
2				11	15N	20W	MISSOULA
3				12	15N	20W	MISSOULA

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052857 MAP EXHIBIT(S) 1.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052858 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 46.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN AGENCY CREEK (SWNE SEC 13 T16N R20W) (LAT 47° 8' 48.66" N LONG 114° 4' 8.67" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: AGENCY CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNE	13	16N	20W	LAKE

Period of Diversion:			
	JANUARY 1 TO JANUARY 31	**Flow Rate:**	5.80 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.20 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	4.20 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	14.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	41.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	46.00 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	6.60 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	6.10 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	9.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	14.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	11.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	7.40 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				16	16N	19W	LAKE
2				17	16N	19W	LAKE
3				18	16N	19W	LAKE
4				13	16N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

SEE 30052858 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052859 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 8.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN JOCKO HATCHERY SPRING CREEK (NWSE SEC 2 T16N R20W) (LAT 47° 10' 17.67" N LONG 114° 5' 12.90" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: JOCKO HATCHERY SPRING CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	2	16N	20W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	2.00 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	2.00 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	1.00 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	1.00 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	3.00 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	5.00 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	8.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	8.00 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	6.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	5.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	3.00 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	2.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	16N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

SEE 30052859 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052860 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 23.70 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN JOCKO SPRING CREEK (NENE SEC 17 T17N R20W) (LAT 47° 14' 19.38" N LONG 114° 9' 56.16" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: JOCKO SPRING CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENE	17	17N	20W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	16.60 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	16.30 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	14.80 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	15.20 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	10.50 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	10.00 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	16.50 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	20.40 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	23.70 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	20.60 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	17.30 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	17.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				15	17N	20W	LAKE
2				16	17N	20W	LAKE
3				17	17N	20W	LAKE
4				22	17N	20W	LAKE
5				23	17N	20W	LAKE
6				26	17N	20W	LAKE
7				35	17N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052860 MAP EXHIBIT(S) 1.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052861 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 22.80 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN THE NORTH FORK OF VALLEY CREEK (SWNW SEC 24 T17N R21W) (LAT 47° 13' 5.98" N LONG 114° 13' 20.52" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: VALLEY CREEK, NORTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWNW	24	17N	21W	SANDERS

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	4.20 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.40 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	4.90 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	14.50 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	22.80 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	21.20 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	10.40 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	7.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	6.00 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	7.20 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	5.30 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	3.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				15	17N	21W	SANDERS
2				22	17N	21W	SANDERS
3				23	17N	21W	SANDERS
4				24	17N	21W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

SEE 30052861 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052862 COMPACT
Version: 1 -- ORIGINAL RIGHT
Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL
Purpose (use): FISH AND WILDLIFE
Maximum Flow Rate: 82.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN VALLEY CREEK (NESW SEC 8 T17N R20W) (LAT 47° 14' 38.86" N LONG 114° 10' 23.94" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: VALLEY CREEK
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	8	17N	20W	LAKE

Period of Diversion:		Flow Rate:
	JANUARY 1 TO JANUARY 31	14.20 CFS
	FEBRUARY 1 TO FEBRUARY 28	15.40 CFS
	MARCH 1 TO MARCH 31	17.30 CFS
	APRIL 1 TO APRIL 30	52.00 CFS
	MAY 1 TO MAY 31	82.00 CFS
	JUNE 1 TO JUNE 30	79.50 CFS
	JULY 1 TO JULY 31	43.10 CFS
	AUGUST 1 TO AUGUST 31	31.50 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	22.80 CFS
	OCTOBER 1 TO OCTOBER 31	22.00 CFS
	NOVEMBER 1 TO NOVEMBER 30	16.10 CFS
	DECEMBER 1 TO DECEMBER 31	11.40 CFS

Diversion Means: INSTREAM
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				8	17N	20W	LAKE
2				17	17N	20W	LAKE
3				18	17N	20W	LAKE
4				19	17N	20W	LAKE
5				19	17N	20W	SANDERS
6				13	17N	21W	SANDERS
7				24	17N	21W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

SEE 30052862 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052863 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 104.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN FINLEY CREEK (SESW SEC 31 T16N R19W) (LAT 47° 5' 50.77" N LONG 114° 3' 7.89" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: FINLEY CREEK

Source Type: SURFACE WATER

THE SOURCE IS A TRIBUTARY OF JOCKO RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	31	16N	19W	MISSOULA

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	2.70 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.50 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	8.20 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	29.10 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	78.30 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	104.90 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	25.00 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	4.30 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.70 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	2.80 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	2.40 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	15N	19W	MISSOULA
2				7	15N	19W	MISSOULA
3				30	15N	19W	MISSOULA
4				12	15N	20W	MISSOULA
5				13	15N	20W	MISSOULA
6				24	15N	20W	MISSOULA
7				25	15N	20W	MISSOULA
8				31	16N	19W	MISSOULA

Remarks:

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052863 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052864 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 14,462.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN FLATHEAD RIVER (NESE SEC 6 T18N R24W) (LAT 47° 20' 39.79" N LONG 114° 42' 4.25" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: FLATHEAD RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESE	6	18N	24W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	3,574.00 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	3,586.00 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	3,599.00 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	4,314.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	11,973.00 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	14,462.00 CFS
JULY 1 TO JULY 31	**Flow Rate:**	8,145.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	3,660.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	3,733.00 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	3,758.00 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	3,665.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	3,546.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	18N	21W	LAKE
2				4	18N	21W	SANDERS
3				5	18N	21W	LAKE
4				5	18N	21W	SANDERS
5				8	18N	21W	SANDERS
6				17	18N	21W	SANDERS
7				18	18N	21W	SANDERS
8				9	18N	22W	SANDERS
9				10	18N	22W	SANDERS
10				11	18N	22W	SANDERS
11				12	18N	22W	SANDERS
12				13	18N	22W	SANDERS
13				16	18N	22W	SANDERS
14				17	18N	22W	SANDERS
15				18	18N	22W	SANDERS
16				3	18N	23W	SANDERS

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
17				4	18N	23W	SANDERS
18				10	18N	23W	SANDERS
19				11	18N	23W	SANDERS
20				12	18N	23W	SANDERS
21				13	18N	23W	SANDERS
22				2	18N	24W	SANDERS
23				3	18N	24W	SANDERS
24				4	18N	24W	SANDERS
25				5	18N	24W	SANDERS
26				6	18N	24W	SANDERS
27				9	18N	24W	SANDERS
28				10	18N	24W	SANDERS
29				30	19N	21W	LAKE
30				30	19N	21W	SANDERS
31				31	19N	21W	LAKE
32				31	19N	21W	SANDERS
33				32	19N	21W	LAKE
34				32	19N	21W	SANDERS
35				1	19N	22W	LAKE
36				1	19N	22W	SANDERS
37				12	19N	22W	LAKE
38				12	19N	22W	SANDERS
39				13	19N	22W	LAKE
40				13	19N	22W	SANDERS
41				23	19N	22W	LAKE
42				23	19N	22W	SANDERS
43				24	19N	22W	LAKE
44				24	19N	22W	SANDERS
45				25	19N	22W	LAKE
46				25	19N	22W	SANDERS
47				31	19N	23W	SANDERS
48				32	19N	23W	SANDERS
49				33	19N	23W	SANDERS
50				35	19N	24W	SANDERS
51				36	19N	24W	SANDERS
52				17	20N	21W	LAKE
53				17	20N	21W	SANDERS
54				18	20N	21W	LAKE
55				18	20N	21W	SANDERS
56				20	20N	21W	SANDERS
57				21	20N	21W	LAKE
58				21	20N	21W	SANDERS
59				28	20N	21W	LAKE
60				28	20N	21W	SANDERS
61				29	20N	21W	LAKE
62				29	20N	21W	SANDERS
63				30	20N	21W	LAKE
64				30	20N	21W	SANDERS
65				31	20N	21W	LAKE
66				31	20N	21W	SANDERS
67				13	20N	22W	LAKE
68				13	20N	22W	SANDERS
69				36	20N	22W	LAKE
70				36	20N	22W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

SEE 30052864 MAP EXHIBIT(S) 1 THROUGH 9.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052865 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 2.60 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN COTTONWOOD CREEK (NENW SEC 4 T20N R24W) (LAT 47° 31' 35.79" N LONG 114° 39' 37.94" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: COTTONWOOD CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENW	4	20N	24W	SANDERS

Period of Diversion:		
JANUARY 1 TO JANUARY 31	Flow Rate:	0.00 CFS
FEBRUARY 1 TO FEBRUARY 28	Flow Rate:	0.80 CFS
MARCH 1 TO MARCH 31	Flow Rate:	0.70 CFS
APRIL 1 TO APRIL 30	Flow Rate:	2.60 CFS
MAY 1 TO MAY 31	Flow Rate:	1.80 CFS
JUNE 1 TO JUNE 30	Flow Rate:	1.00 CFS
JULY 1 TO JULY 31	Flow Rate:	0.00 CFS
AUGUST 1 TO AUGUST 31	Flow Rate:	0.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	Flow Rate:	0.00 CFS
OCTOBER 1 TO OCTOBER 31	Flow Rate:	0.00 CFS
NOVEMBER 1 TO NOVEMBER 30	Flow Rate:	0.00 CFS
DECEMBER 1 TO DECEMBER 31	Flow Rate:	0.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	20N	24W	SANDERS
2				28	21N	24W	SANDERS
3				33	21N	24W	SANDERS
4				34	21N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052865 MAP EXHIBIT(S) 1.

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052866 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate: 30.90 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE WITHIN BIG CREEK (NESW SEC 21 T22N R19W) (LAT 47° 39' 9.07" N LONG 114° 2' 19.11" W). THE ADMINISTRATION POINT SHALL BE ADDED TO THIS WATER RIGHT UPON COMPLETION OF THE PROCESS SET FORTH IN ARTICLE III.C.1.d.iii OF THE WATER RIGHTS COMPACT.

Maximum Volume:

Source Name: BIG CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NESW	21	22N	19W	LAKE

Period of Diversion:	JANUARY 1 TO JANUARY 31	**Flow Rate:**	1.30 CFS
	FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	0.90 CFS
	MARCH 1 TO MARCH 31	**Flow Rate:**	1.80 CFS
	APRIL 1 TO APRIL 30	**Flow Rate:**	5.20 CFS
	MAY 1 TO MAY 31	**Flow Rate:**	19.50 CFS
	JUNE 1 TO JUNE 30	**Flow Rate:**	30.90 CFS
	JULY 1 TO JULY 31	**Flow Rate:**	5.20 CFS
	AUGUST 1 TO AUGUST 31	**Flow Rate:**	3.90 CFS
	SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	2.60 CFS
	OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	1.40 CFS
	NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	1.50 CFS
	DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	1.10 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE ADMINISTRATION POINT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				21	22N	19W	LAKE
2				22	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE AS DETERMINED BY THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION, THAT BODY OF LAWS ENACTED BY BOTH THE STATE AND THE TRIBES TO PROVIDE FOR THE ADMINISTRATION OF SURFACE AND GROUNDWATER WITHIN THE RESERVATION AS WELL AS THOSE WATERS THAT APPERTAIN TO THE OPERATION AND MAINTENANCE OF THE FIIP THAT HAVE BEEN DIVERTED OR TRANSPORTED ONTO THE RESERVATION FOR FIIP PURPOSES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

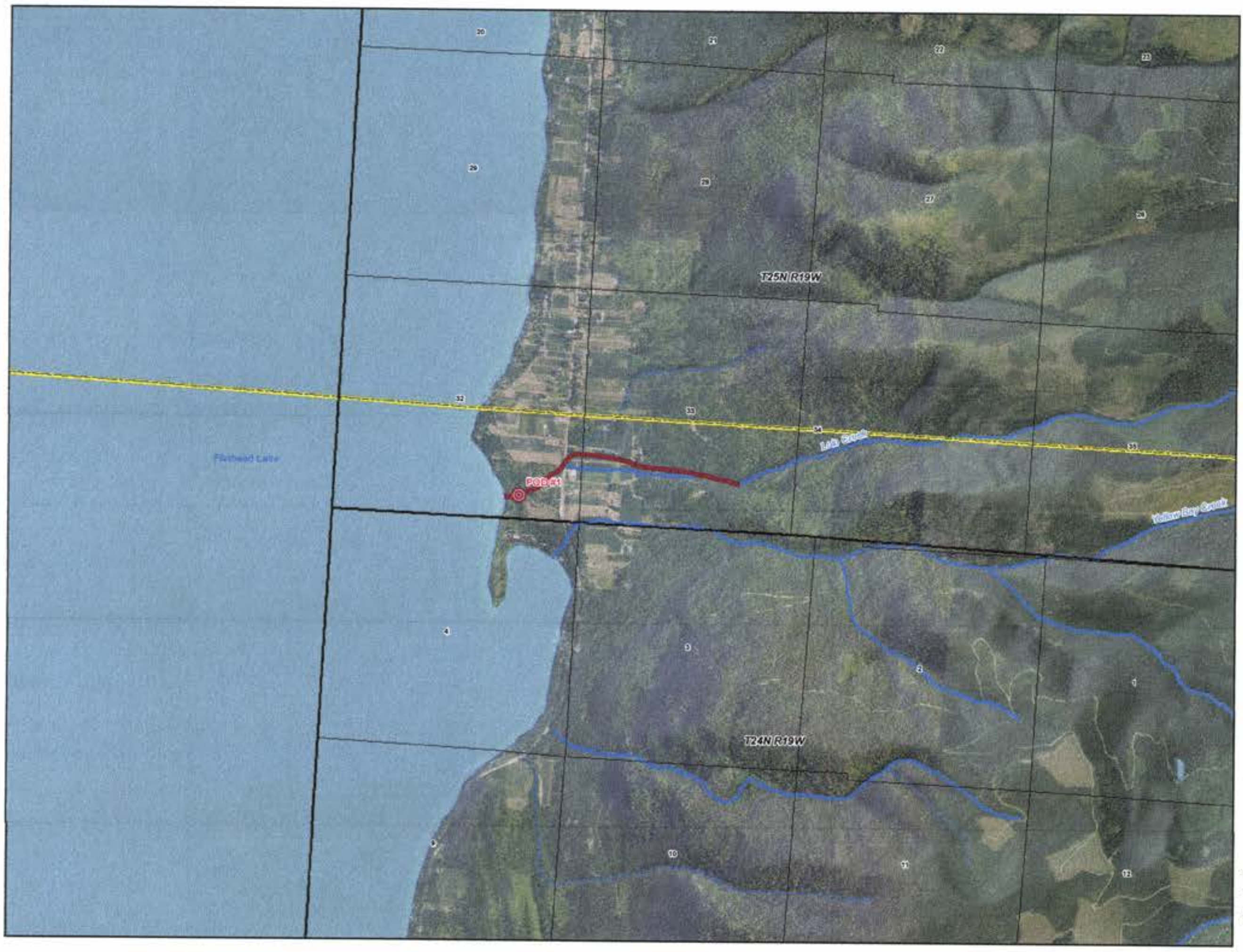
THIS IS A NONCONSUMPTIVE INSTREAM FLOW WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

SEE 30052866 MAP EXHIBIT(S) 1.

PURSUANT TO ARTICLE III.C.1.D.III OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA, THE TRIBES HAVE AN INSTREAM FLOW RIGHT FOR THE STREAM REACH IDENTIFIED IN THIS ABSTRACT. THE TRIBES SHALL DEFER THE ENFORCEMENT OF THIS RIGHT UNTIL AN ENFORCEABLE FLOW SCHEDULE FOR THAT RIGHT HAS BEEN ESTABLISHED PURSUANT TO THE PROCESS SET FORTH IN THE LAW OF ADMINISTRATION FOR THE DEVELOPMENT OF SUCH ENFORCEABLE SCHEDULE, WHICH CANNOT OCCUR UNTIL AFTER THE WATER COURT HAS ISSUED ITS FINAL DECREE FOR THE BASIN IN WHICH THIS WATER RIGHT IS LOCATED.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

App.x #12
70 pages


20
21
22
23
29
28
27
26
T25N R19W
32
33
34
35
Flathead Lake
POD #1
Yellow Bay Creek
4
3
2
1
T24N R19W
9
10
11
12

Place of Use
and Point of
Diversion
Instream Flow
Other Sites
76LJ
30052818
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee

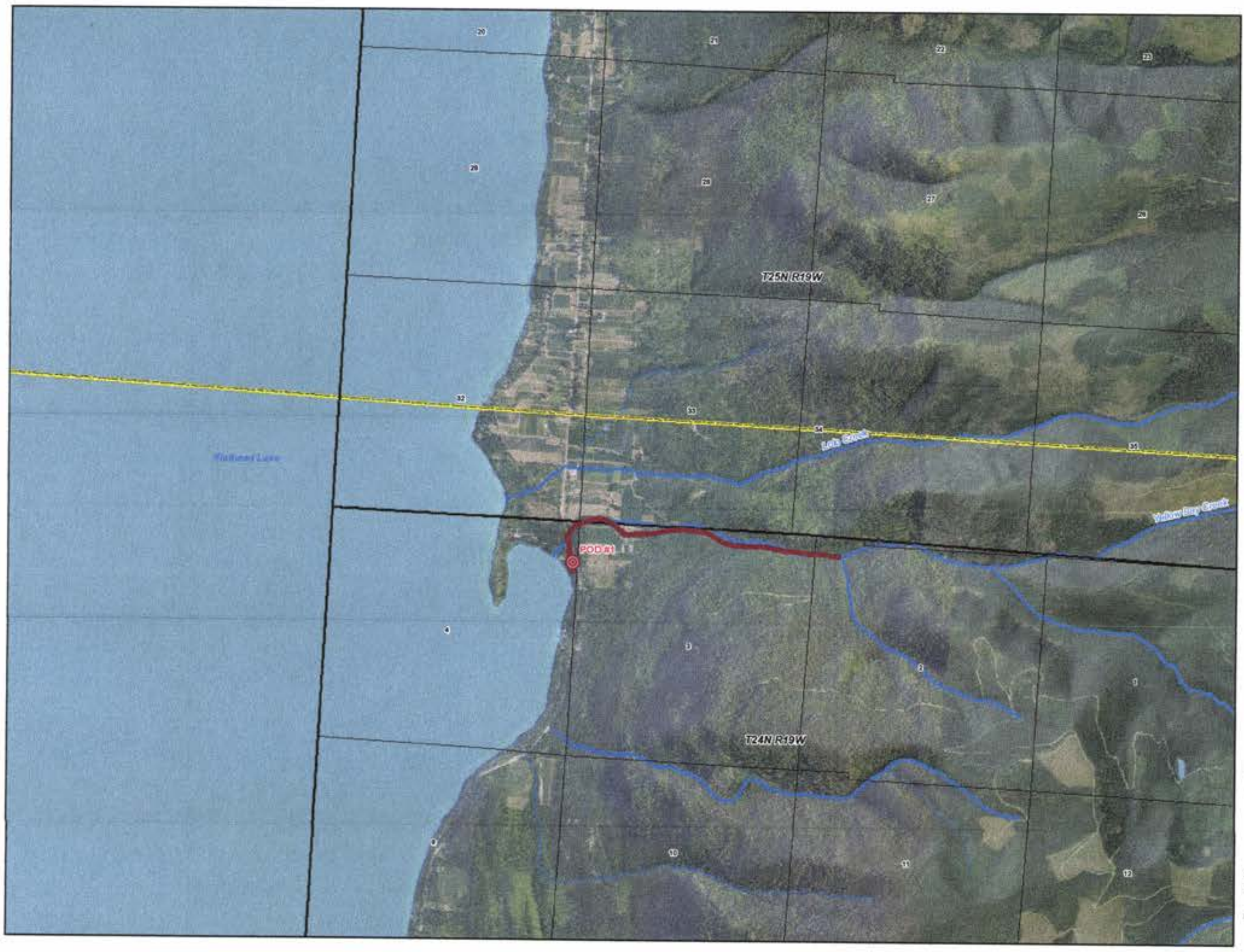
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


20
21
22
23
29
28
27
26
T25N R19W
32
33
34
35
Flathead Lake
Lola Creek
Yellow Bay Creek
POD #1
4
3
2
1
T24N R19W
9
10
11
12

Place of Use and Point of Diversion
Instream Flow Other Sites
76LJ
30052819
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

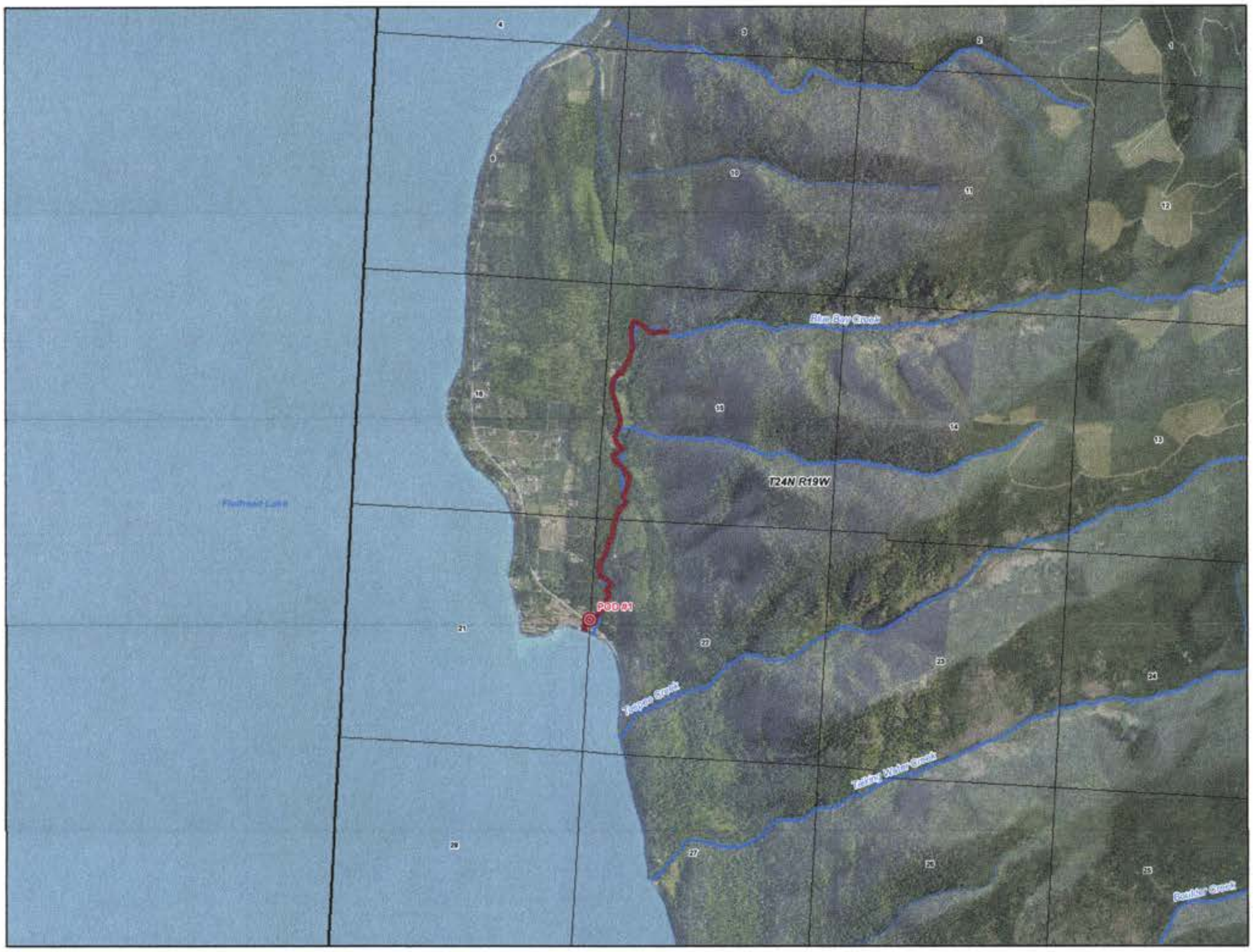
Flathead Indian Reservation

Legend

- Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


4
3
2
1
9
10
11
12
Blue Bay Creek
16
15
14
13
Flathead Lake
T24N R19W
POD #1
21
22
23
24
Talking Water Creek
28
27
26
25
Boulder Creek

Place of Use and Point of Diversion
Instream Flow Other Sites
76LJ
30052820
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

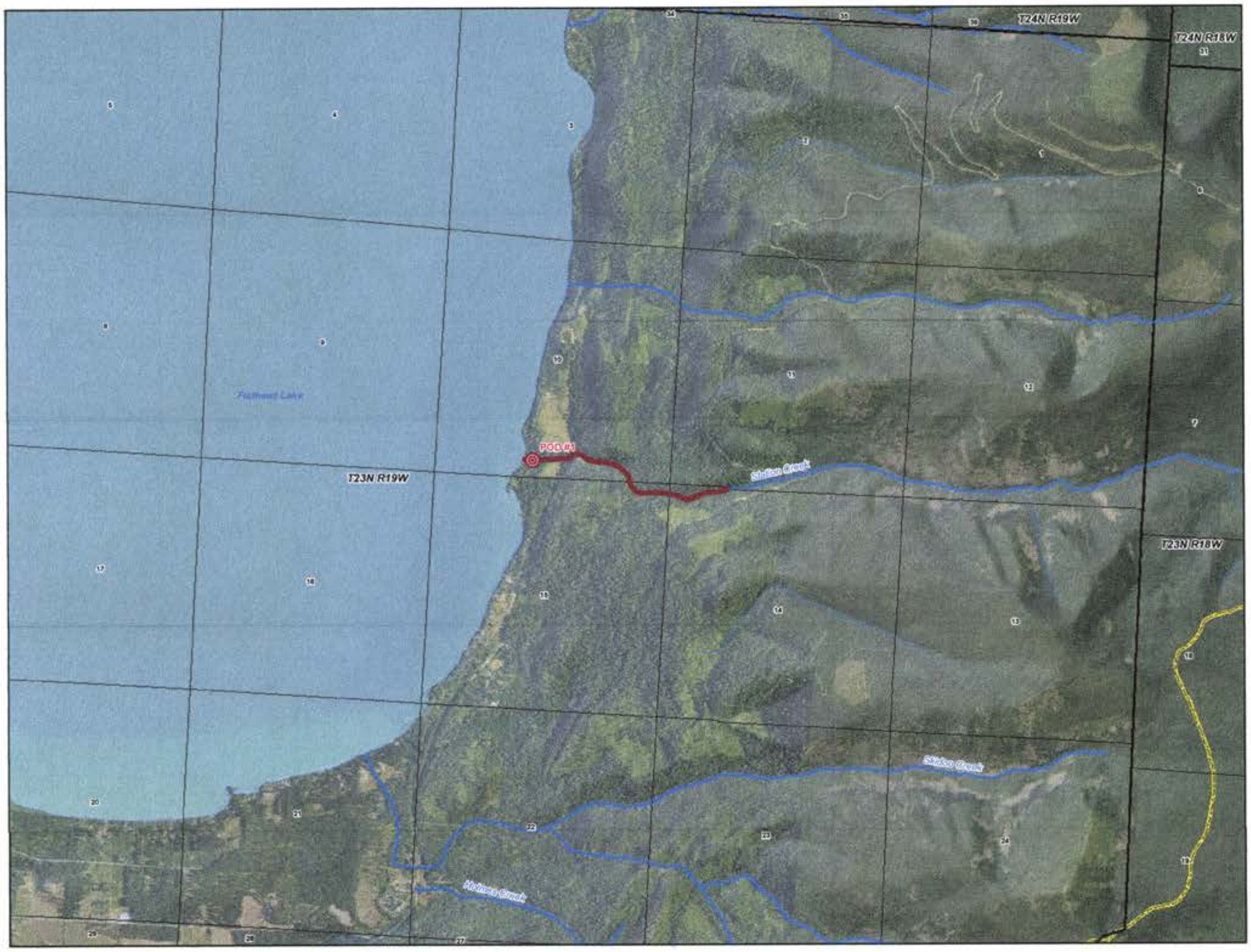
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T24N R19W
T24N R18W
34
35
36
31
5
4
3
2
1
6
8
9
10
11
12
7
Flathead Lake
POD #1
T23N R19W
Station Creek
T23N R18W
17
16
15
14
13
18
20
21
22
23
24
19
Skidoo Creek
Holmes Creek
29
28
27

Place of Use
and Point of
Diversion
Instream Flow
Other Sites
76LJ
30052821
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

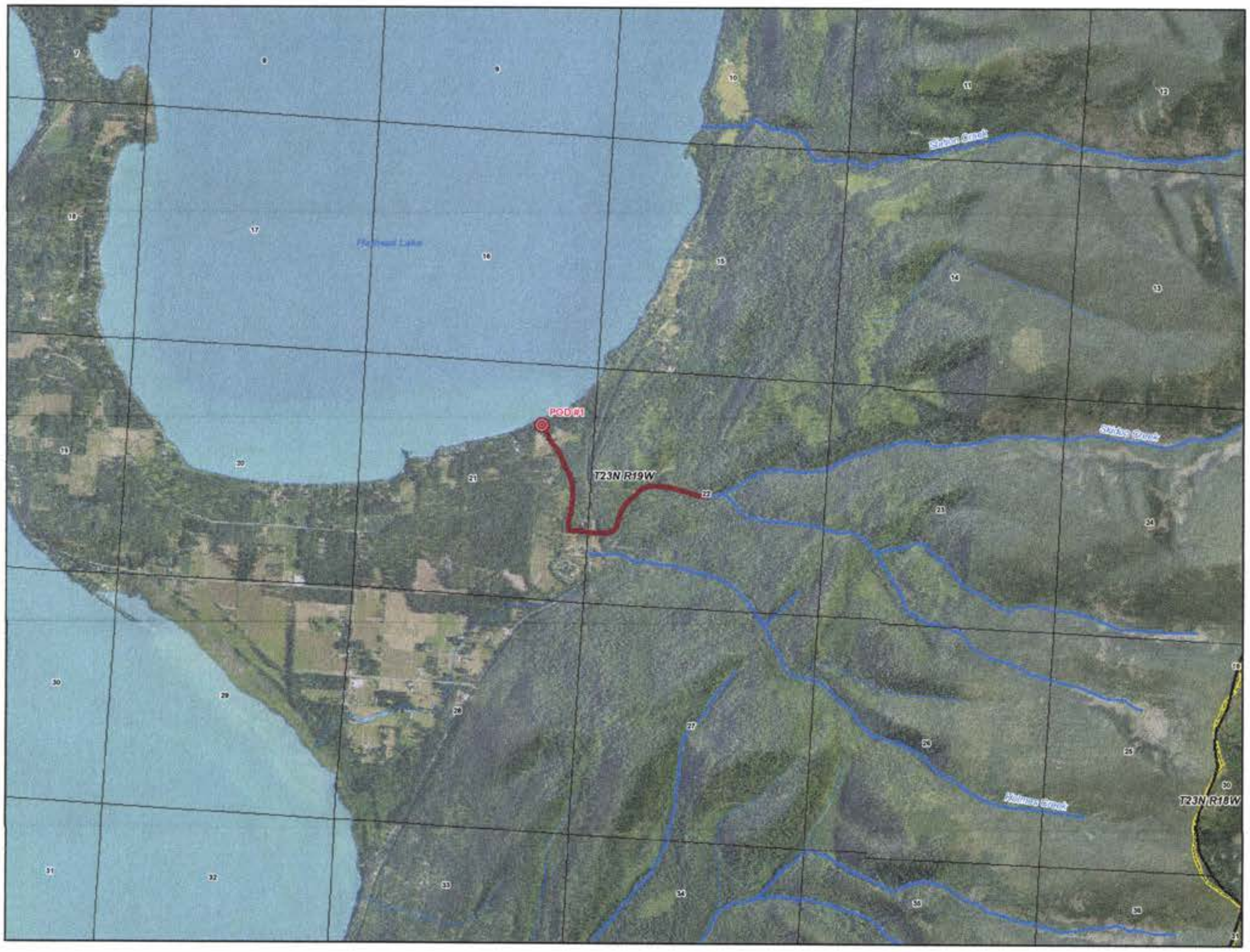
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
⬚	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Flathead Lake
POD #1
T23N R19W
Holmes Creek
T23N R18W

Place of Use and Point of Diversion

Instream Flow Other Sites

76LJ 30052822

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

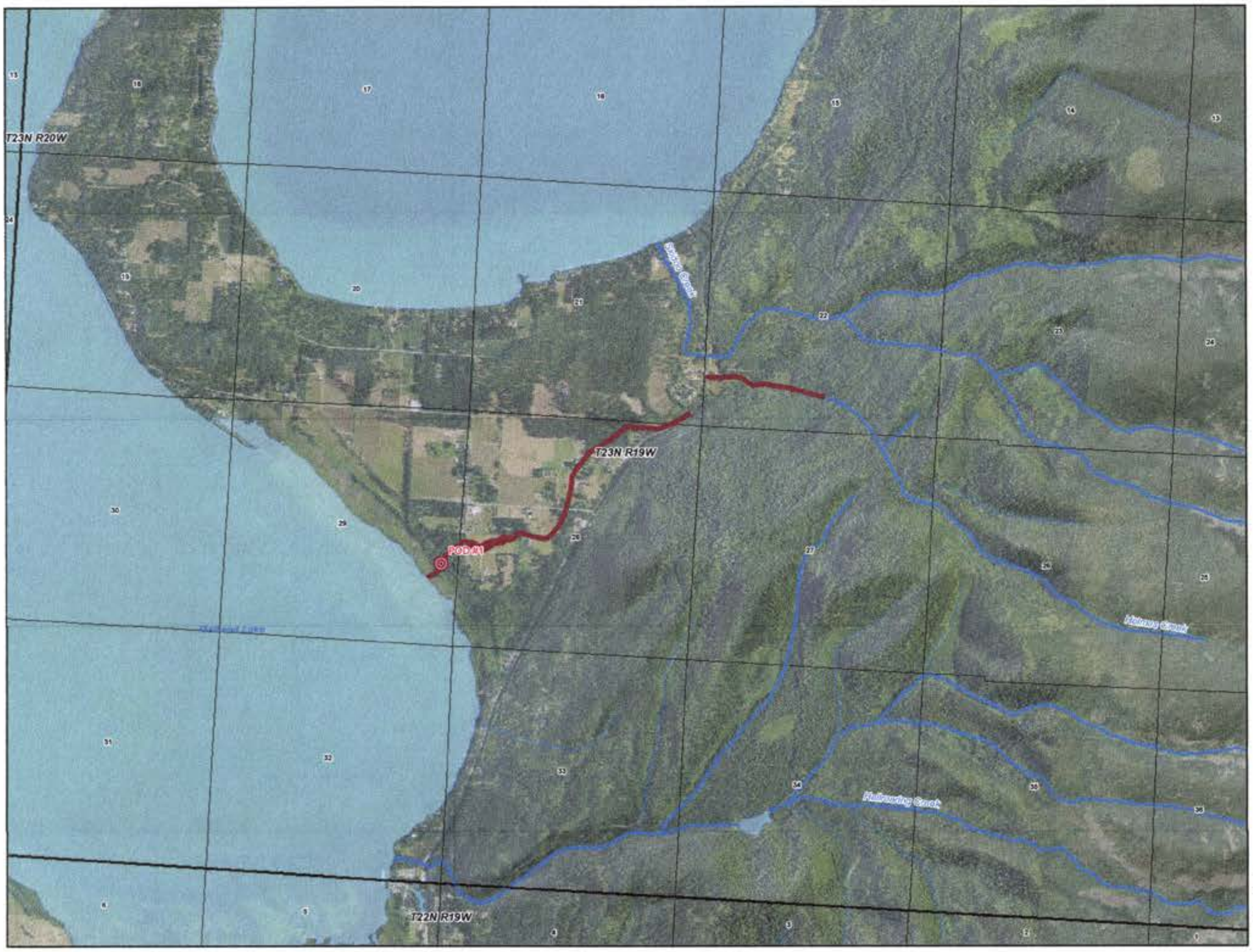
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R20W
T23N R19W
POD #1
Flathead Lake
Hellroaring Creek
T22N R19W

Place of Use and Point of Diversion

Instream Flow
Other Sites

76LJ
30052823
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

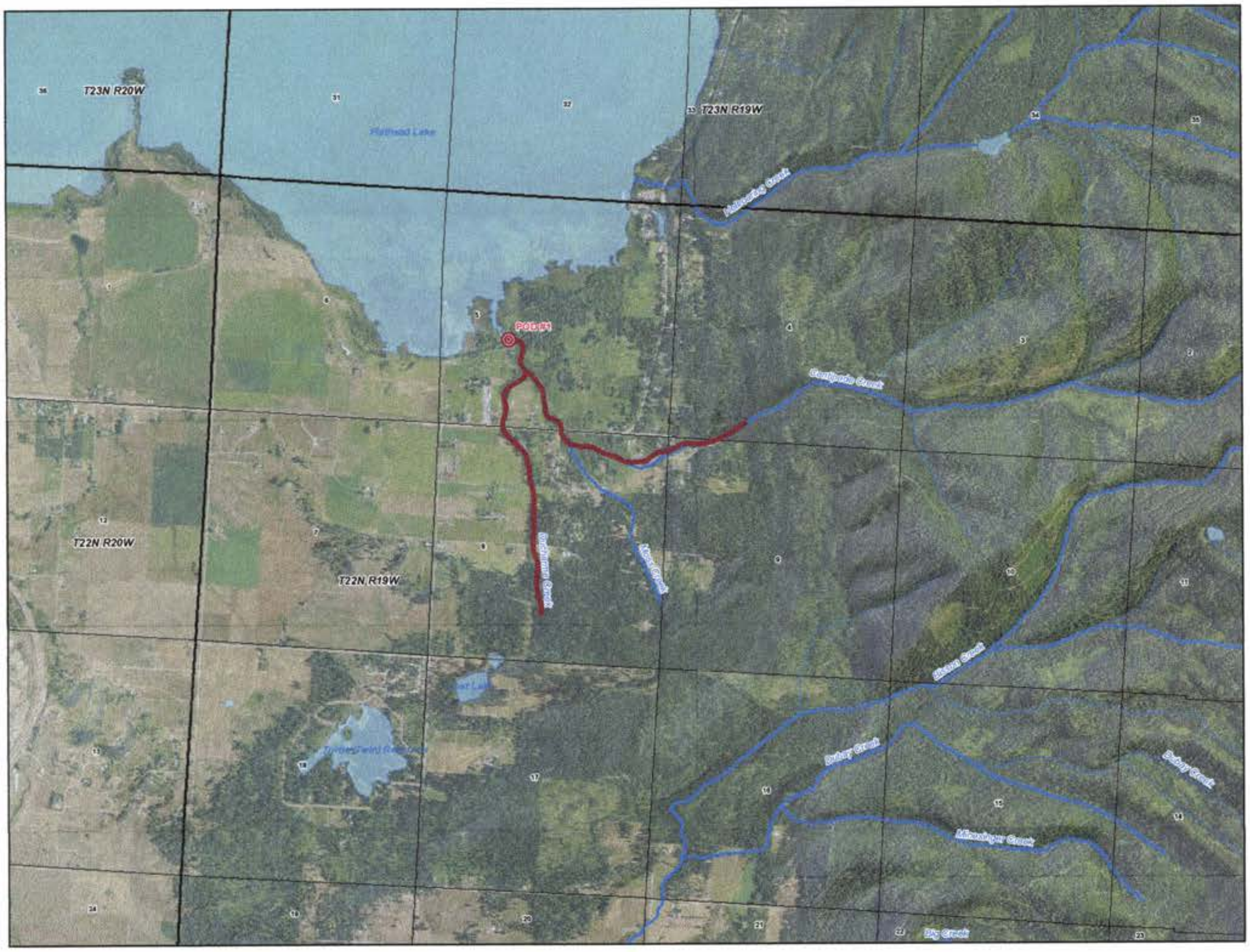
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T23N R20W
T23N R19W
T22N R20W
T22N R19W
Flathead Lake
POD #1
Hellroaring Creek
Dubay Creek
Bisson Creek
Dubay Creek
Big Creek

Place of Use and Point of Diversion

Instream Flow Other Sites

76LJ 30052824

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

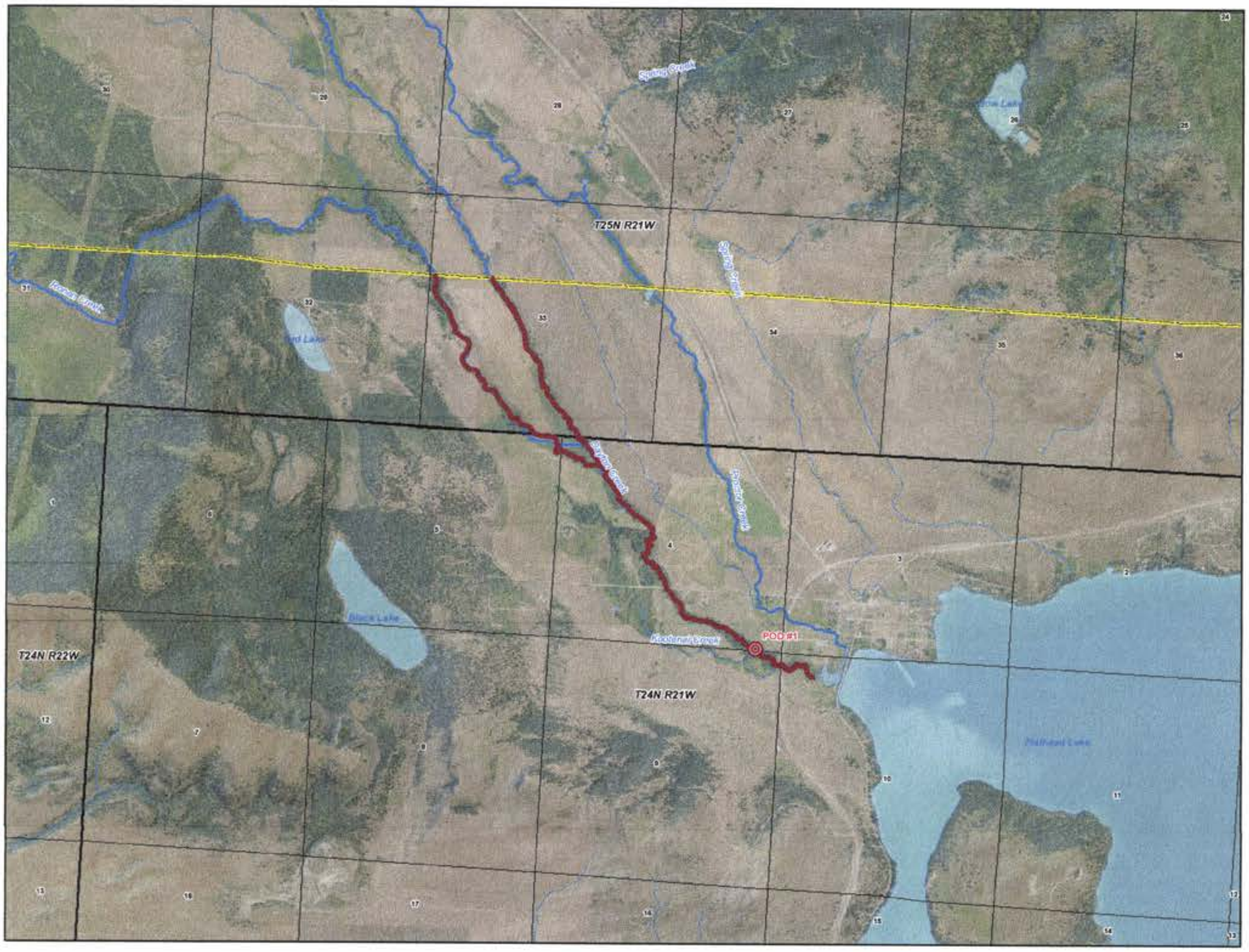
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Spring Creek
T25N R21W
Spring Creek
Dayton Creek
Proctor Creek
Black Lake
Kootenai Creek
POD #1
T24N R22W
T24N R21W
Flathead Lake

Place of Use and Point of Diversion

Instream Flow

Other Sites

76LJ

30052825

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

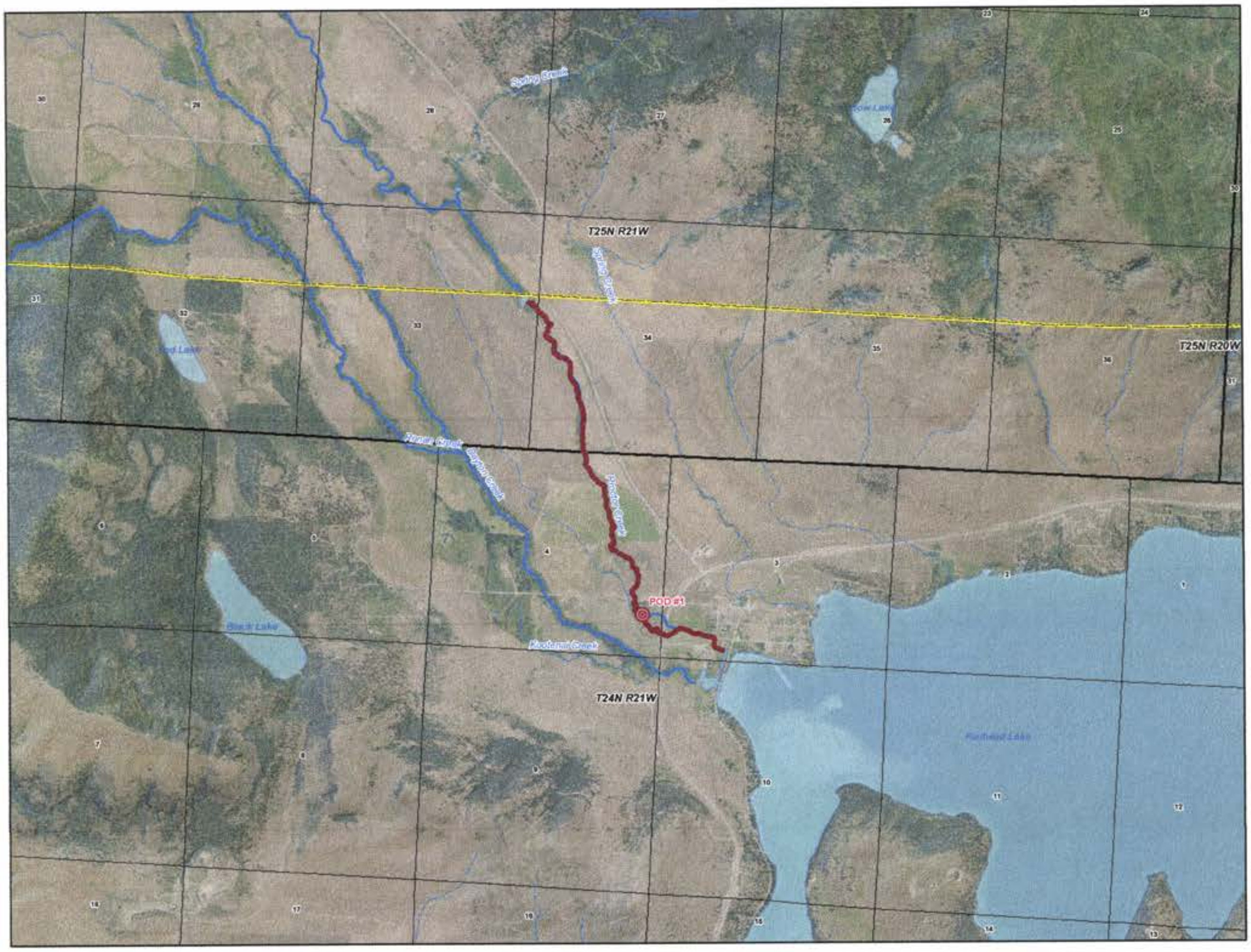
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Spring Creek
T25N R21W
T25N R20W
Dayton Creek
POD #1
T24N R21W
Flathead Lake

Place of Use and Point of Diversion

Instream Flow

Other Sites

76LJ

30052826

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

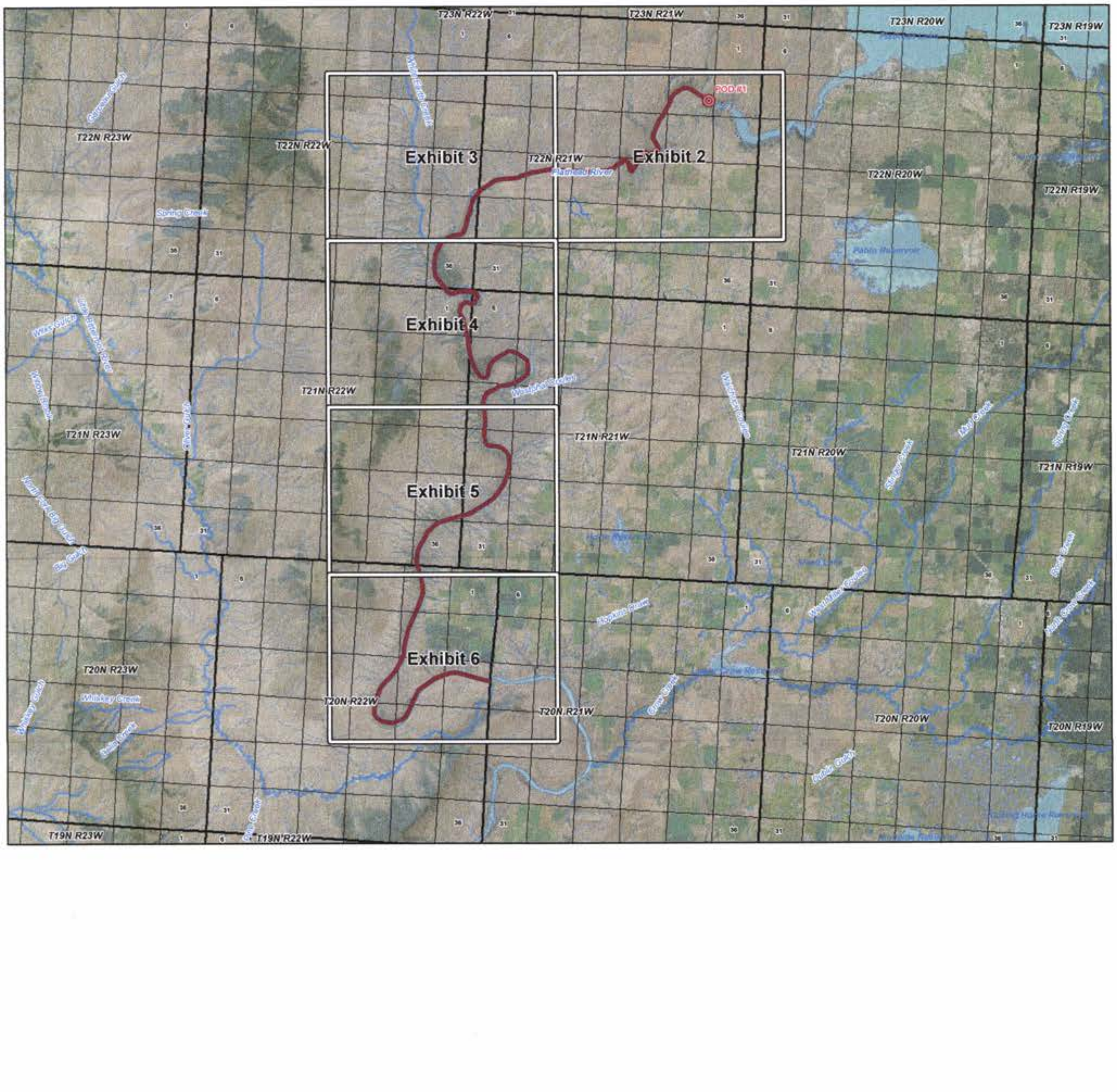
▬ Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T23N R22W
T23N R21W
T23N R20W
T23N R19W
POD #1
Exhibit 3
Exhibit 2
T22N R23W
T22N R22W
T22N R21W
T22N R20W
T22N R19W
Flathead River
Spring Creek
Pablo Reservoir
Exhibit 4
T21N R22W
T21N R23W
T21N R21W
T21N R20W
T21N R19W
Exhibit 5
Exhibit 6
T20N R23W
T20N R22W
T20N R21W
T20N R20W
T20N R19W
Whiskey Creek
T19N R23W
T19N R22W

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052827

Exhibit 1

Hot Springs
Polson
Pablo
3 4 2
5
6
St. Ignatius
Arlee
Area of Interest

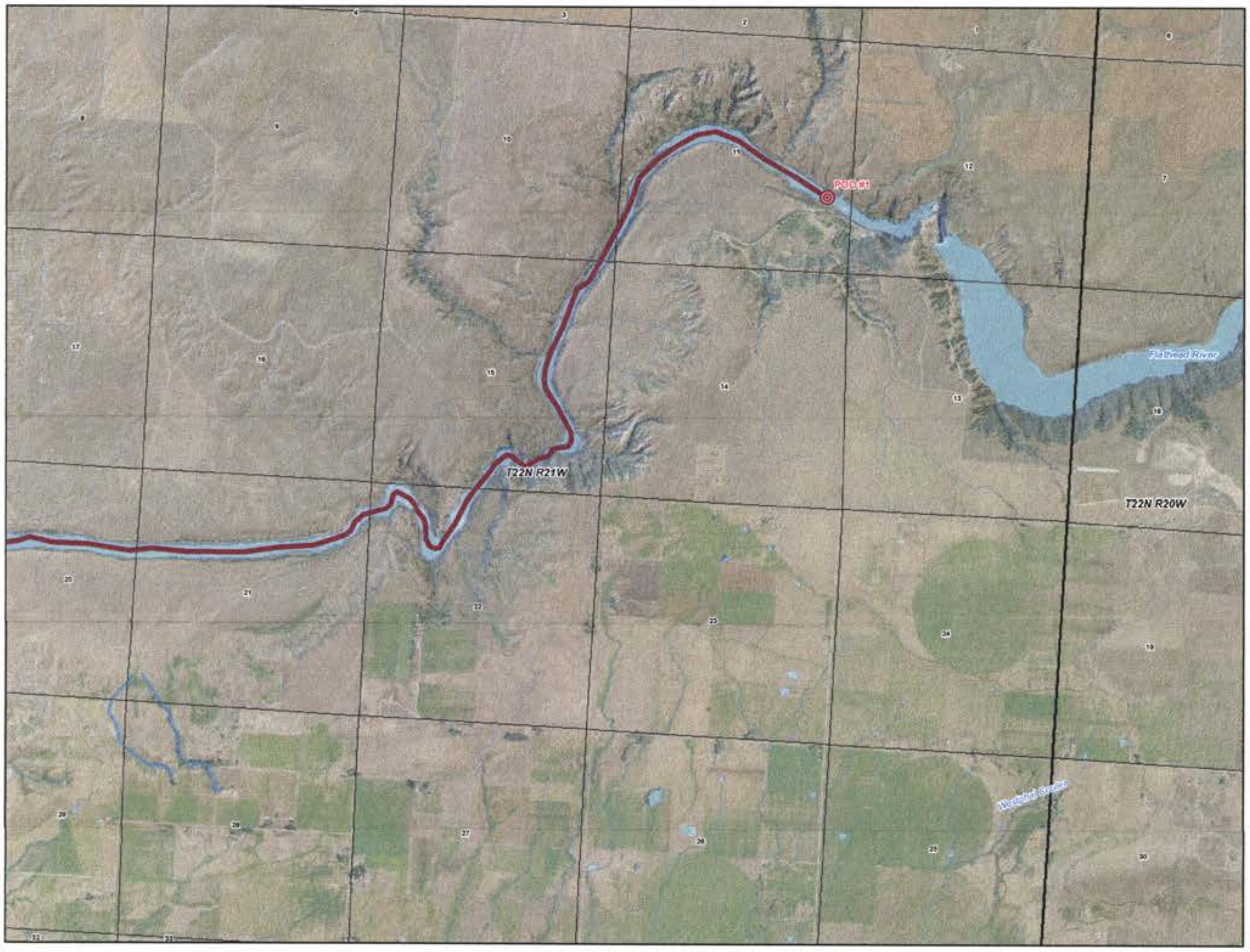
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
☐ Reservation Boundary

0 1 2 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


4
3
2
1
6
8
9
10
11
12
7
POD #1
17
16
15
14
13
18
Flathead River
T22N R21W
T22N R20W
20
21
22
23
24
19
29
28
27
26
25
30
32
33

Place of Use and Point of Diversion *Instream Flow Other Sites*

76L 30052827

Exhibit 2

Hot Springs
Polson
Pablo
2
3
4
5
6
St. Ignatius
Arlee
Area of Interest

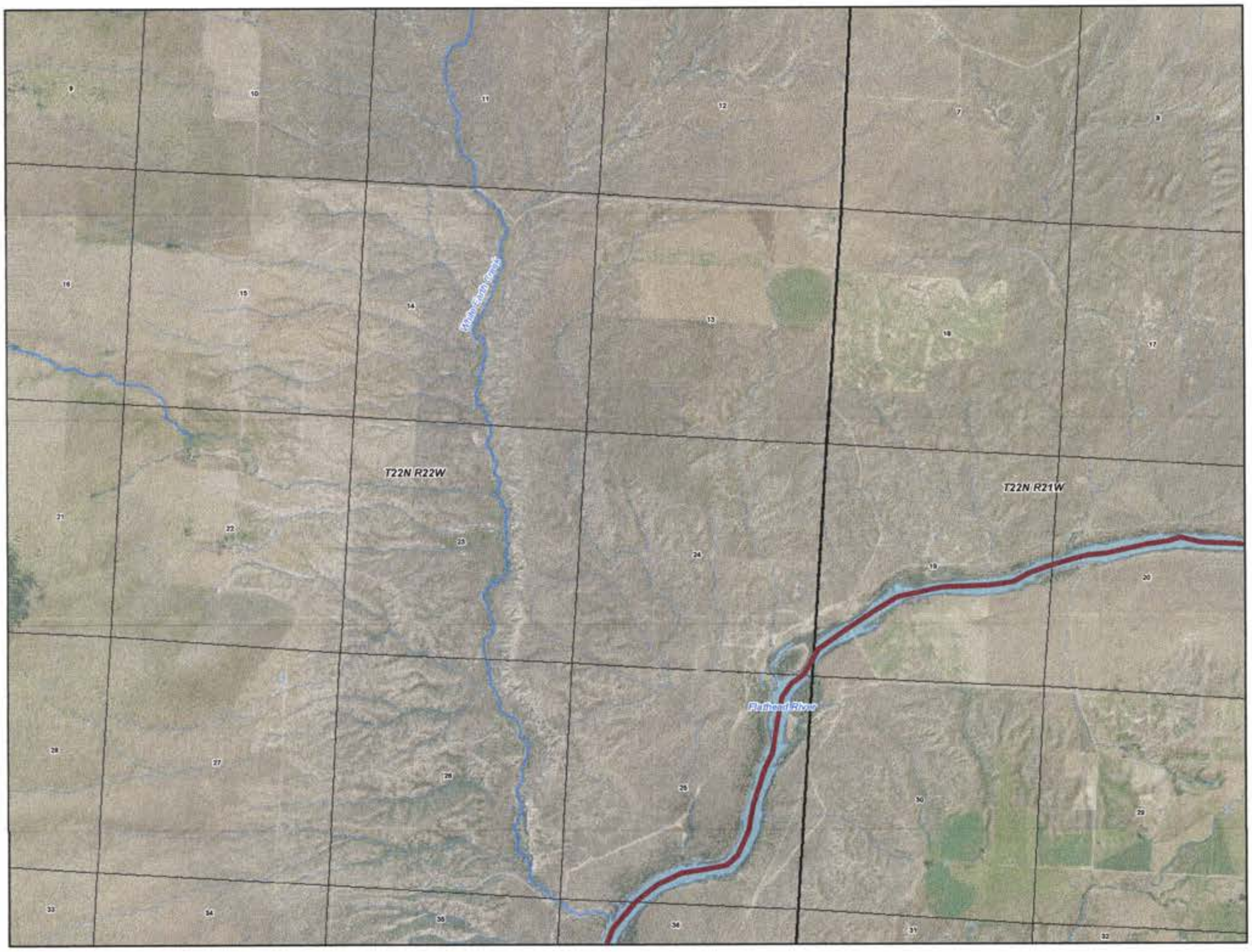
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


9
10
11
12
7
8
16
15
14
White Earth Creek
13
18
17
T22N R22W
T22N R21W
21
22
23
24
19
20
Flathead River
28
27
26
25
30
29
33
34
35
36
31
32

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052827

Exhibit 3

Hot Springs
Polson
Pablo
3
4
1
2
5
6
St. Ignatius
Arlee
Area of Interest

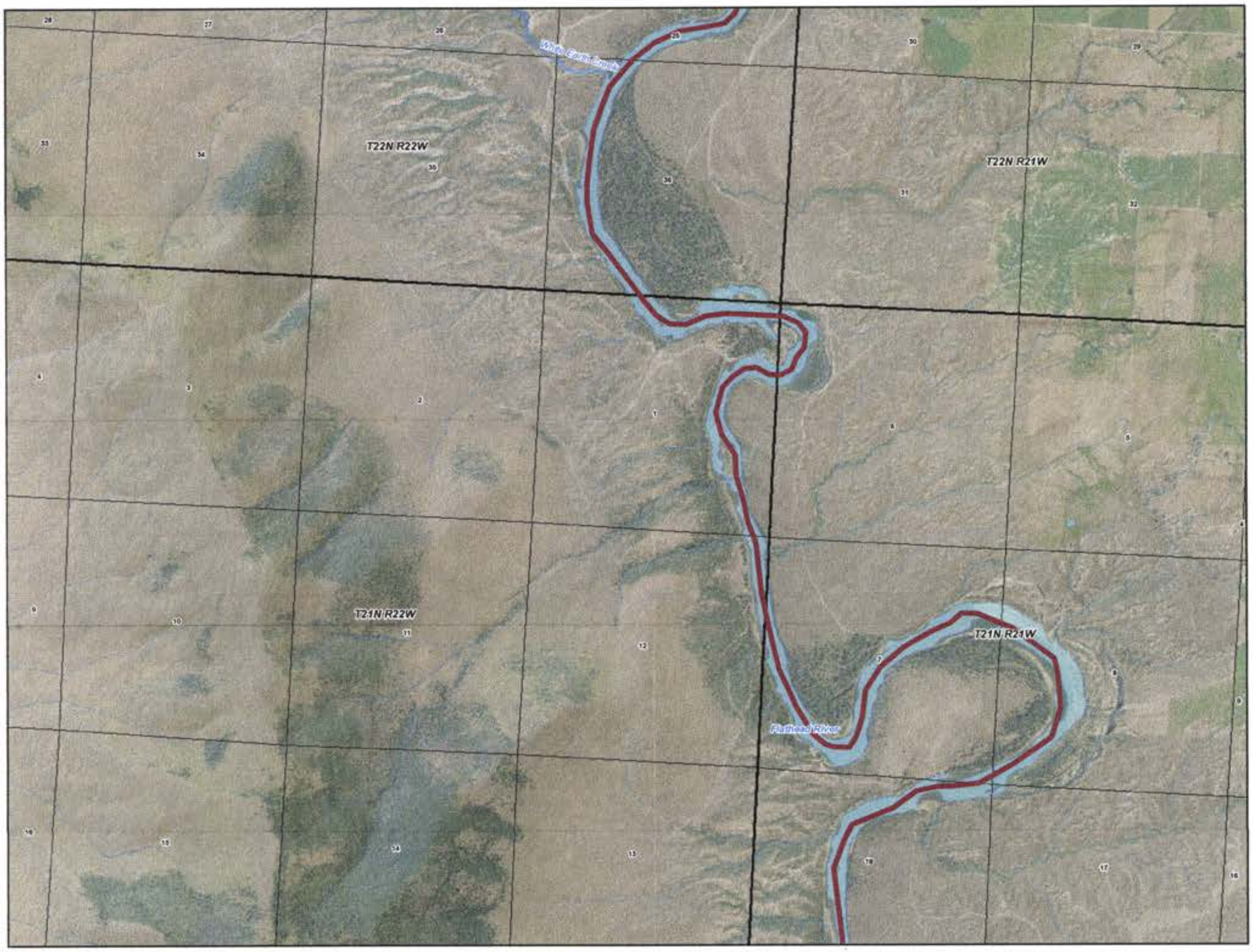
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◉ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


28
27
26
25
30
29
White Earth Creek
33
34
T22N R22W
35
36
T22N R21W
31
32
4
3
2
1
6
5
9
10
T21N R22W
11
12
T21N R21W
7
8
Flathead River
16
15
14
13
18
17
16

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052827

Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
3
4
2
6

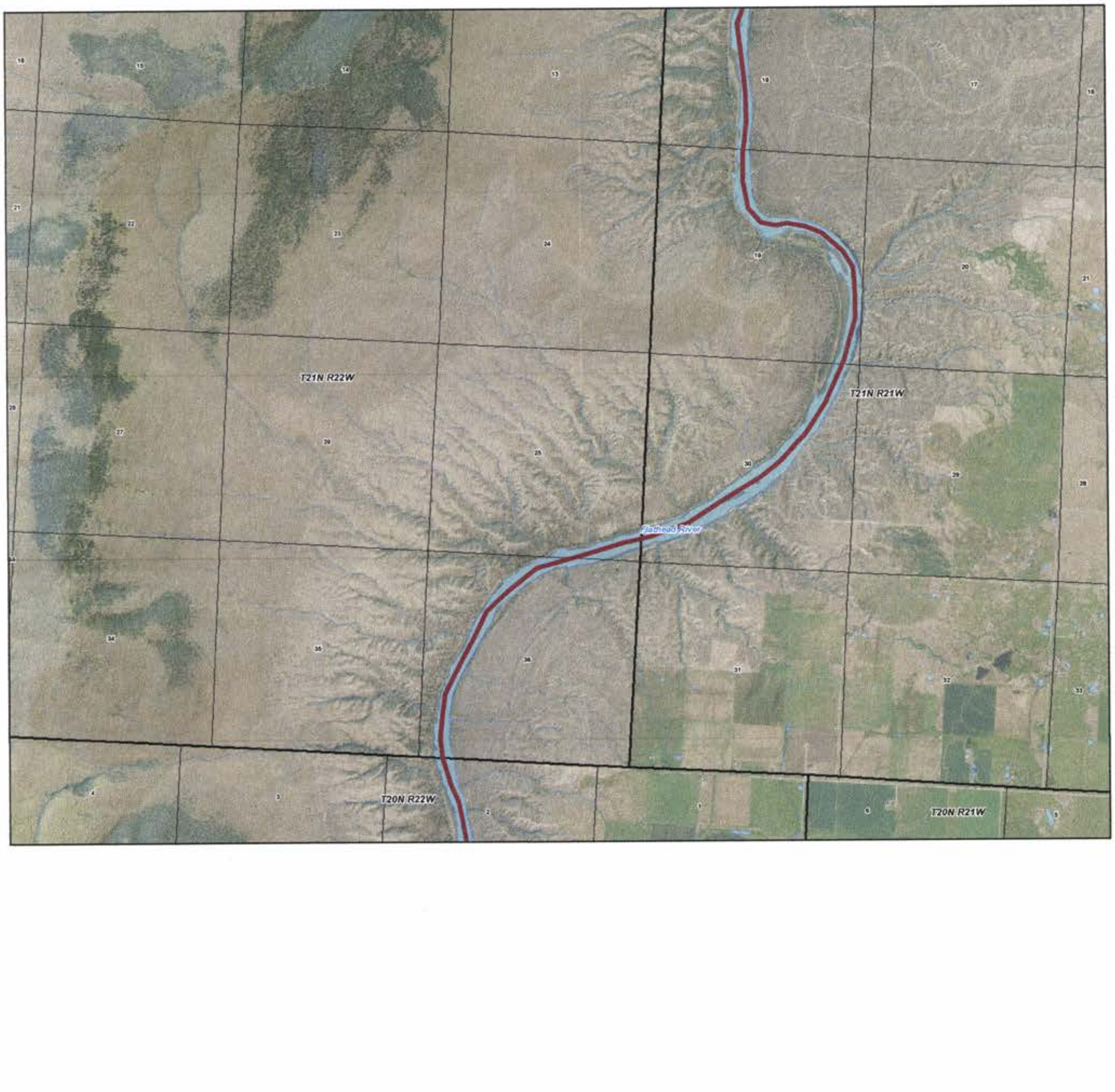
Flathead Indian Reservation

Legend

▬	Place of Use
◉	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


16
15
14
13
18
17
16
21
22
23
24
19
20
21
T21N R22W
T21N R21W
28
27
26
25
30
29
28
Flathead River
34
35
36
31
32
33
4
3
T20N R22W
2
1
6
5
T20N R21W

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052827

Exhibit 5

Area of Interest
Hot Springs
3
4
2
5
Polson
Pablo
St Ignatius
Arlee

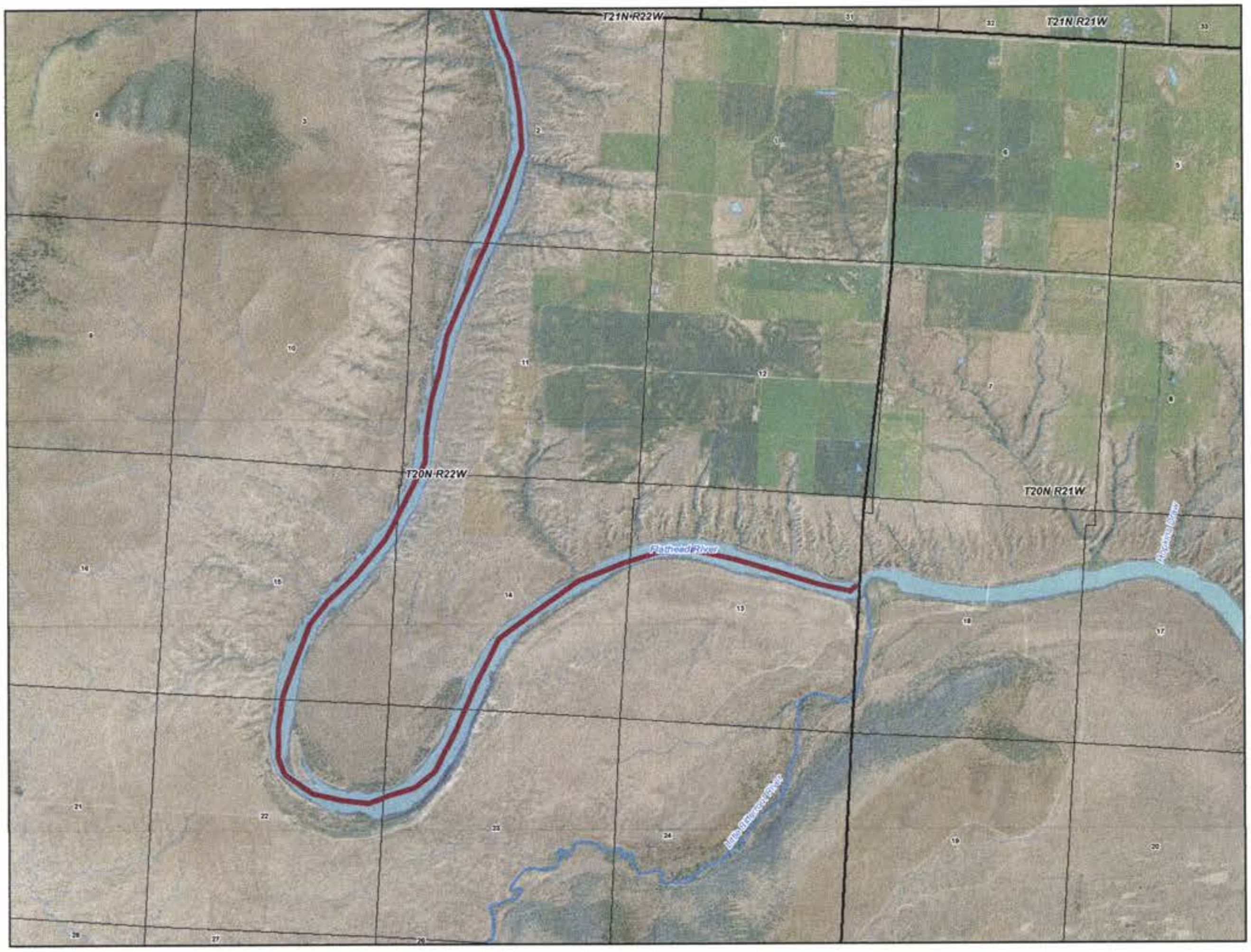
Flathead Indian Reservation

Legend

- Place of Use
- Primary Point(s) of Diversion
- Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R22W
T21N R21W
T20N R22W
T20N R21W
Flathead River
Little Bitterroot River
Flathead River

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052827

Exhibit 6

Hot Springs
Polson
Pablo
3
4
2
5
6
St. Ignatius
Arlee
Area of Interest

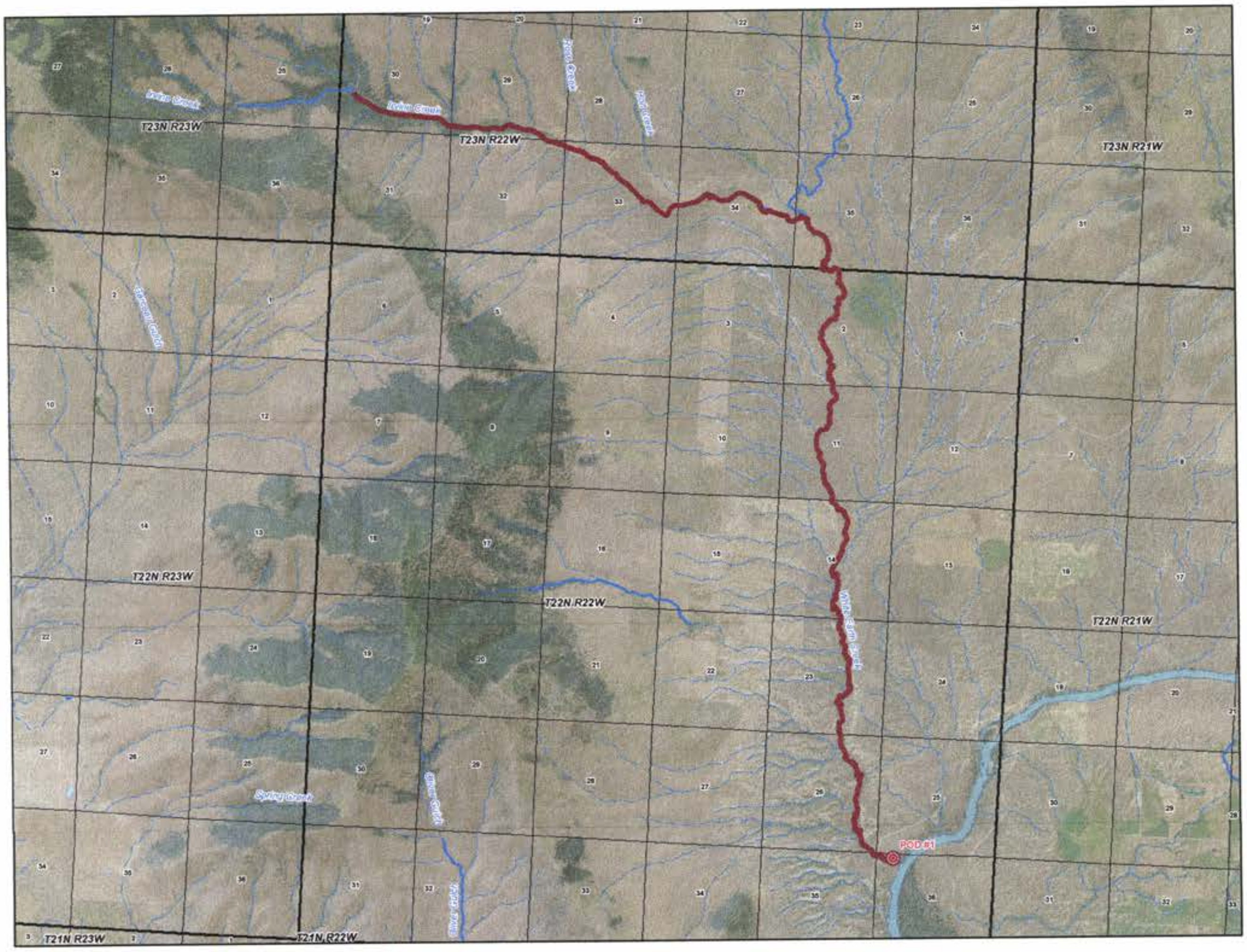
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R23W
T23N R22W
T23N R21W
T22N R23W
T22N R22W
T22N R21W
T21N R23W
T21N R22W
Spring Creek
POD #1

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052828

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

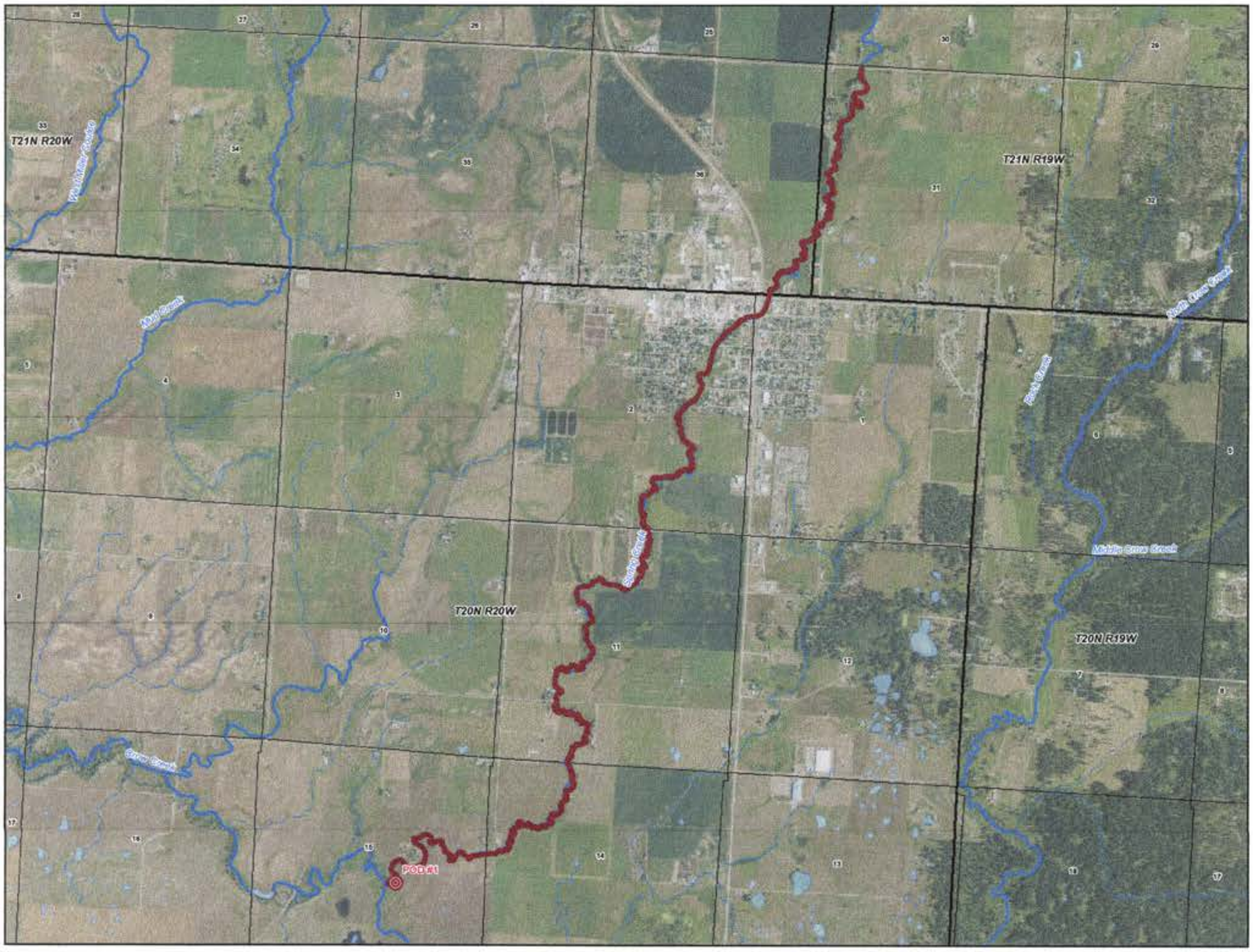
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos;
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R20W
T21N R19W
T20N R20W
T20N R19W
Mud Creek
Spring Creek
Crow Creek
North Crow Creek
Rock Creek
Middle Crow Creek
POD #1

Place of Use and Point of Diversion

Instream Flow

Other Sites

76L

30052829

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

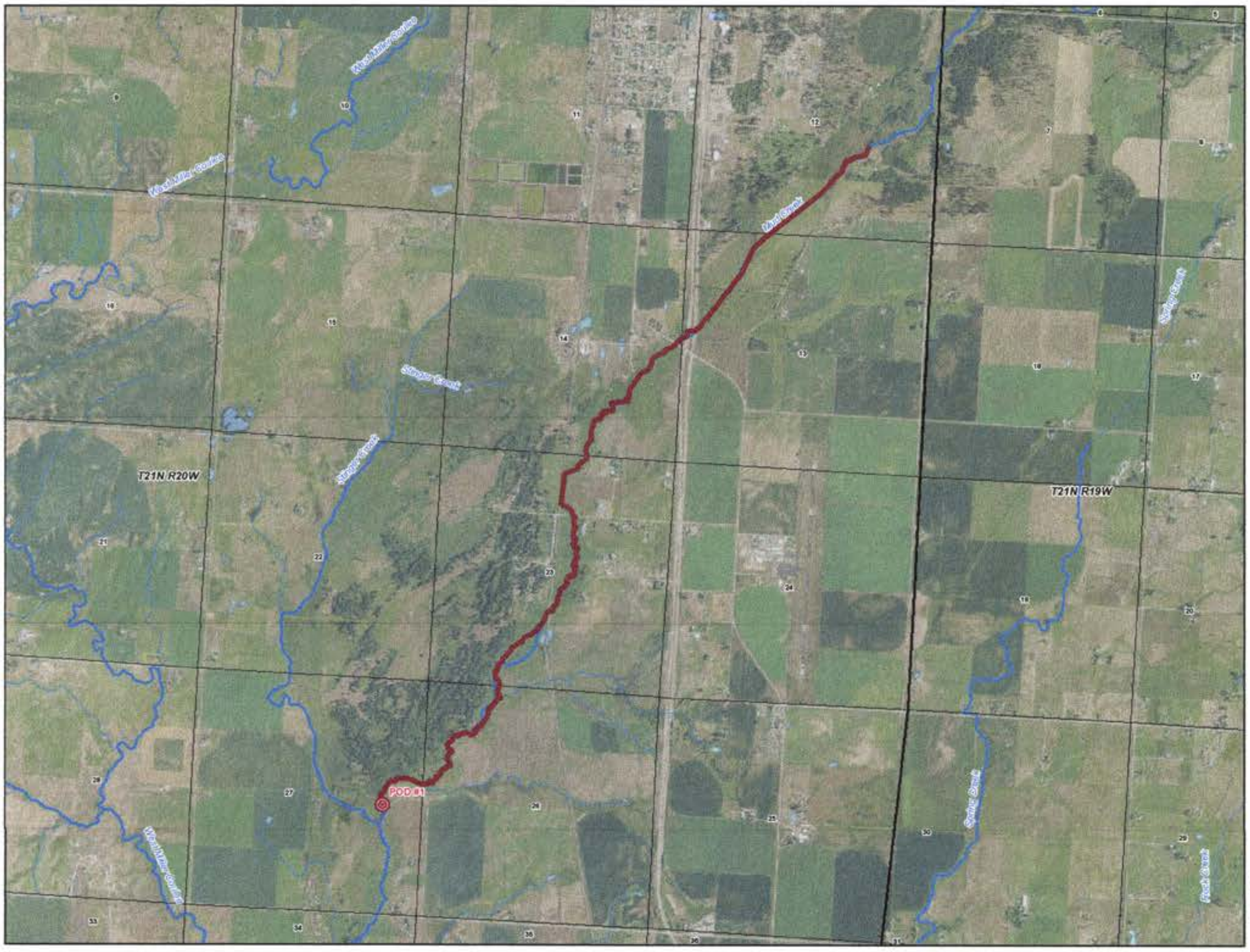
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


9
10
11
12
7
8
Mud Creek
16
15
14
13
18
17
T21N R20W
T21N R19W
21
22
23
24
19
20
28
27
26
25
30
29
POD #1
Spring Creek
Rock Creek
33
34
35
36
31

Place of Use and Point of Diversion

Instream Flow Other Sites

76L
30052830
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

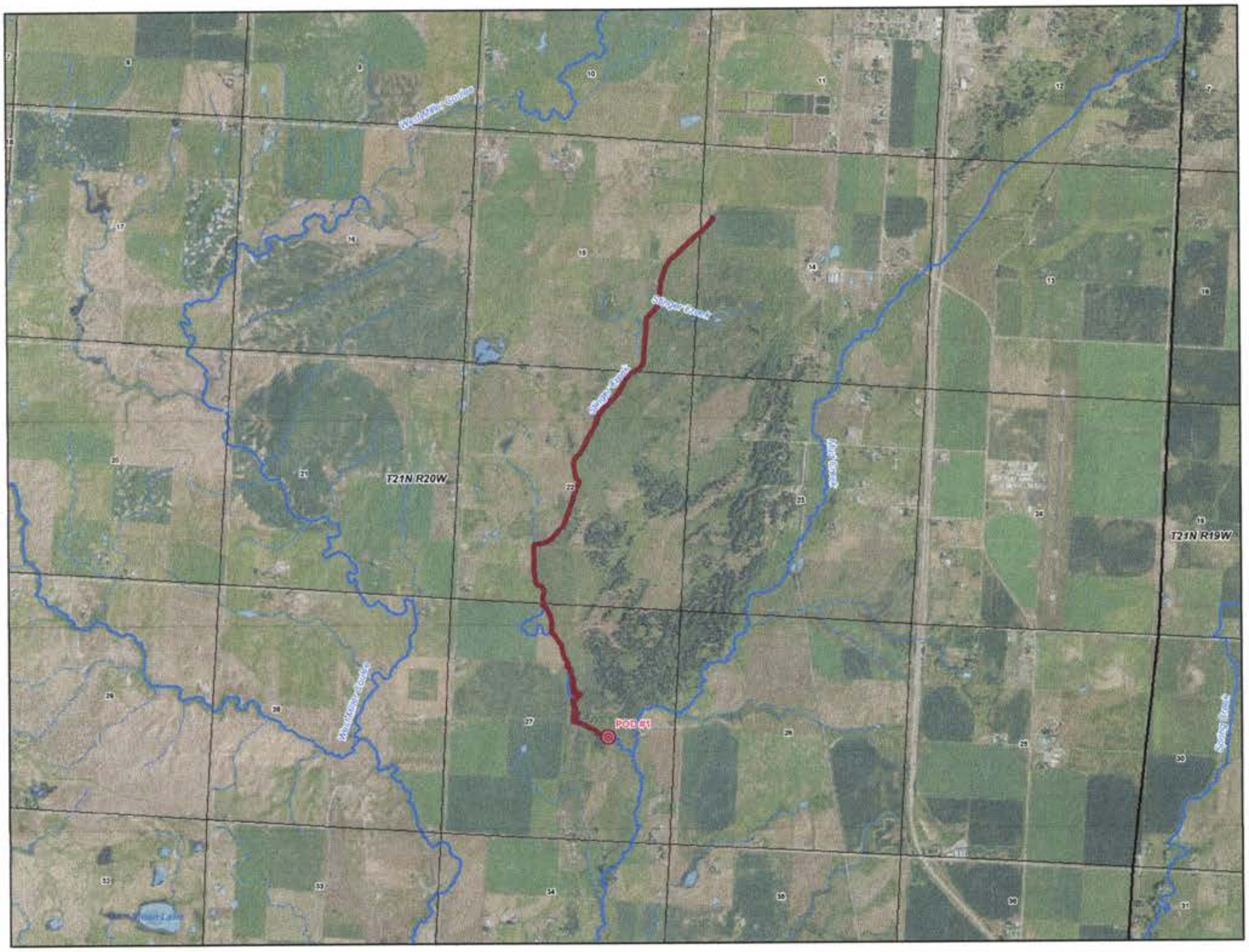
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
T21N R20W
T21N R19W

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052831

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

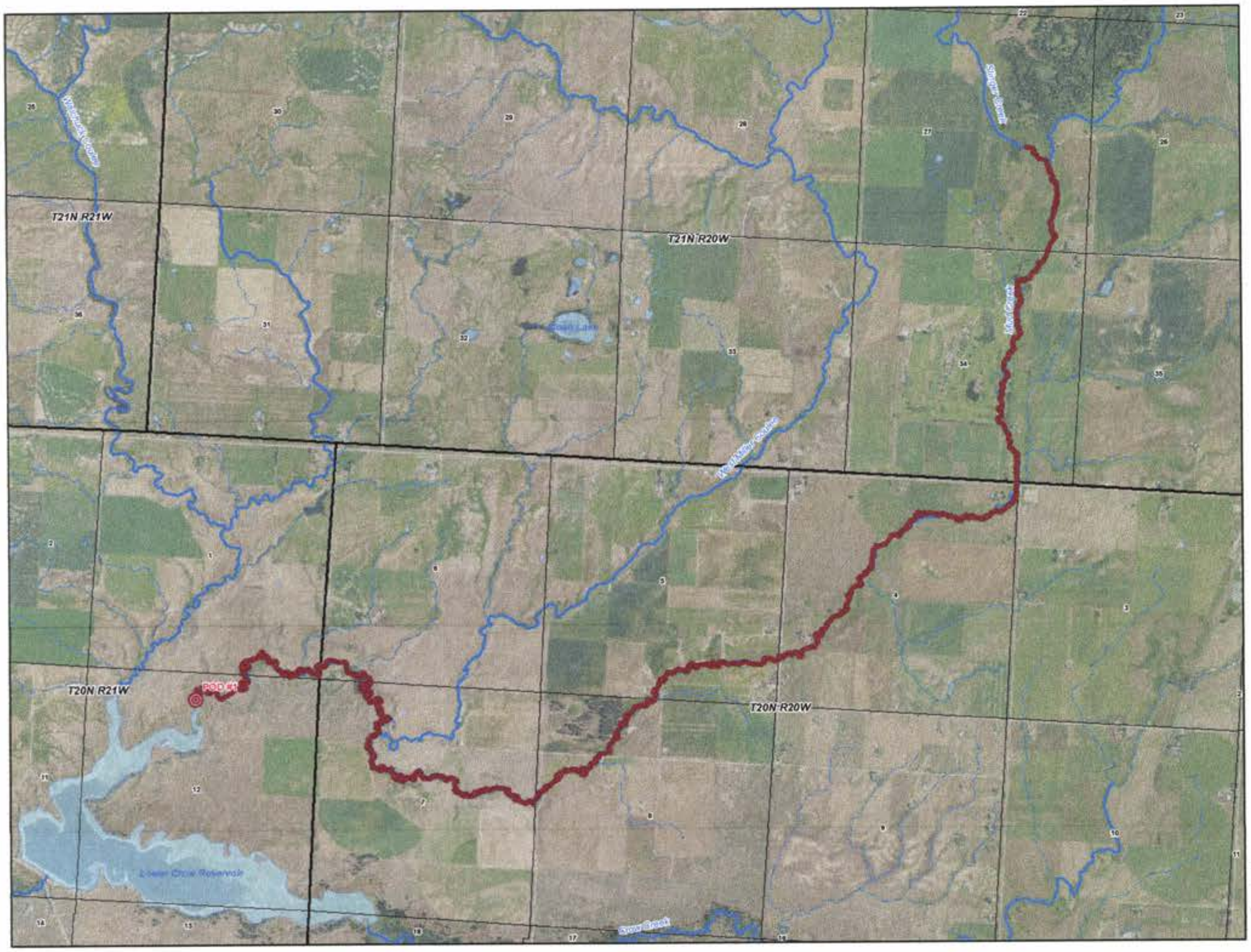
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R21W
T21N R20W
T20N R21W
T20N R20W
Mud Creek
POD #1
Lower Crow Reservoir
Crow Creek

Place of Use
and Point of
Diversion
Instream Flow
Other Sites
76L
30052832
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

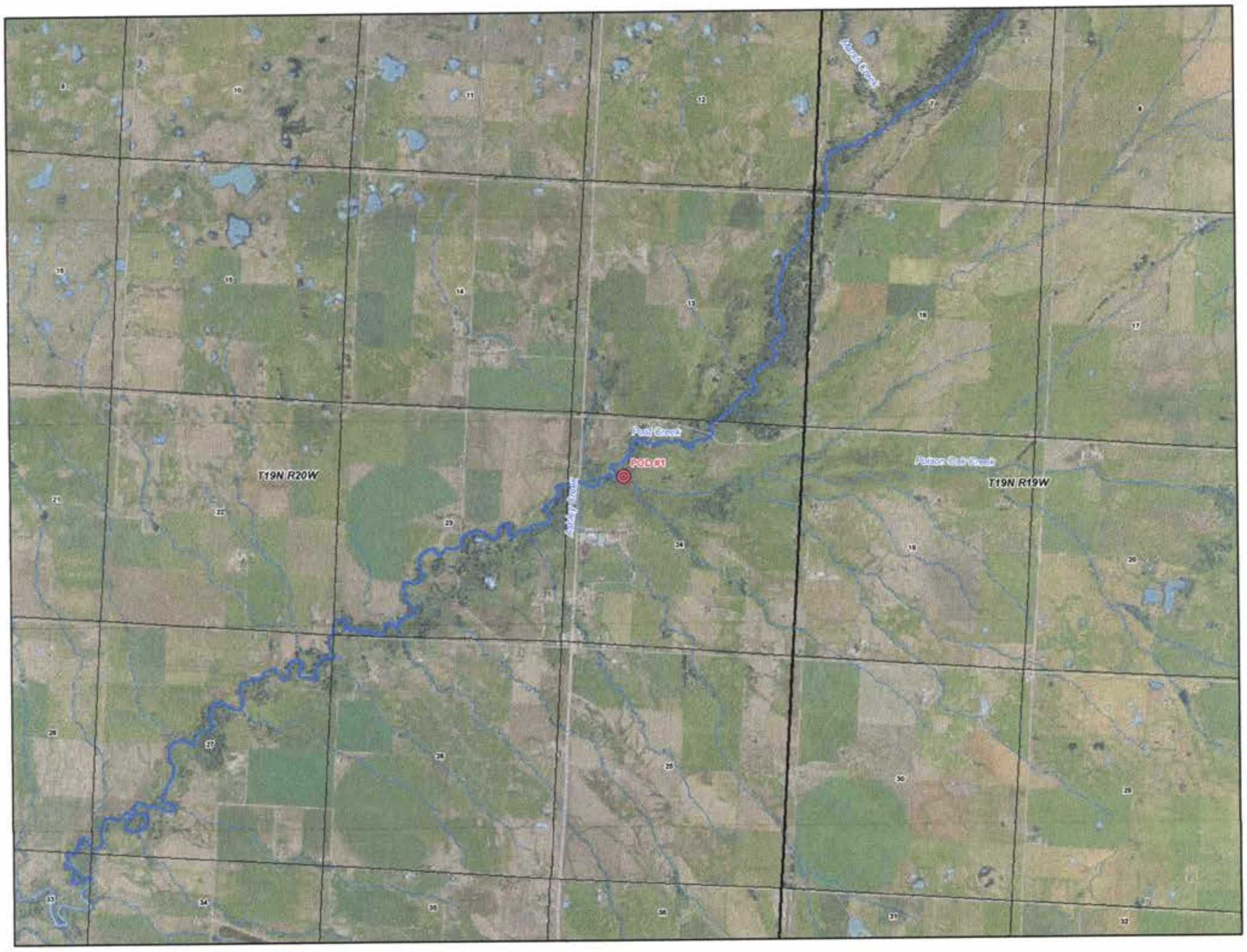
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Ashley Creek
Post Creek
POD #1
Poison Oak Creek
T19N R20W
T19N R19W
9
10
11
12
7
8
16
15
14
13
18
17
21
22
23
24
19
20
28
27
26
25
30
29
33
34
35
36
31
32

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052833

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

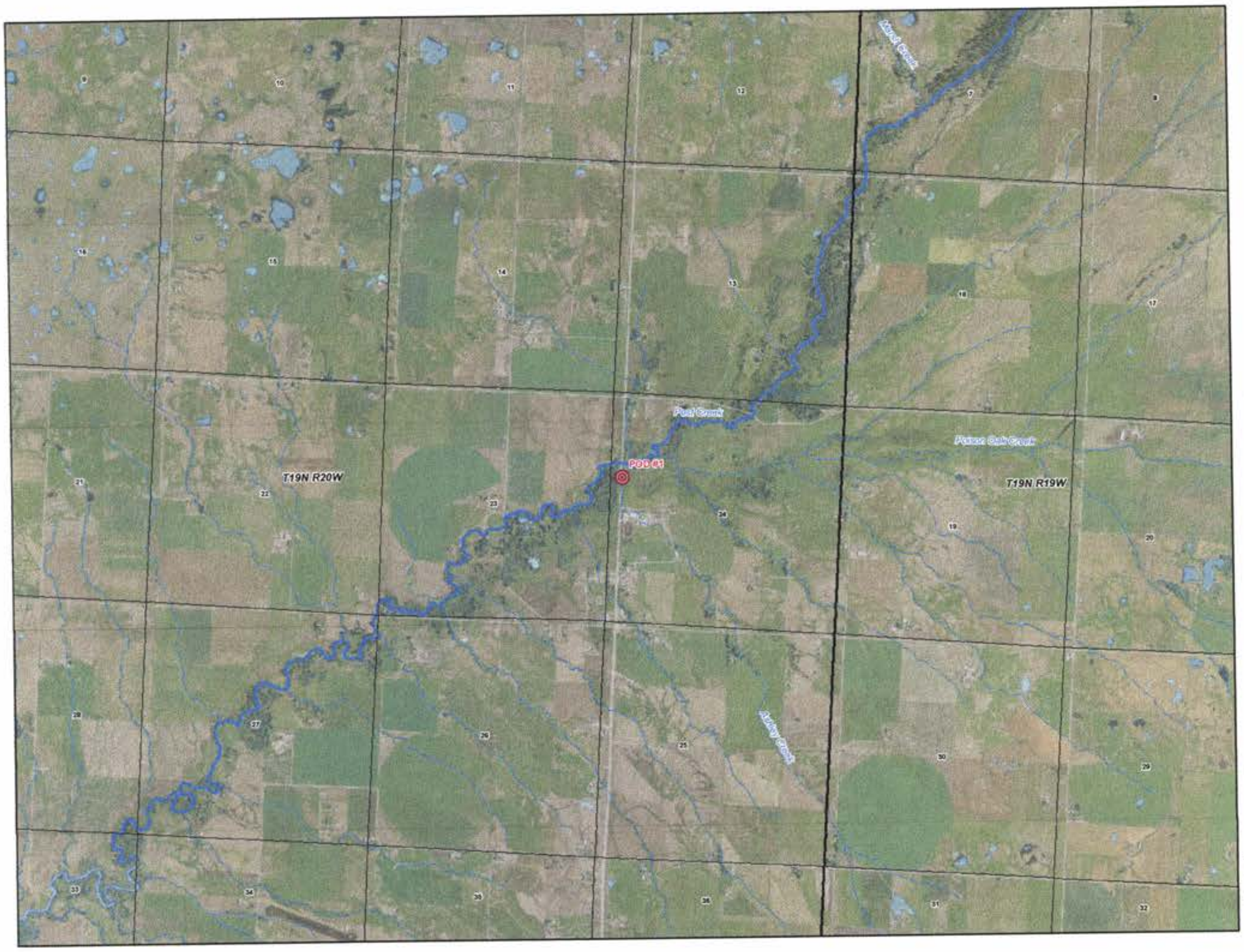
Flathead Indian Reservation

Legend

▬	Place of Use
◉	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Post Creek
POD #1
T19N R20W
T19N R19W
9
10
11
12
7
8
16
15
14
13
18
17
21
22
23
24
19
20
28
27
26
25
30
29
33
34
35
36
31
32

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052834

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

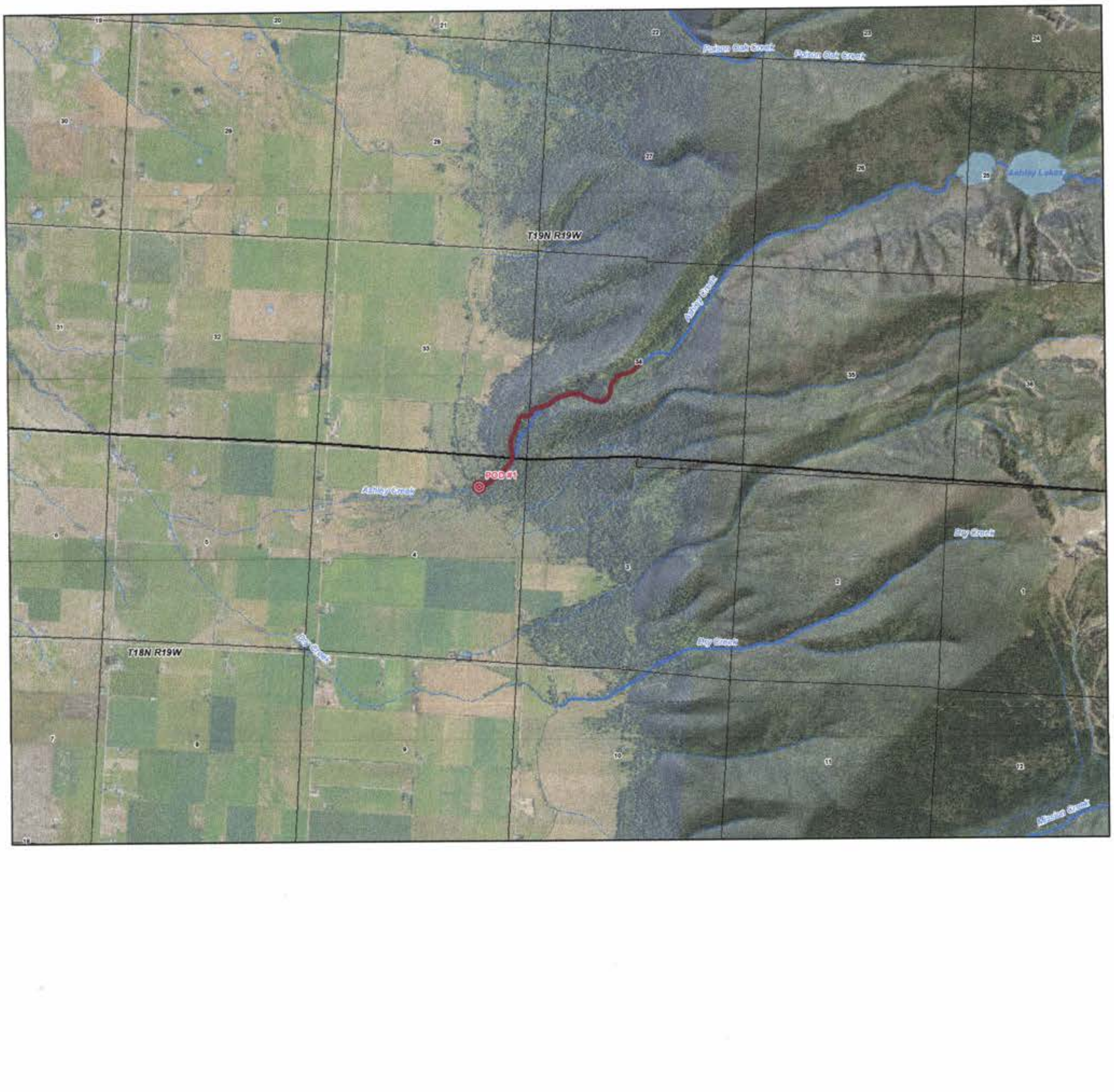
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Polson Oak Creek
Polson Oak Creek
Ashley Lakes
T19N R19W
Ashley Creek
POD #1
Ashley Creek
Dry Creek
Dry Creek
Dry Creek
T18N R19W
Mission Creek
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36
6
5
4
3
2
1
7
8
9
10
11
12
18

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052835

Exhibit 1

Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

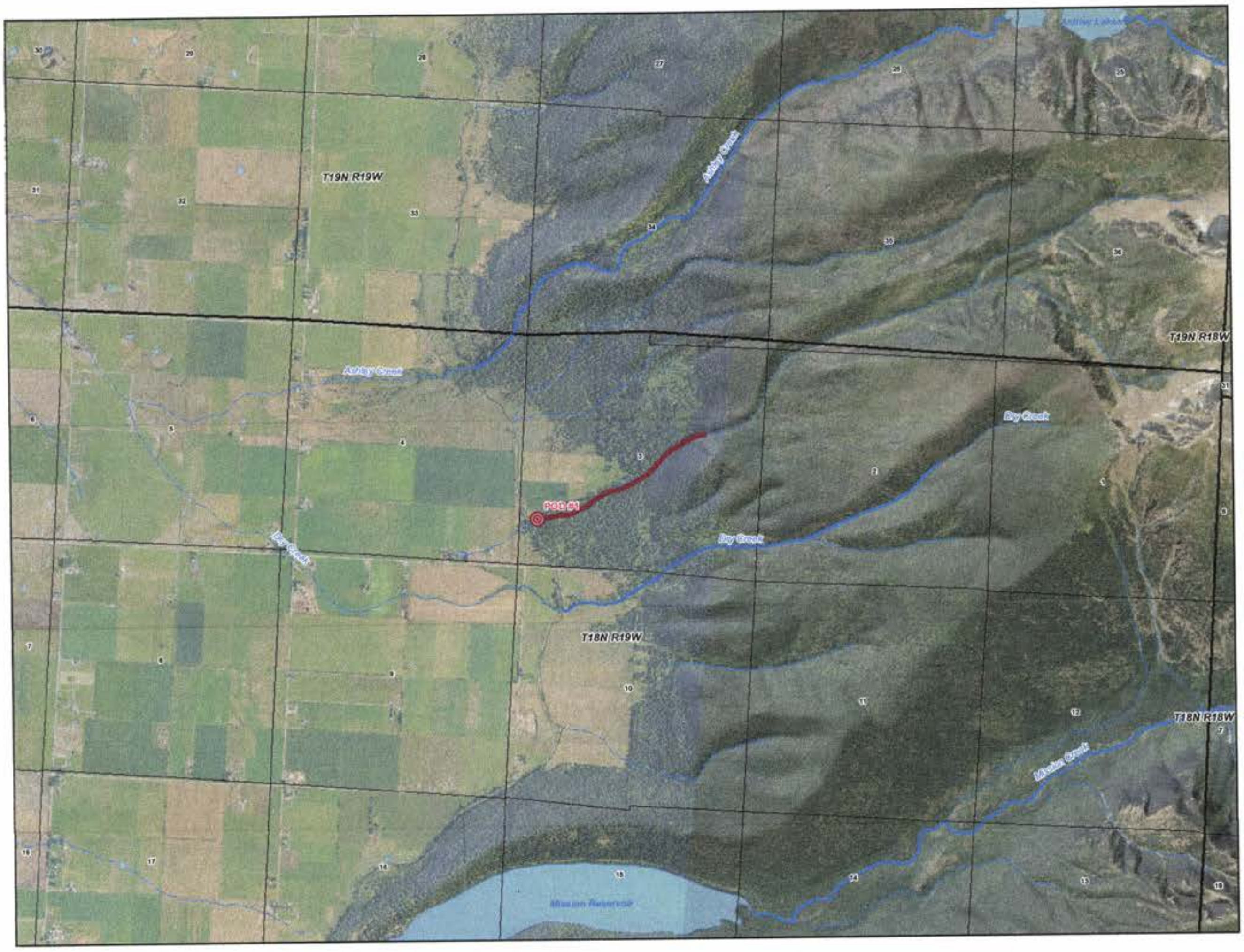
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T19N R19W
T19N R18W
T18N R19W
T18N R18W
Ashley Creek
Dry Creek
Mission Creek
Mission Reservoir

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052836

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

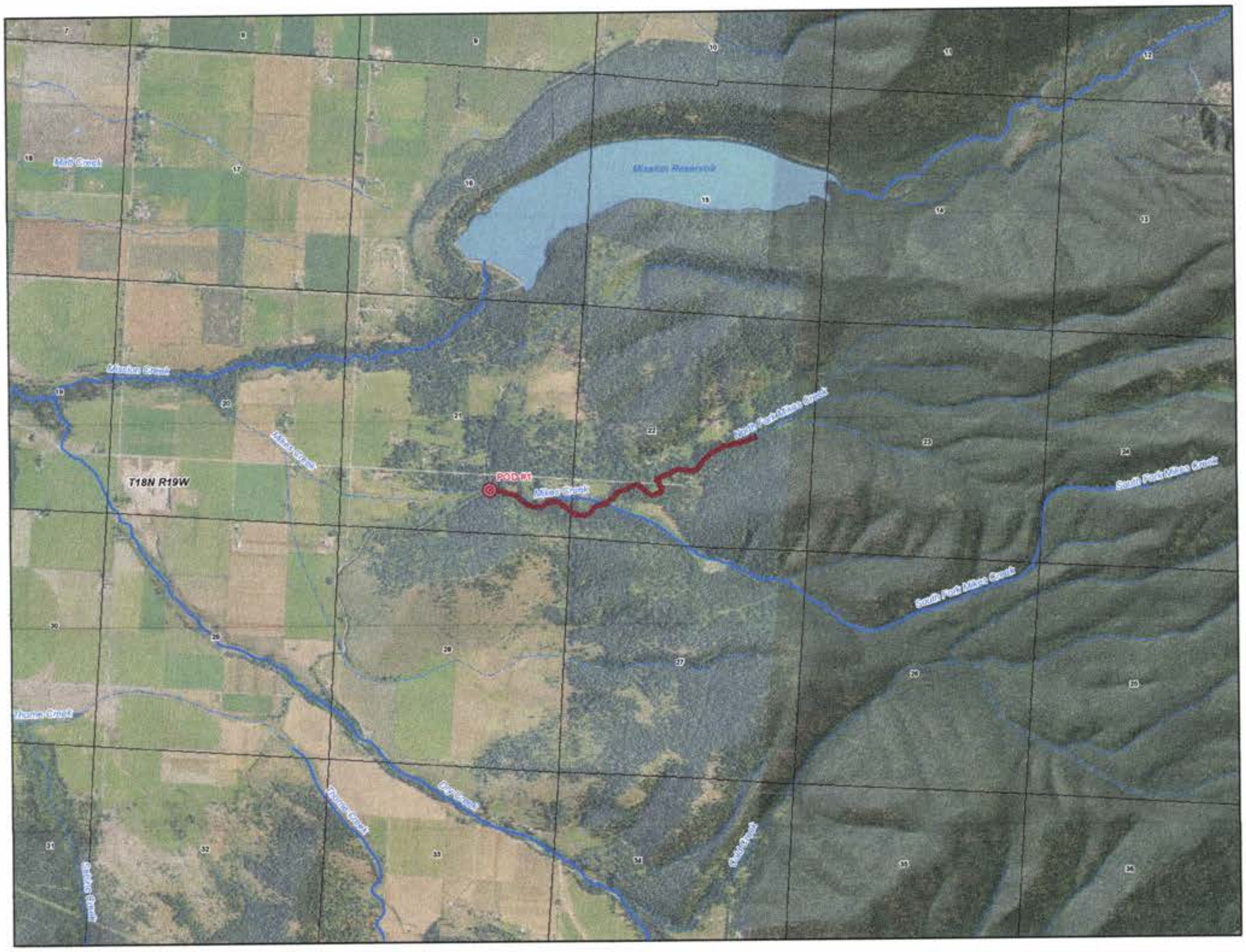
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Mission Reservoir
Mud Creek
Mission Creek
Miles Creek
T18N R19W
POD #1
Miles Creek
North Fork Miles Creek
South Fork Miles Creek
South Fork Miles Creek
Thorne Creek
Dry Creek
Thorne Creek
Sabine Creek
Crow Creek
7
8
9
10
11
12
18
17
16
15
14
13
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052837

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

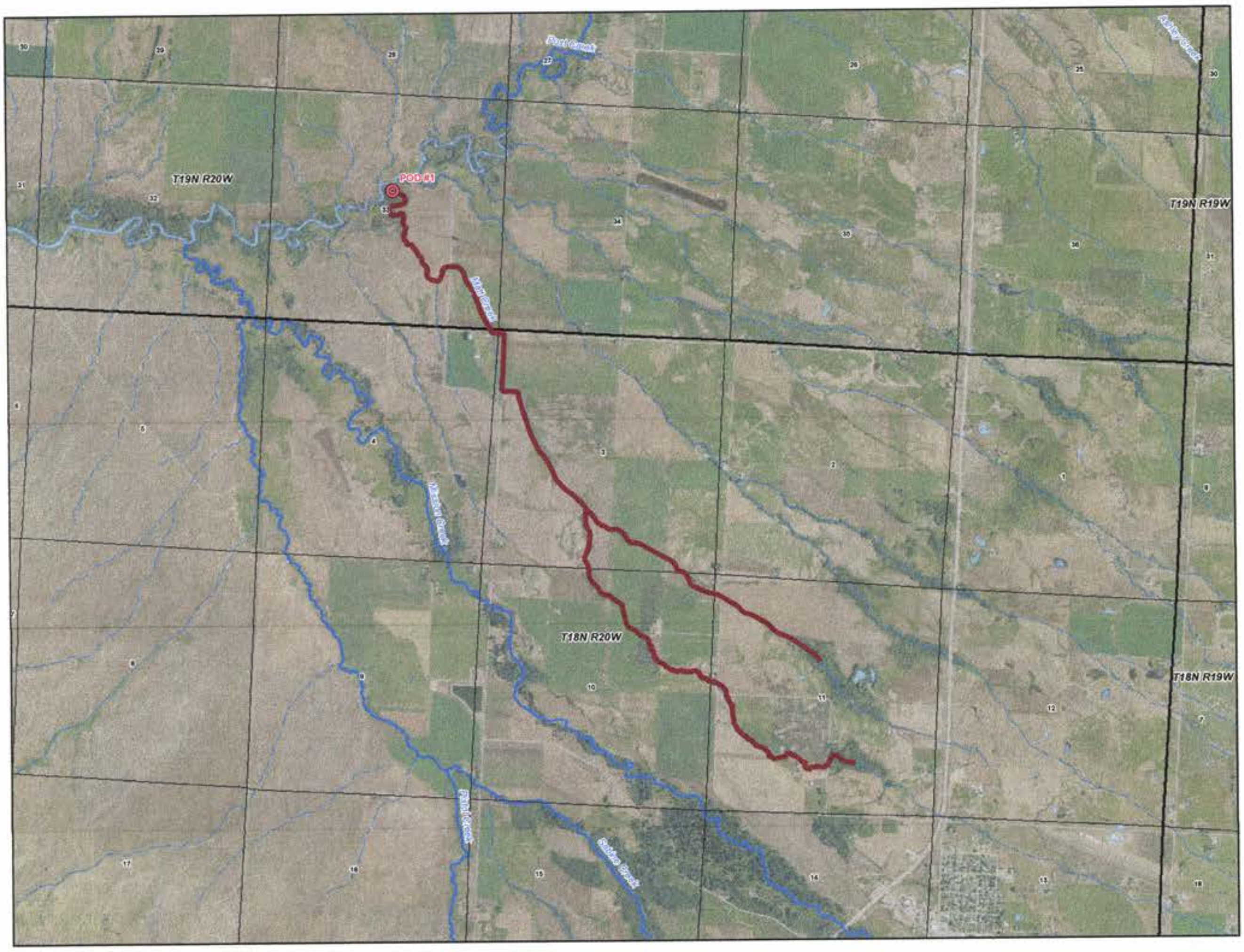
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
Post Creek
Mill Creek
Mission Creek
Sabine Creek
Ashley Creek
T19N R20W
T19N R19W
T18N R20W
T18N R19W
30
29
28
27
26
25
31
32
33
34
35
36
5
4
3
2
1
6
8
9
10
11
12
7
17
16
15
14
13
18

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052838

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

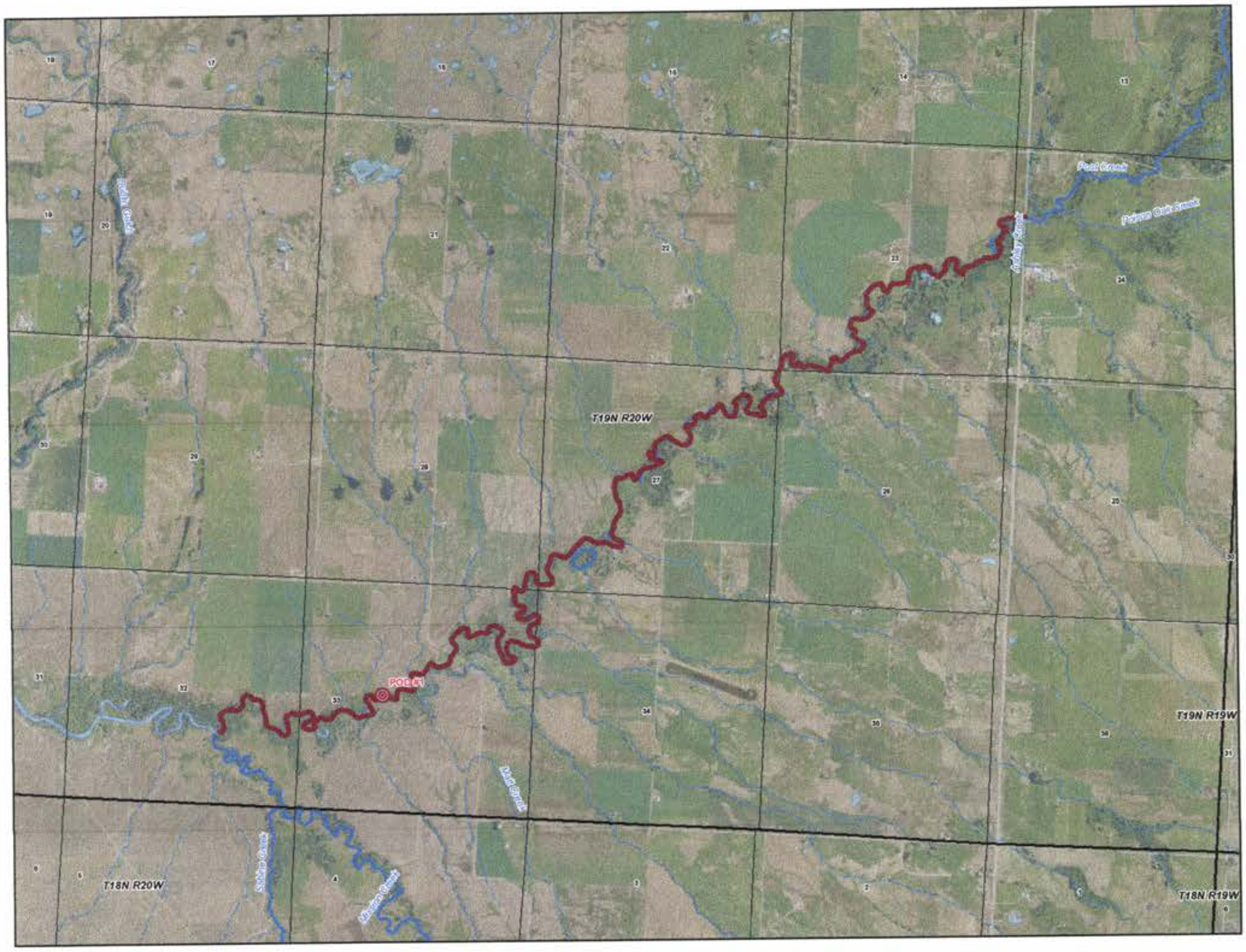
Place of Use

Primary Point(s) of Diversion

Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R20W
T19N R19W
T18N R20W
T18N R19W
POD #1
Post Creek
Ashley Creek
Mission Creek
18
17
16
15
14
13
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36
6
5
4
3
2

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052839

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

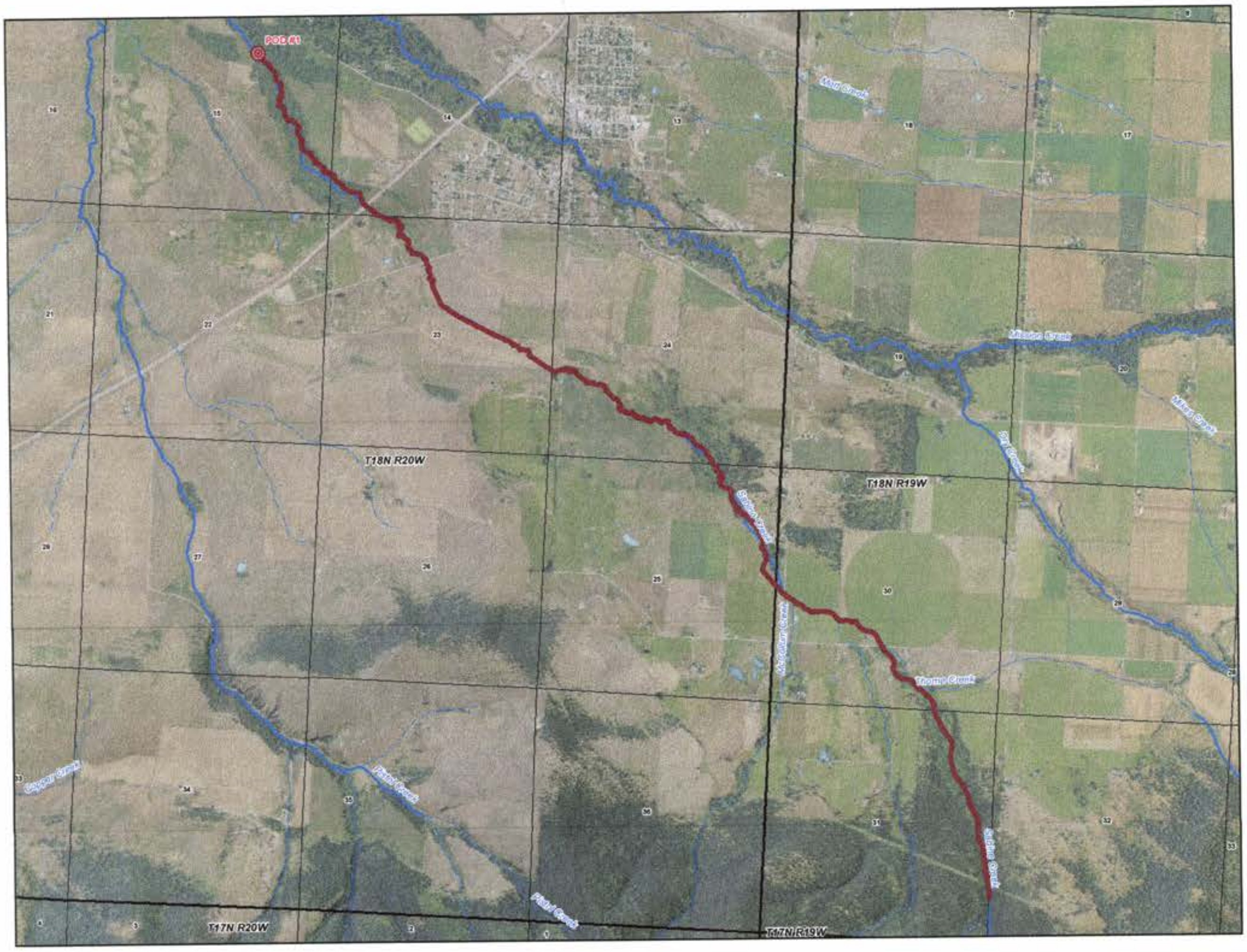
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
Mott Creek
Mission Creek
Mikes Creek
Dry Creek
Sabine Creek
McClellan Creek
Thorne Creek
Copper Creek
Pistol Creek
T18N R20W
T18N R19W
T17N R20W
T17N R19W

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052840

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

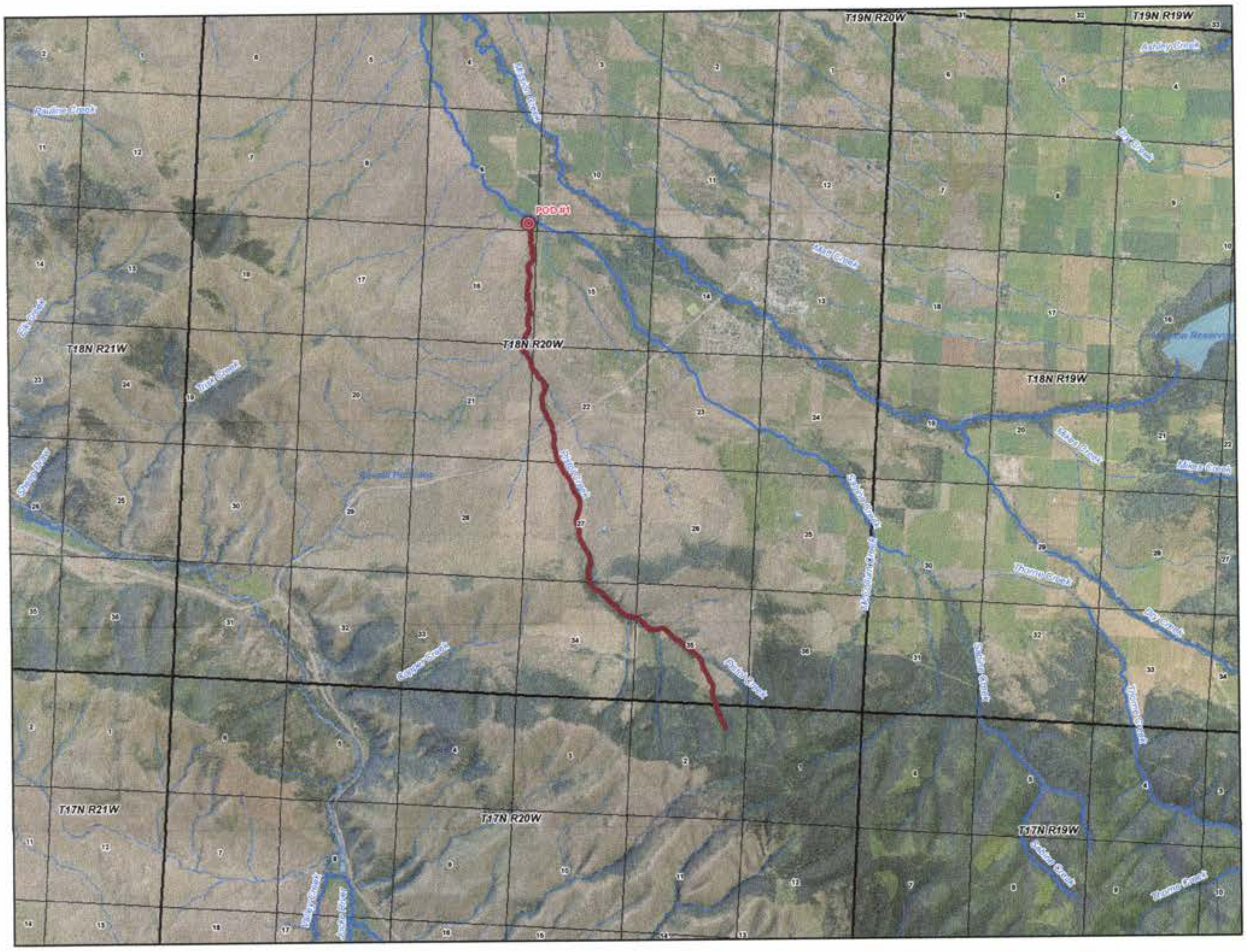
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T19N R20W
T19N R19W
T18N R21W
T18N R20W
T18N R19W
T17N R21W
T17N R20W
T17N R19W
POD #1
Ashley Creek
Dry Creek
Mill Creek
Thorne Creek
Sabine Creek

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052841

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

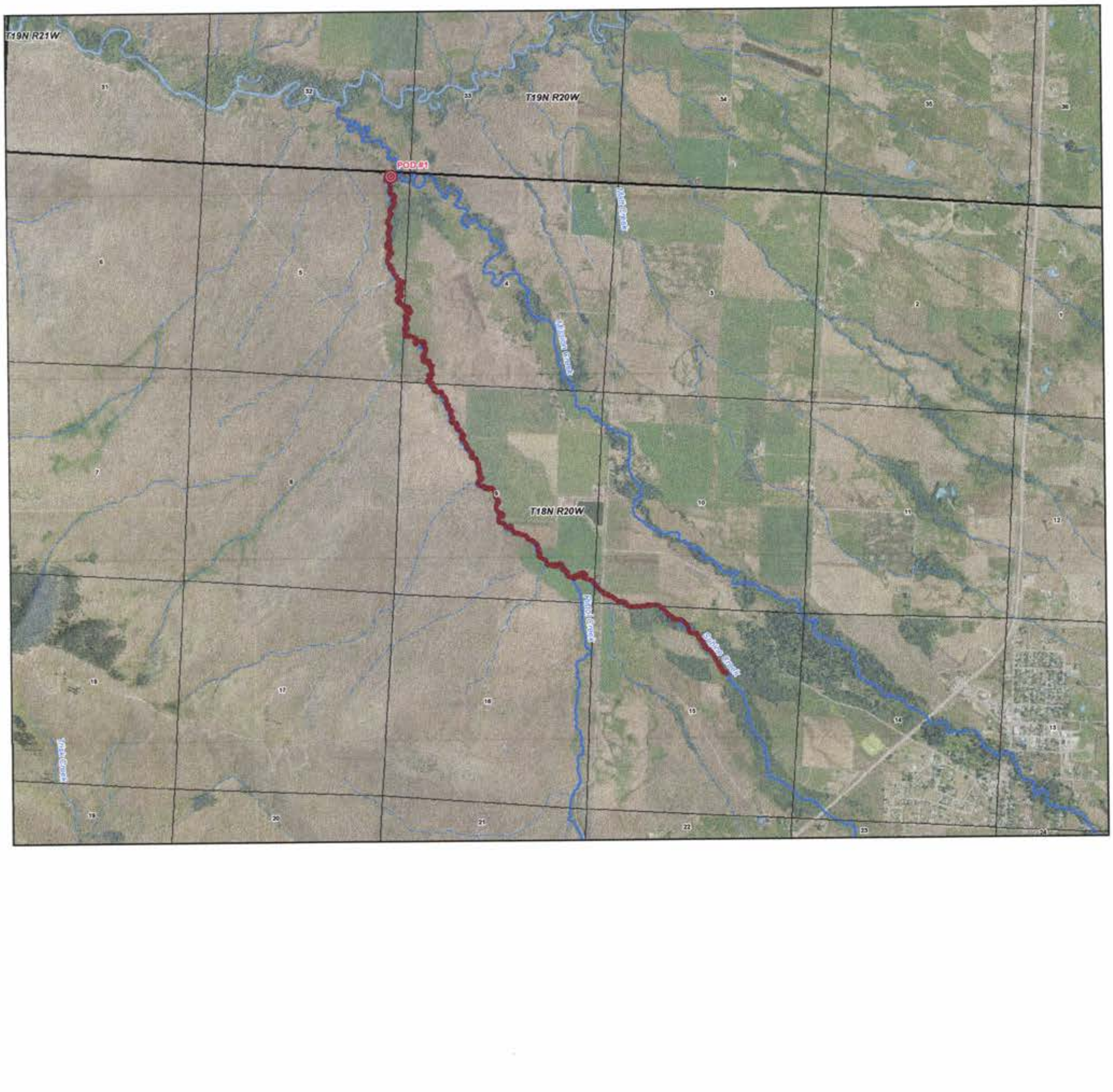
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R21W
T19N R20W
POD #1
T18N R20W
31
32
33
34
35
36
6
5
4
3
2
1
7
8
9
10
11
12
18
17
16
15
14
13
19
20
21
22
23
24

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052842

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

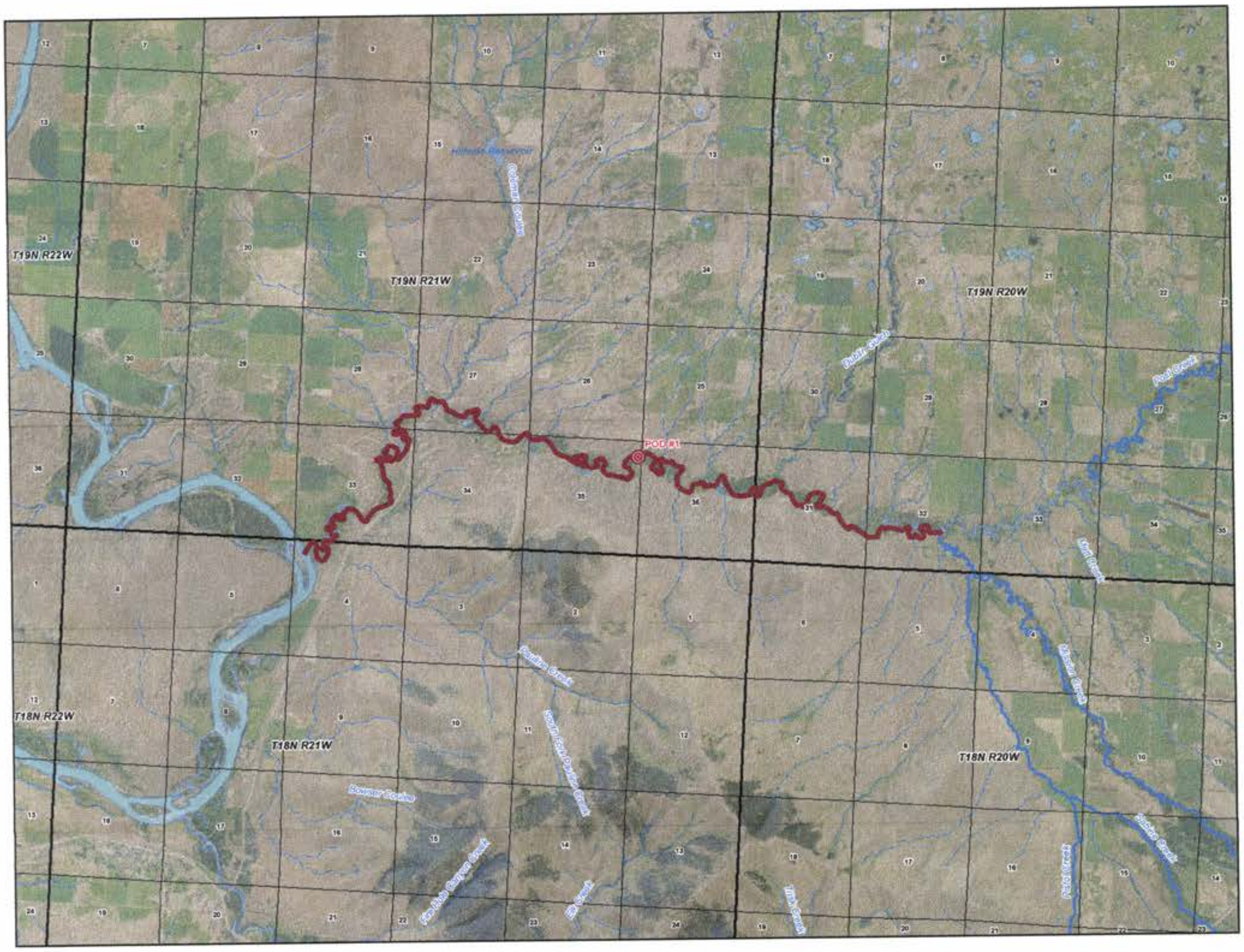
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R22W
T19N R21W
T19N R20W
T18N R22W
T18N R21W
T18N R20W
POD #1
Hillside Reservoir
Post Creek

Place of Use
and Point of
Diversion
Instream Flow
Other Sites

76L
30052843
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

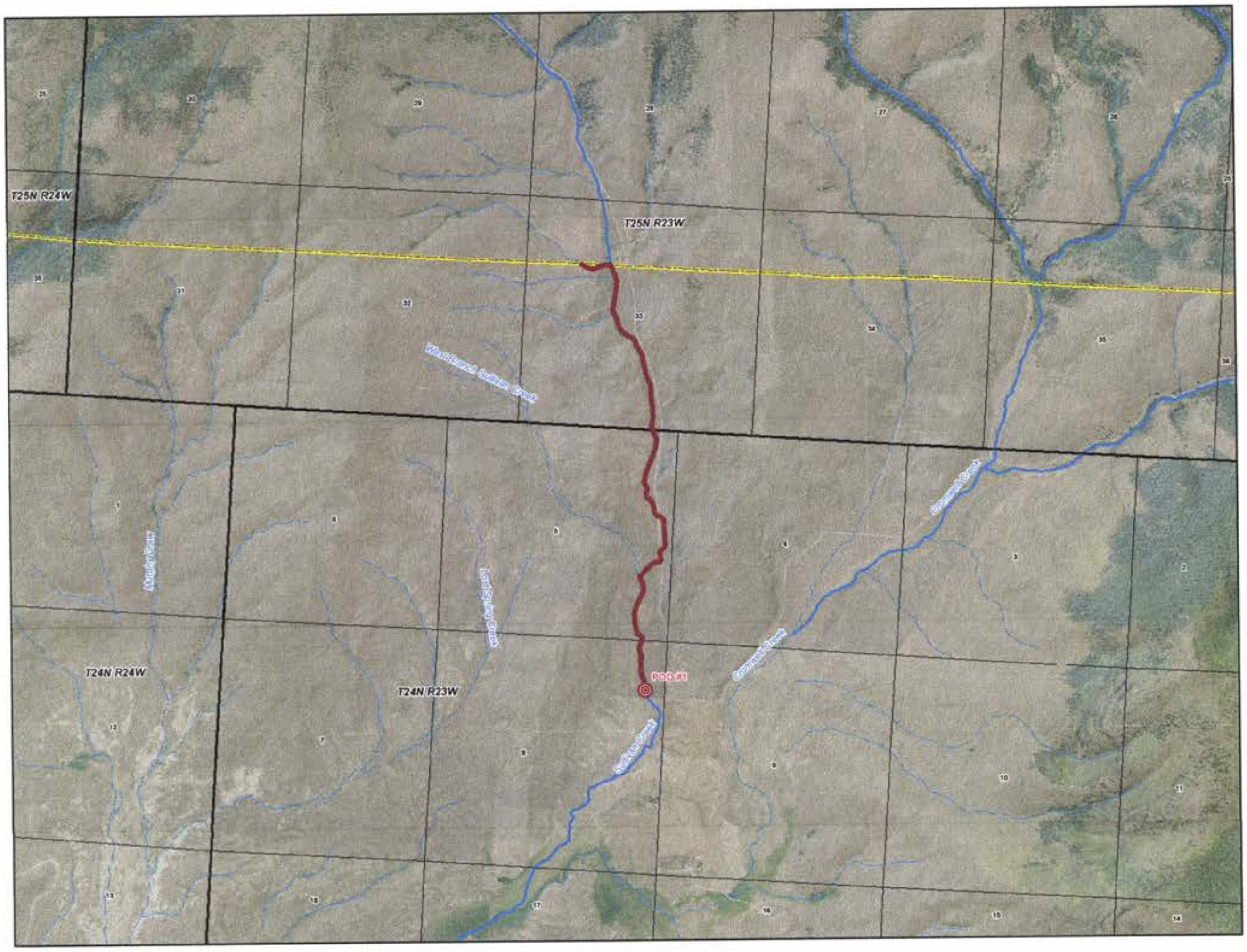
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ☐ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T25N R24W
T25N R23W
T24N R24W
T24N R23W
West Branch Sullivan Creek
Lost Spring Creek
Sullivan Creek
Cromwell Creek
POD #1
25
30
29
28
27
26
36
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11
13
18
17
16
15
14

Place of Use and Point of Diversion

Instream Flow

Other Sites

76L

30052844

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

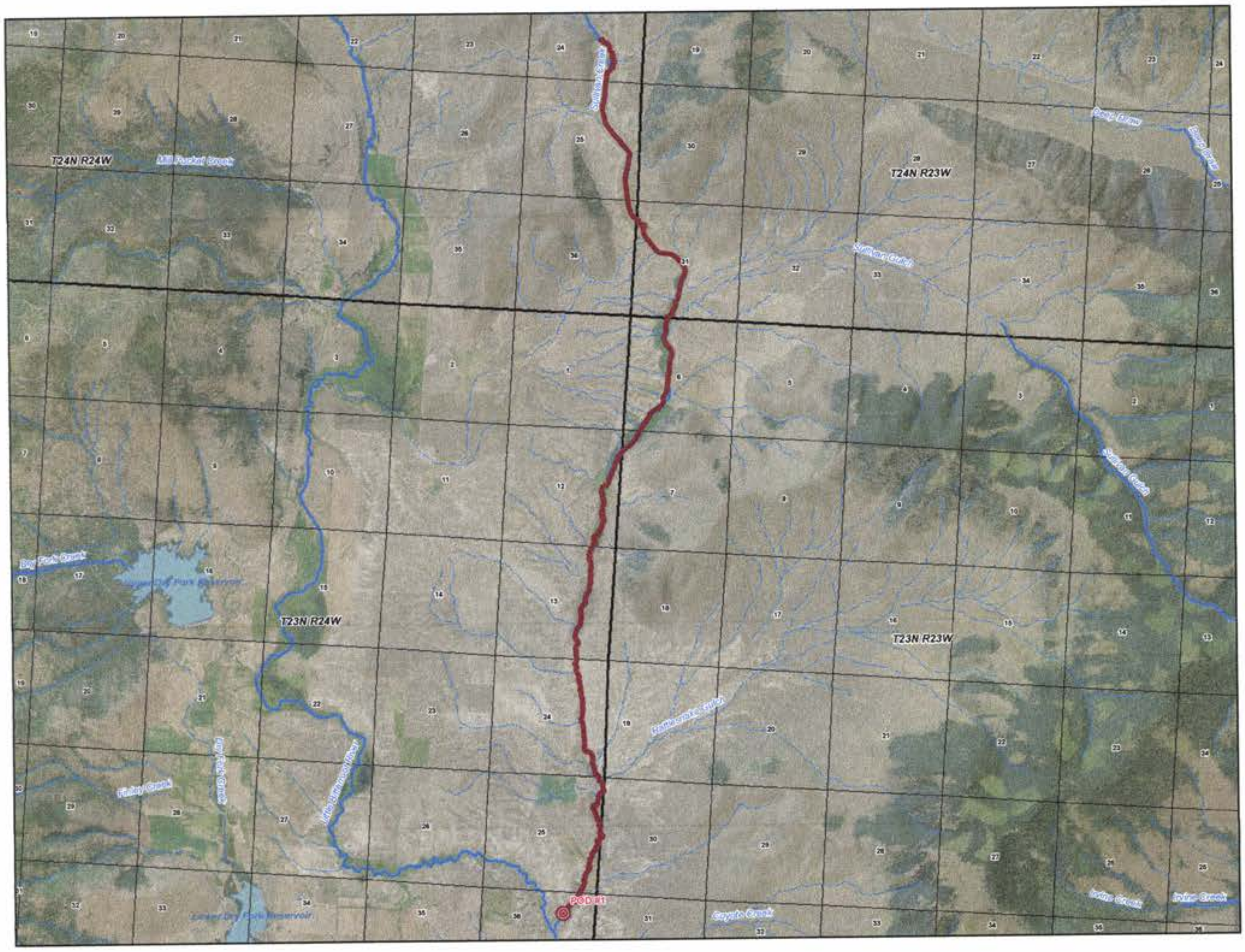
Flathead Indian Reservation

Legend

🟥 Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T24N R24W
T24N R23W
T23N R24W
T23N R23W
Mill Pocket Creek
Dry Fork Creek
Lower Dry Fork Reservoir
Finley Creek
Little Bitterroot River
Sullivan Gulch
Deep Draw
Coyote Creek
Irvine Creek
POD #1

Place of Use
and Point of
Diversion
Instream Flow
Other Sites

76L
30052845
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee

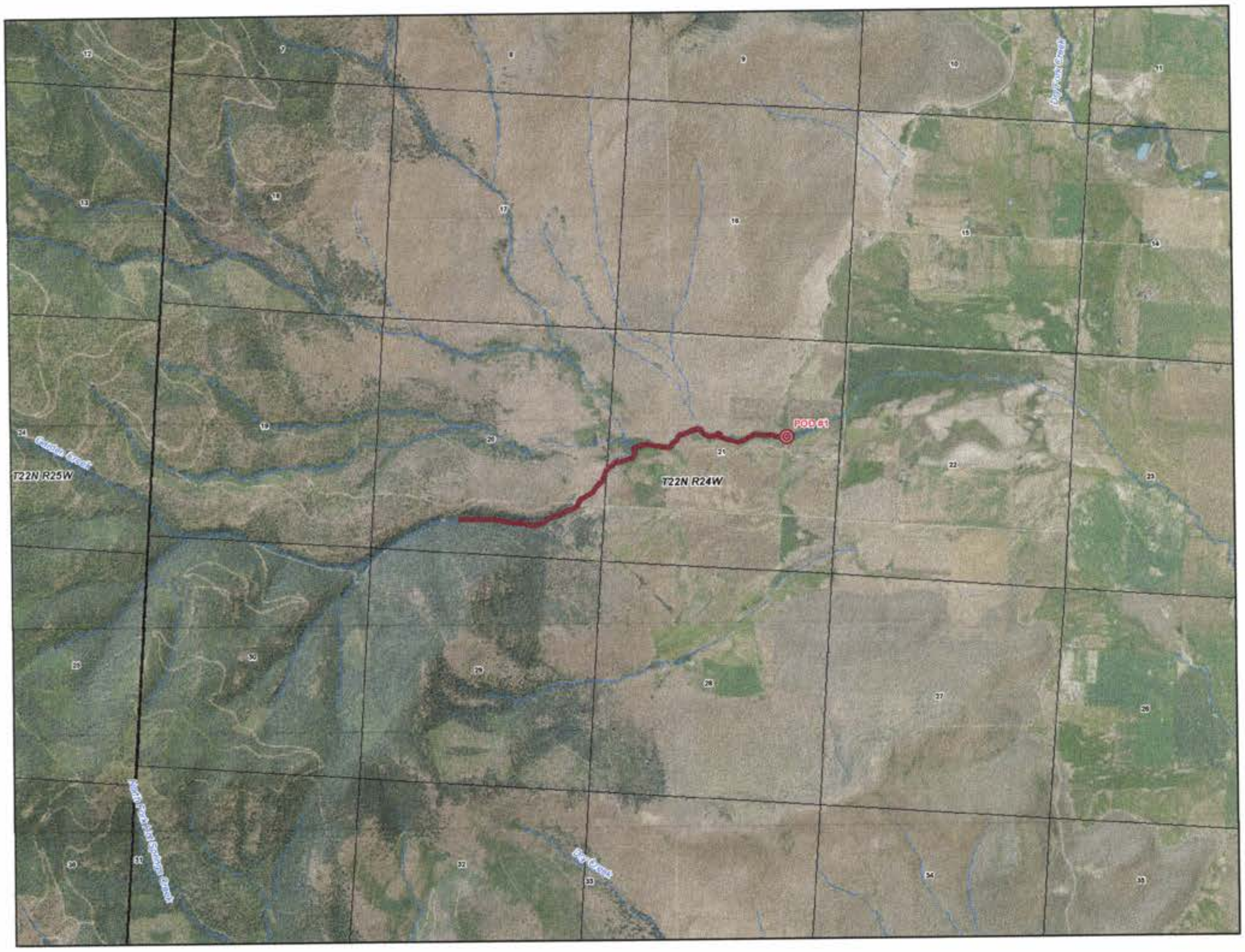
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


12
7
8
9
10
11
13
18
17
16
15
14
24
T22N R25W
19
20
POD #1
21
T22N R24W
22
23
25
30
29
28
27
26
36
31
32
33
34
35

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052846

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

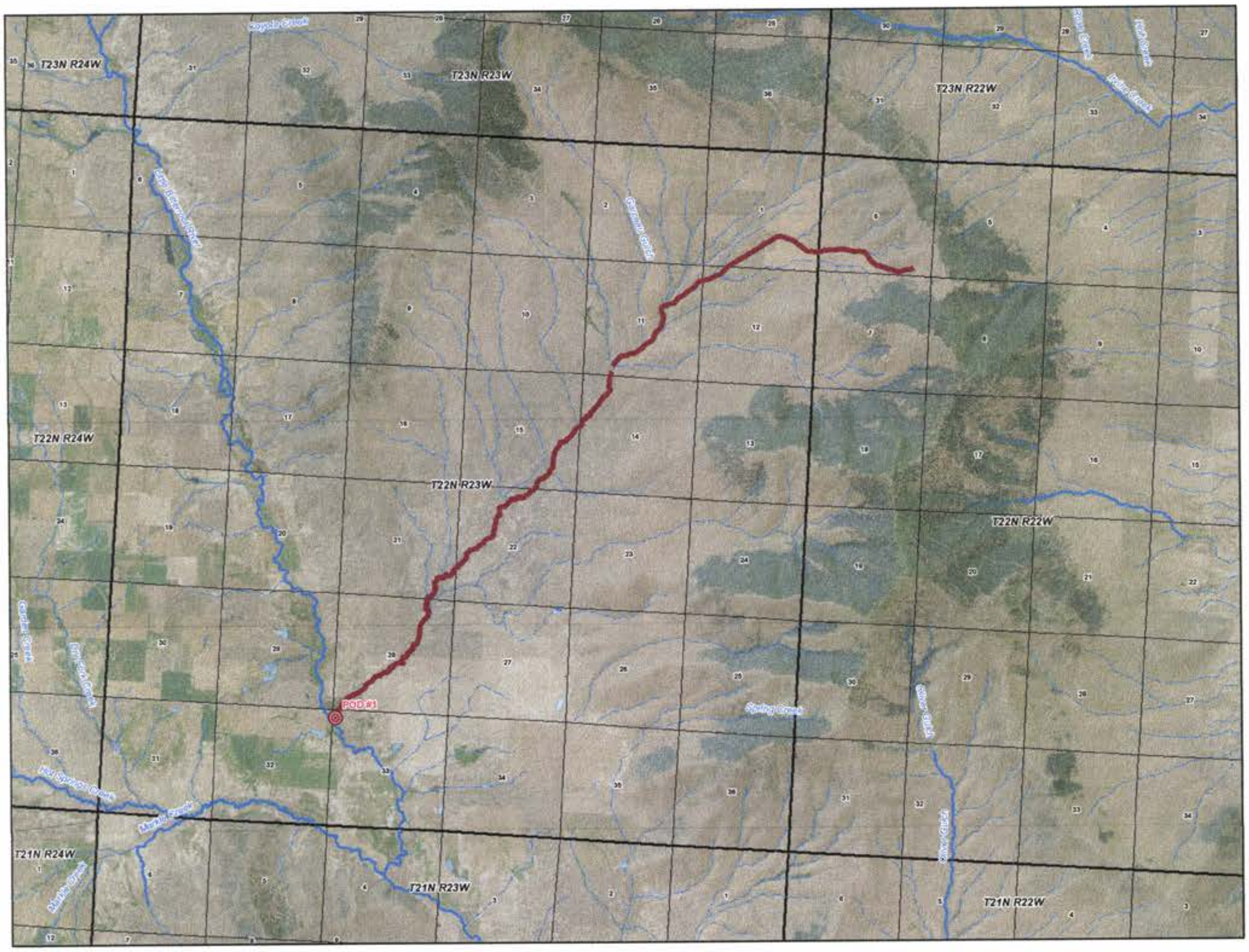
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T23N R24W
T23N R23W
T23N R22W
T22N R24W
T22N R23W
T22N R22W
T21N R24W
T21N R23W
T21N R22W
Coyote Creek
Little Bitterroot River
Garden Creek
Hot Springs Creek
Markle Creek
Spring Creek
POD #1

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052847

Exhibit 1

Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

Flathead Indian Reservation

Legend

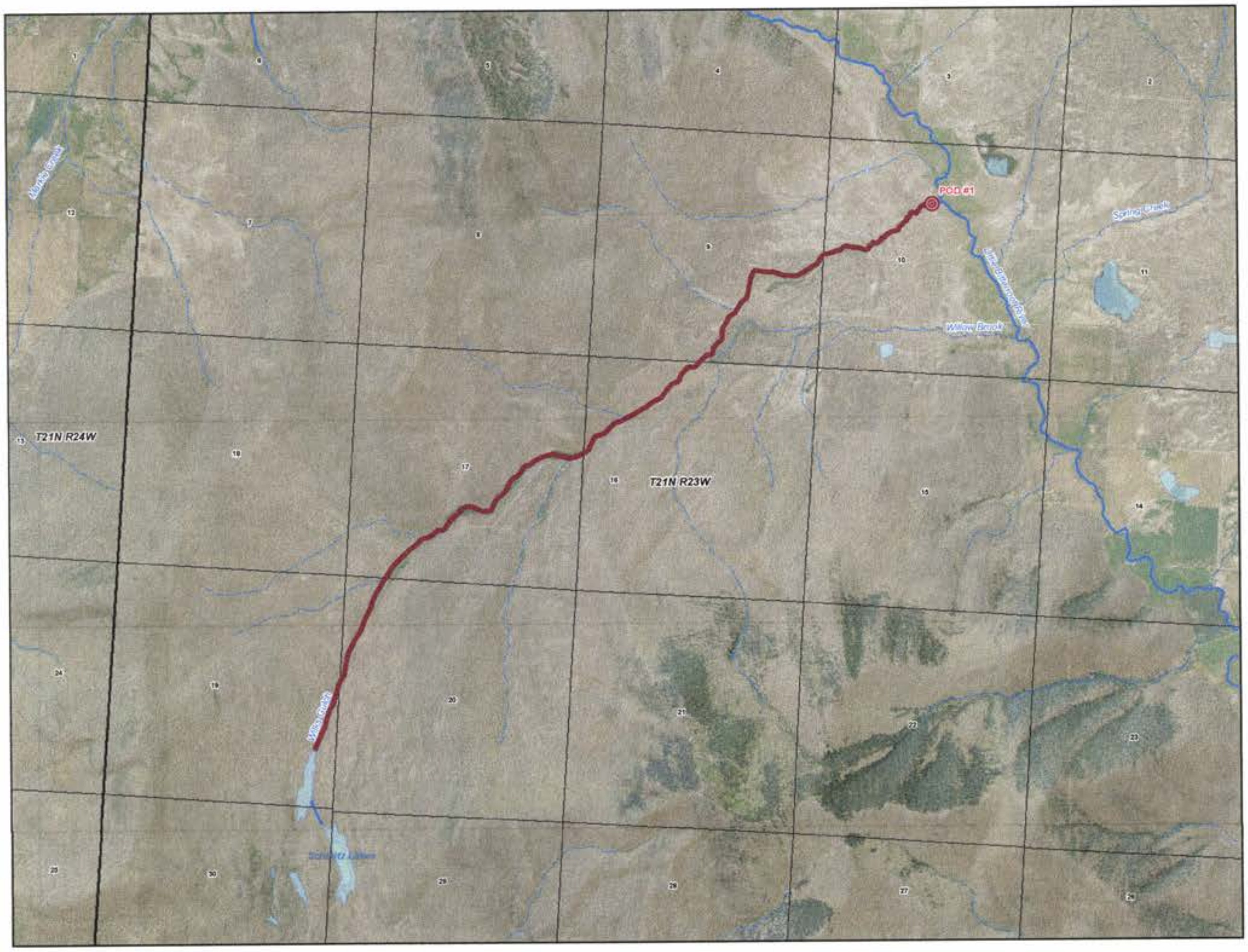
▬ Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
Spring Creek
Willow Brook
Little Bitterroot River
Willow Creek
Schultz Lakes
T21N R24W
T21N R23W
1
6
5
4
3
2
12
7
8
9
10
11
13
18
17
16
15
14
24
19
20
21
22
23
25
30
29
28
27
26

Place of Use and Point of Diversion *Instream Flow Other Sites*

76L 30052848

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

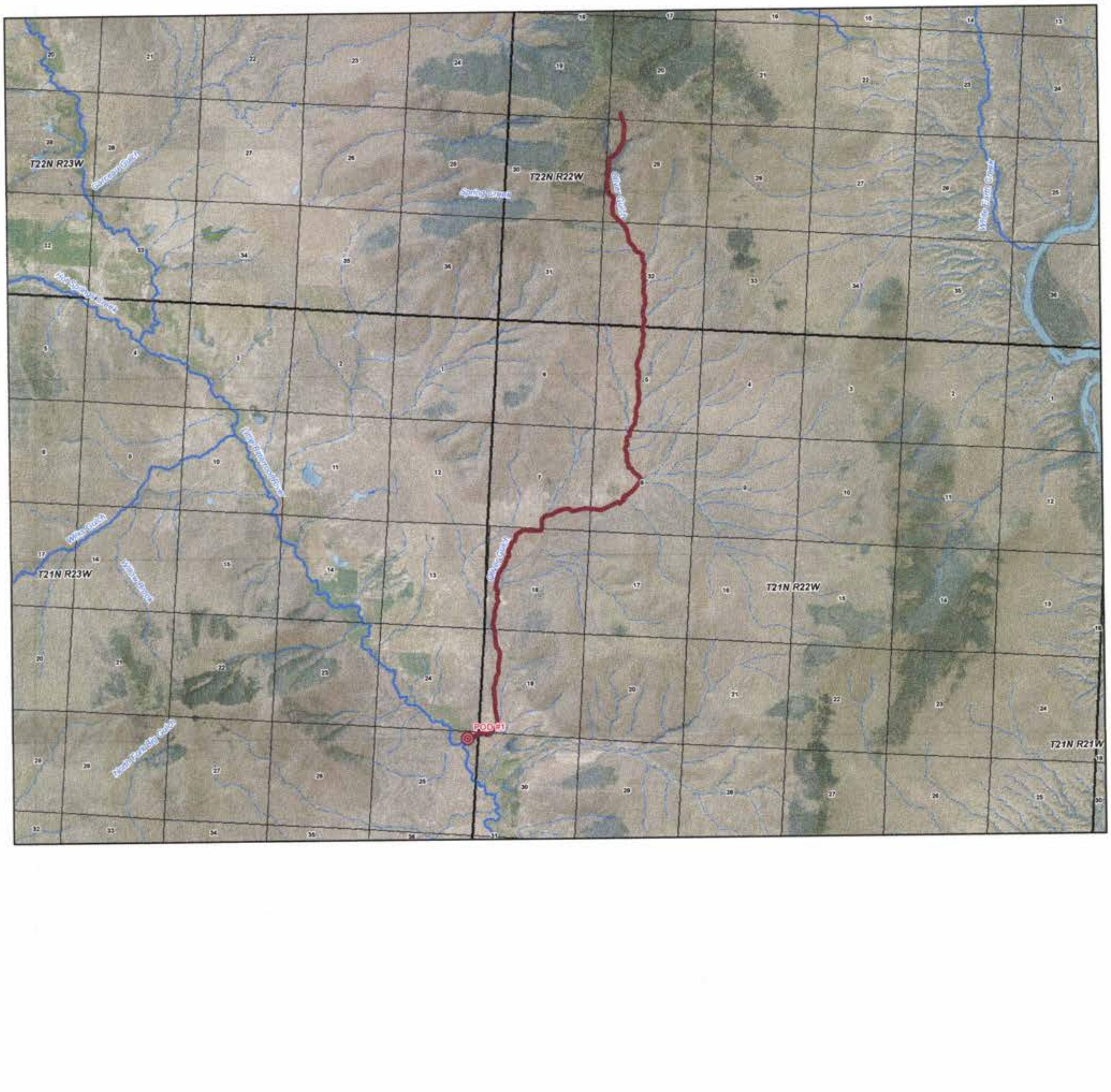
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R23W
T22N R22W
T21N R23W
T21N R22W
T21N R21W
Spring Creek
Hot Springs Creek
Little Bitterroot River
White Earth Creek
POD #1

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052849

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

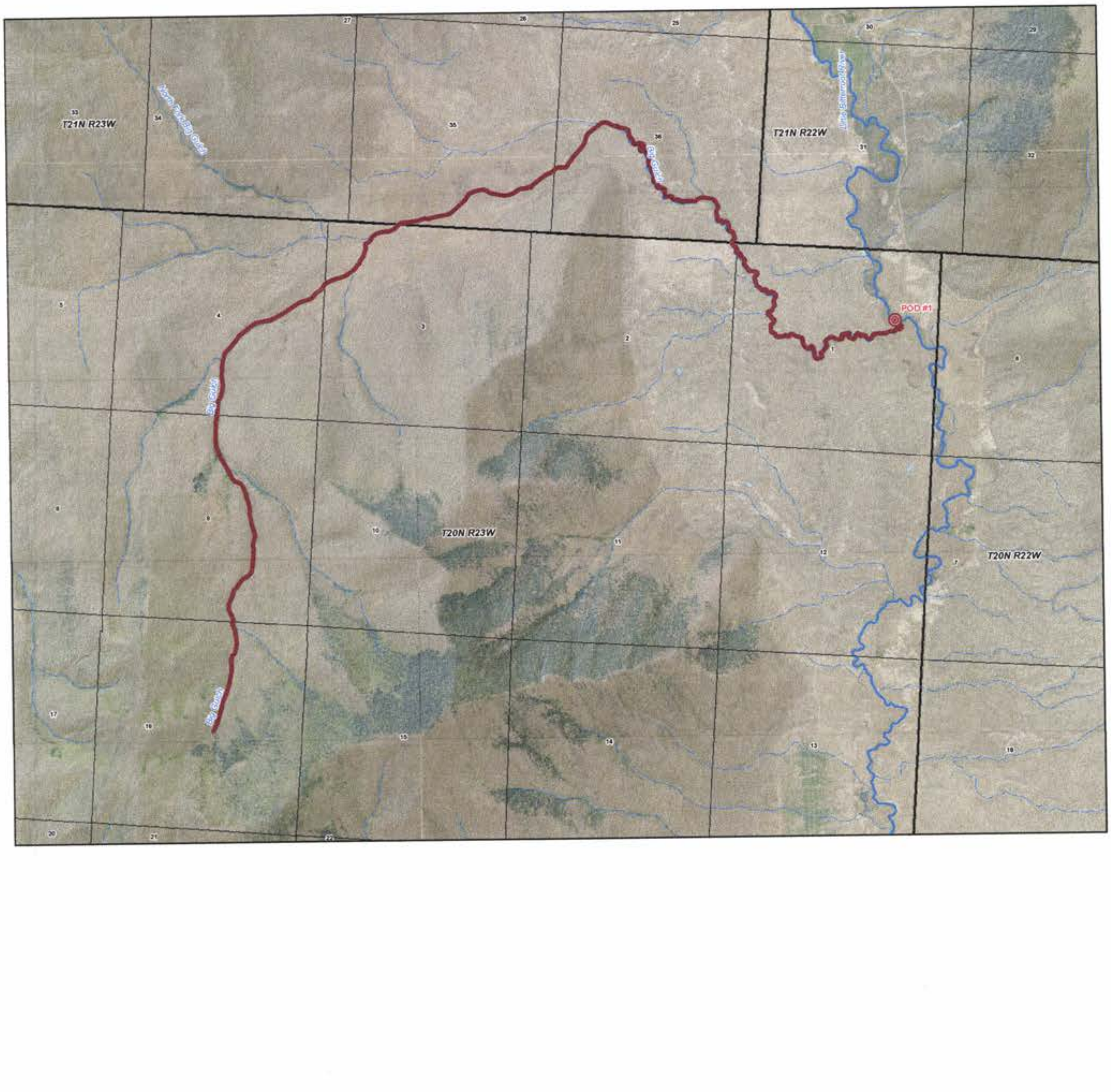
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R23W
T21N R22W
T20N R23W
T20N R22W
Little Bitterroot River
Big Gulch
POD #1
27
28
29
30
33
34
35
36
31
32
5
4
3
2
1
6
9
10
11
12
7
8
17
16
15
14
13
18
20
21
22

Place of Use
and Point of
Diversion

Instream Flow
Other Sites

76L
30052850
Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee

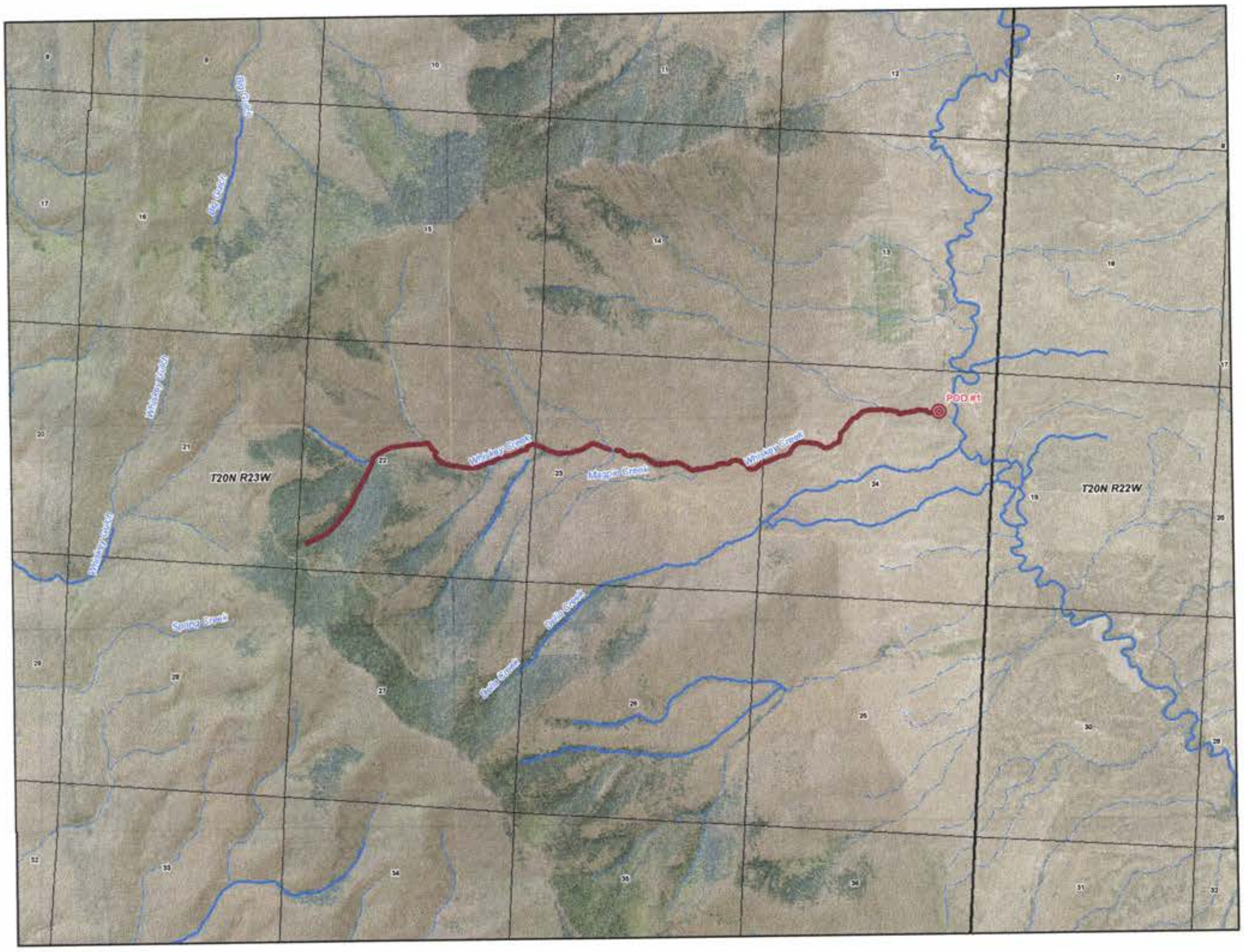
Flathead Indian Reservation

Legend

▬ Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Big Gulch
Big Gulch
Whiskey Gulch
Whiskey Gulch
Spring Creek
T20N R23W
Whiskey Creek
Whiskey Creek
Magpie Creek
POD #1
T20N R22W
8
9
10
11
12
7
17
16
15
14
13
18
20
21
22
23
24
19
29
28
27
26
25
30
32
33
34
35
36
31

Place of Use and Point of Diversion
Instream Flow Other Sites
76L 30052851
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

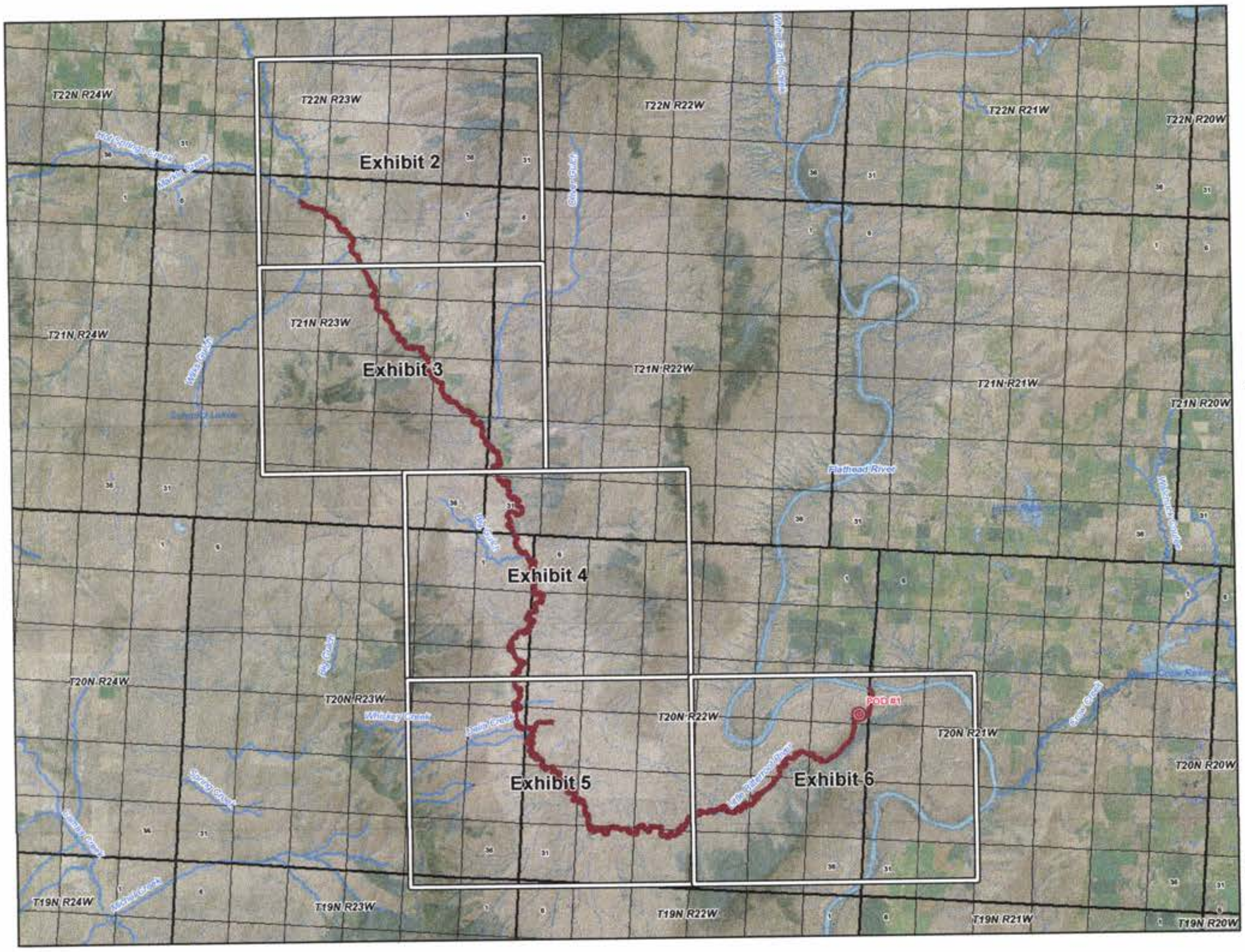
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ⬚ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T22N R24W
T22N R23W
T22N R22W
T22N R21W
T22N R20W
Exhibit 2
Hot Springs Creek
Markle Creek
T21N R24W
T21N R23W
T21N R22W
T21N R21W
T21N R20W
Exhibit 3
Wilks Creek
Exhibit 4
Flathead River
T20N R24W
T20N R23W
T20N R22W
T20N R21W
T20N R20W
Whiskey Creek
Exhibit 5
Exhibit 6
POD #1
Little Bitterroot River
Crow Creek
T19N R24W
T19N R23W
T19N R22W
T19N R21W
T19N R20W
36
31
1
6

Place of Use and Point of Diversion

Instream Flow

Other Sites

76L

30052852

Exhibit 1

Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2
3 4
5 6
Area of Interest

Flathead Indian Reservation

Legend

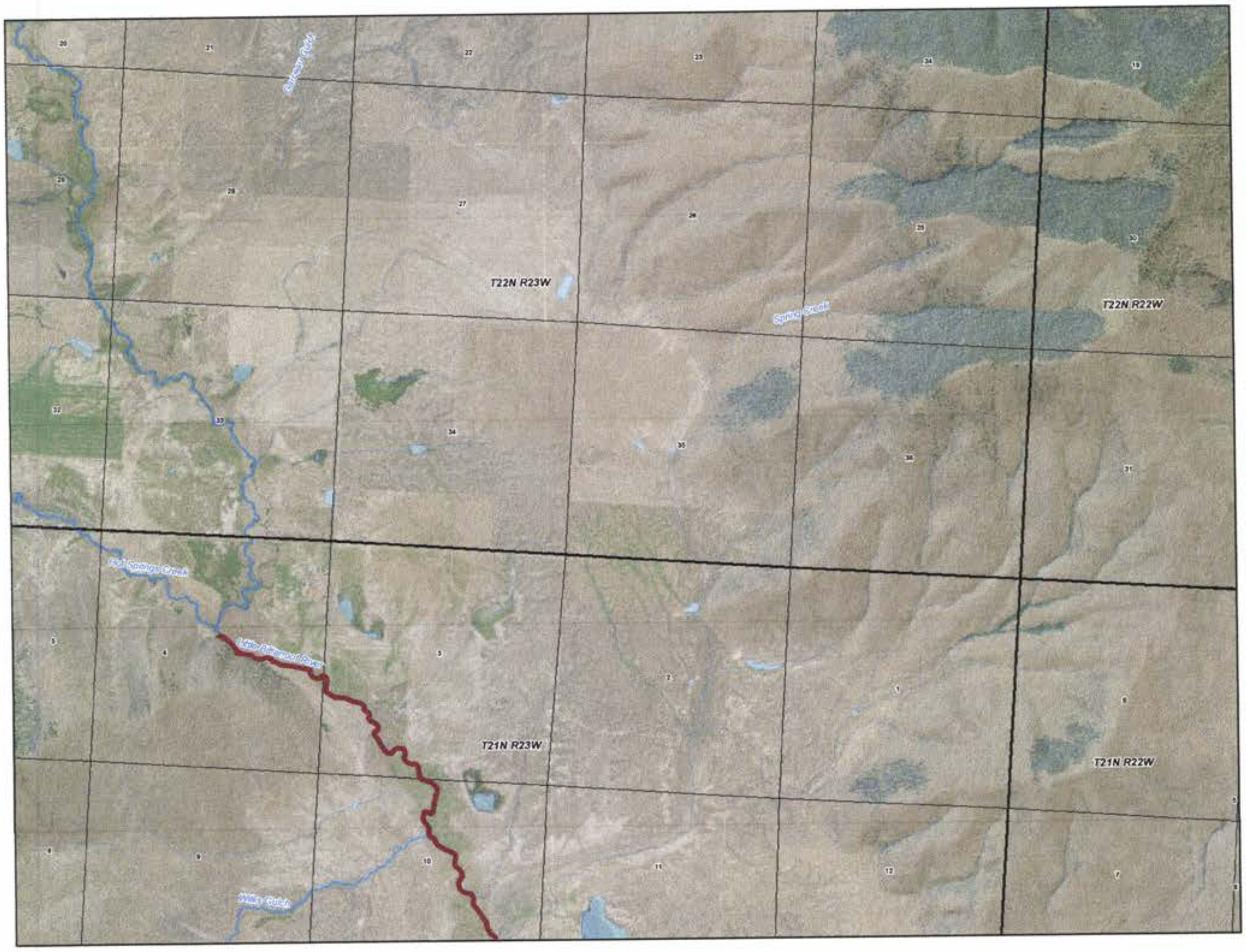
◎ Primary Point(s) of Diversion

▬ Place of Use

☐ Reservation Boundary

0 1 2 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R23W
T22N R22W
T21N R23W
T21N R22W
Spring Creek
Hot Springs Creek
Little Bitterroot River

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052852

Exhibit 2

Hot Springs
Polson
Pablo
Area of Interest
2
3
4
5
6
St Ignatius
Arlee

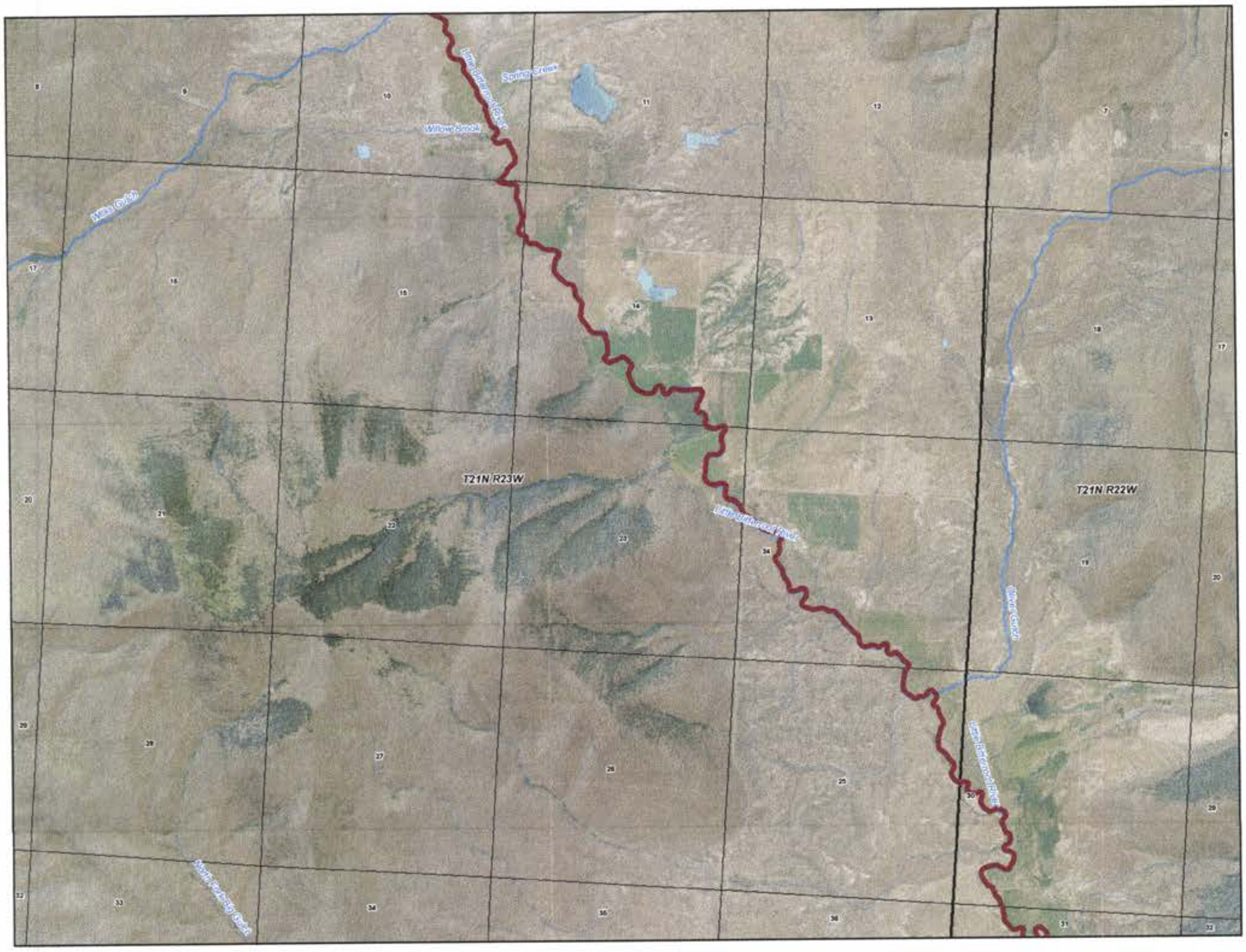
Flathead Indian Reservation

Legend

◎	Primary Point(s) of Diversion
▬	Place of Use
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Little Bitterroot River
Spring Creek
Willow Brook
Mike Gulch
T21N R23W
T21N R22W
Silver Gulch
8
9
10
11
12
7
17
16
15
14
13
18
20
21
22
23
24
19
29
28
27
26
25
30
32
33
34
35
36
31

Place of Use and Point of Diversion *Instream Flow Other Sites*

76L 30052852

Exhibit 3

Hot Springs
2
3
4
5
6
Polson
Pablo
St Ignatius
Arlee
Area of Interest

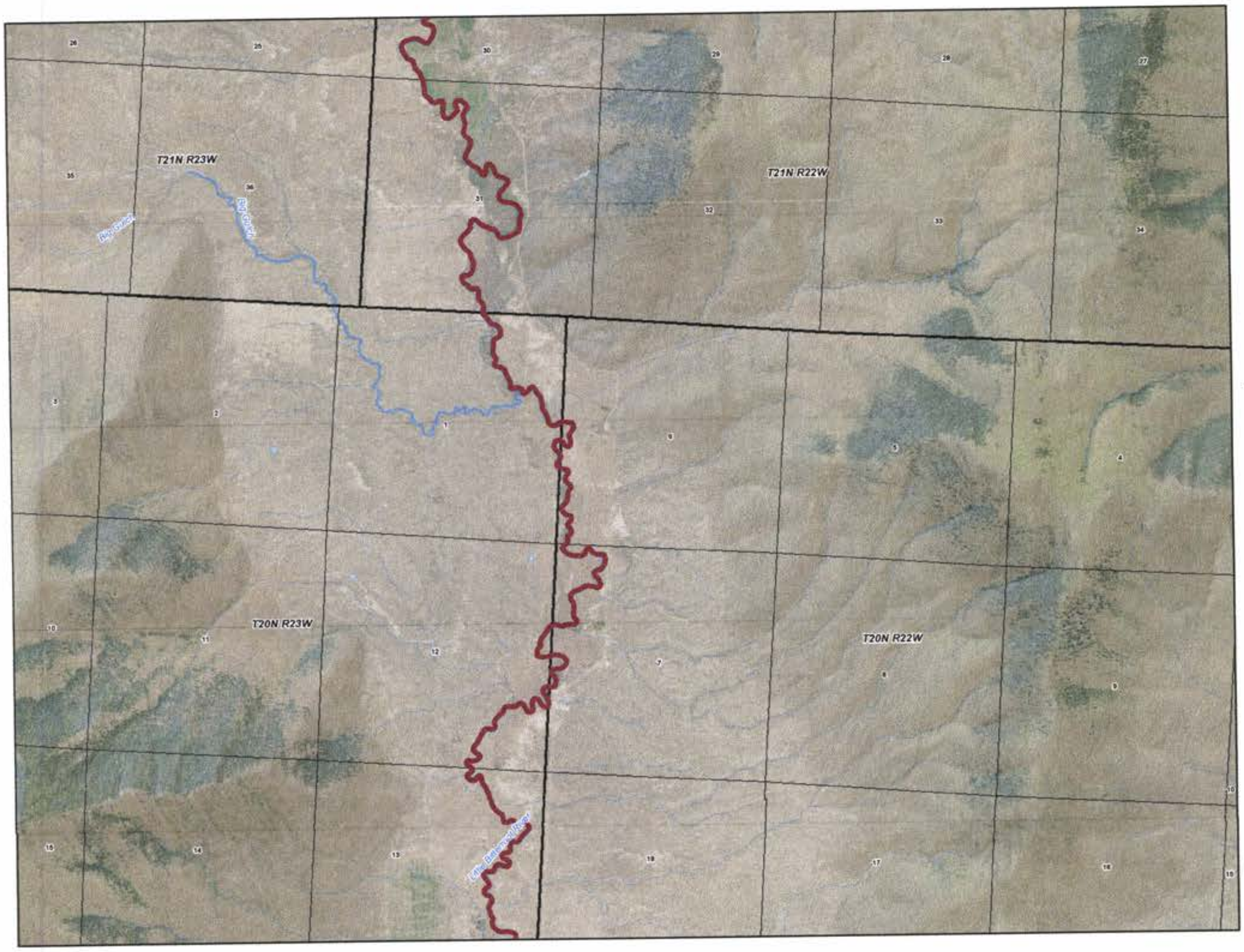
Flathead Indian Reservation

Legend

◎ Primary Point(s) of Diversion
▬ Place of Use
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


26
25
30
29
28
27
T21N R23W
T21N R22W
35
36
31
32
33
34
Big Creek
Big Creek
3
2
1
6
5
4
T20N R23W
T20N R22W
10
11
12
7
8
9
15
14
13
18
17
16
10
15
Little Bitterroot River

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052852

Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2
3
5
6

Flathead Indian Reservation

Legend

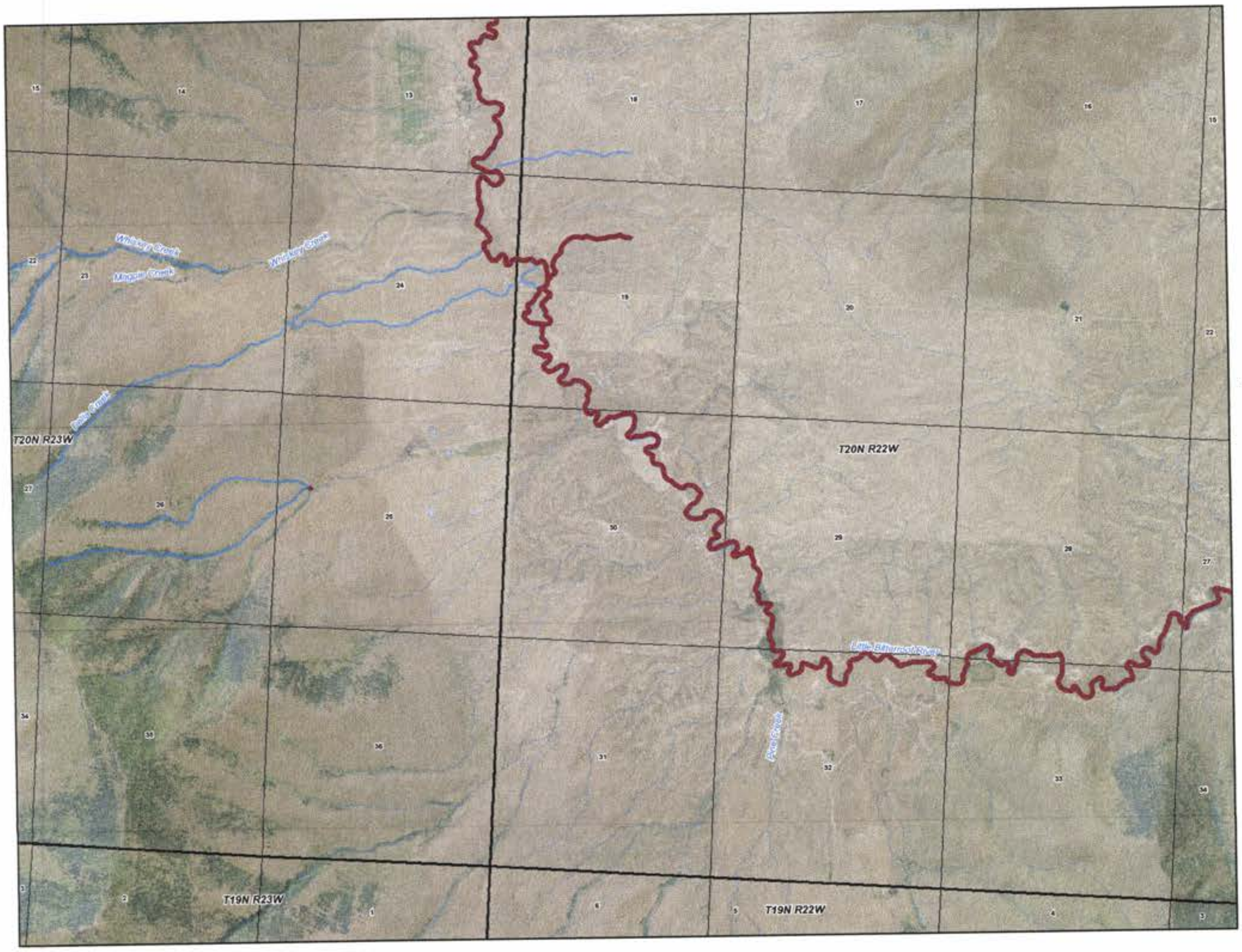
◎ Primary Point(s) of Diversion

▬ Place of Use

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


15
14
13
18
17
16
15
22
23
24
19
20
21
22
Whiskey Creek
Whiskey Creek
Magpie Creek
T20N R23W
T20N R22W
27
26
25
30
29
28
27
Little Bitterroot River
Pine Creek
34
35
36
31
32
33
34
3
2
T19N R23W
1
6
5
T19N R22W
4
3

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052852

Exhibit 5

Area of Interest
Hot Springs
2
3
4
5
6
Polson
Pablo
St. Ignatius
Arlee

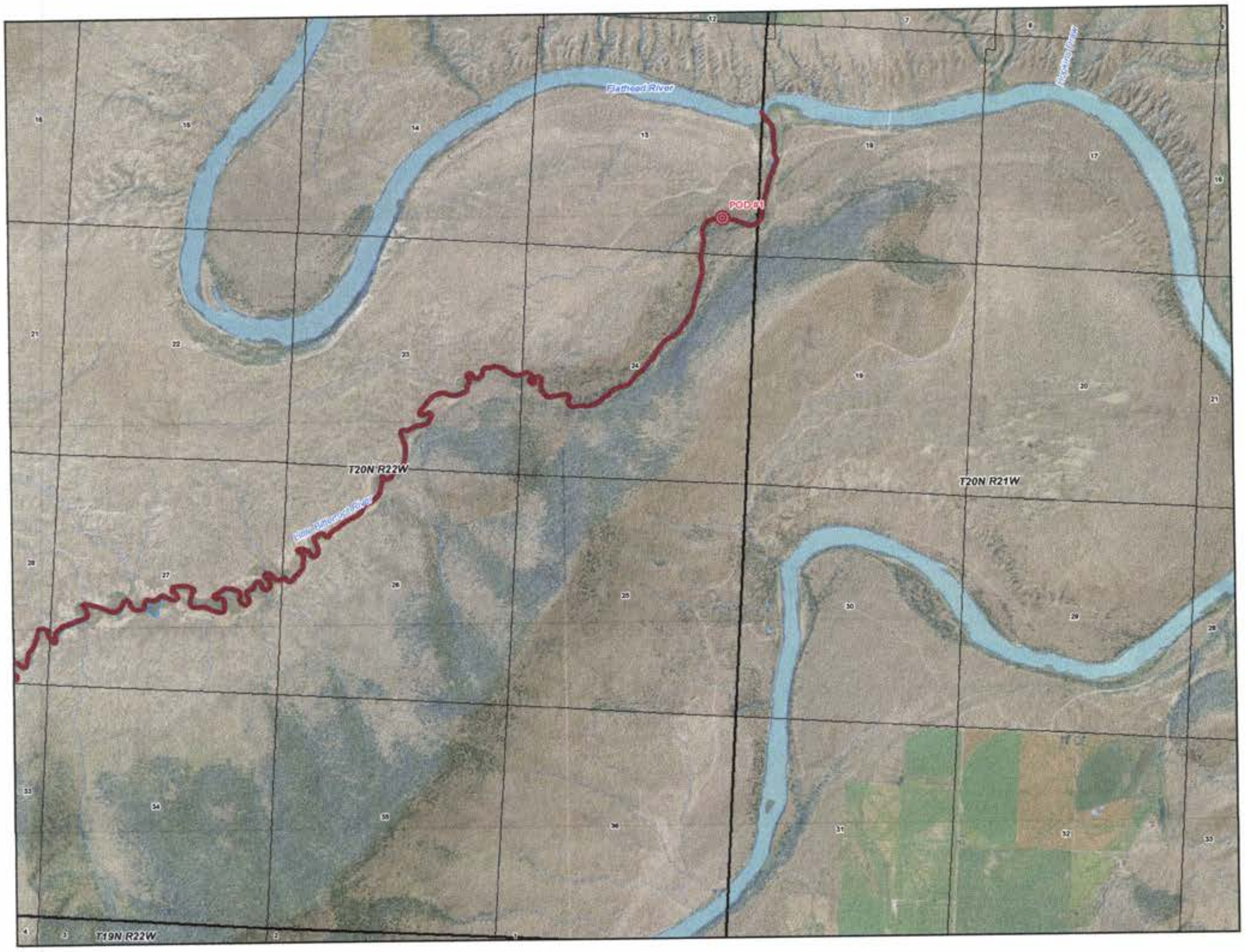
Flathead Indian Reservation

Legend

- ● Primary Point(s) of Diversion
- ▬ Place of Use
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Flathead River
POD #1
T20N R22W
T20N R21W
T19N R22W
Little Bitterroot River

Place of Use and Point of Diversion
Instream Flow Other Sites
76L
30052852
Exhibit 6

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2
3
4
5
6

Flathead Indian Reservation

Legend

◎ Primary Point(s) of Diversion
▬ Place of Use
▭ Reservation Boundary

0 0.25 0.5 Miles

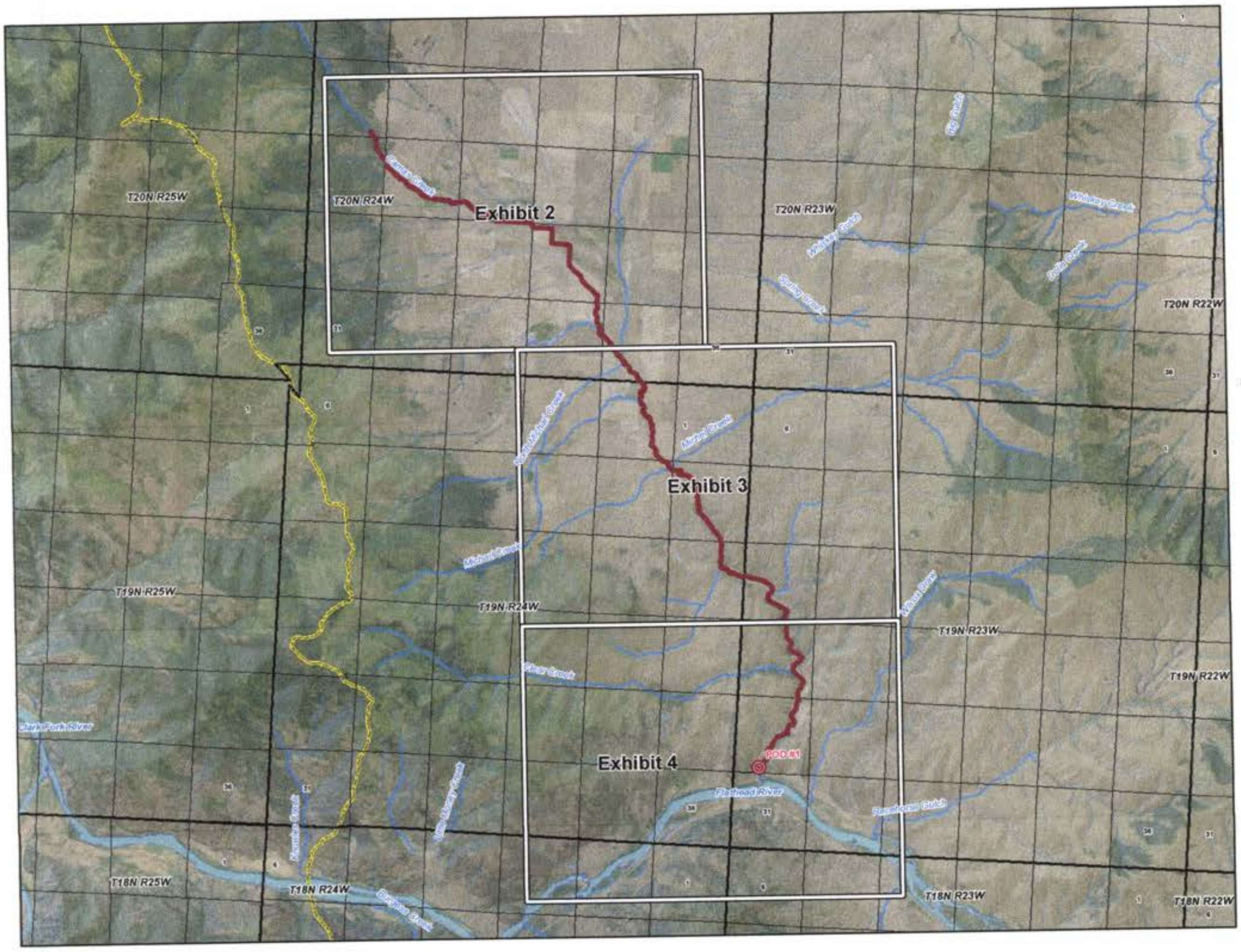
POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052853

Exhibit 1


T20N R25W
T20N R24W
Camas Creek
Exhibit 2
T20N R23W
Whiskey Gulch
Spring Creek
Whiskey Creek
T20N R22W
North Michel Creek
Michel Creek
Exhibit 3
T19N R25W
T19N R24W
T19N R23W
Clear Creek
T19N R22W
Clark Fork River
Exhibit 4
POD #1
Flathead River
Racehorse Gulch
T18N R25W
T18N R24W
T18N R23W
T18N R22W

Area of Interest
Hot Springs
Polson
Pablo
2
3
4
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

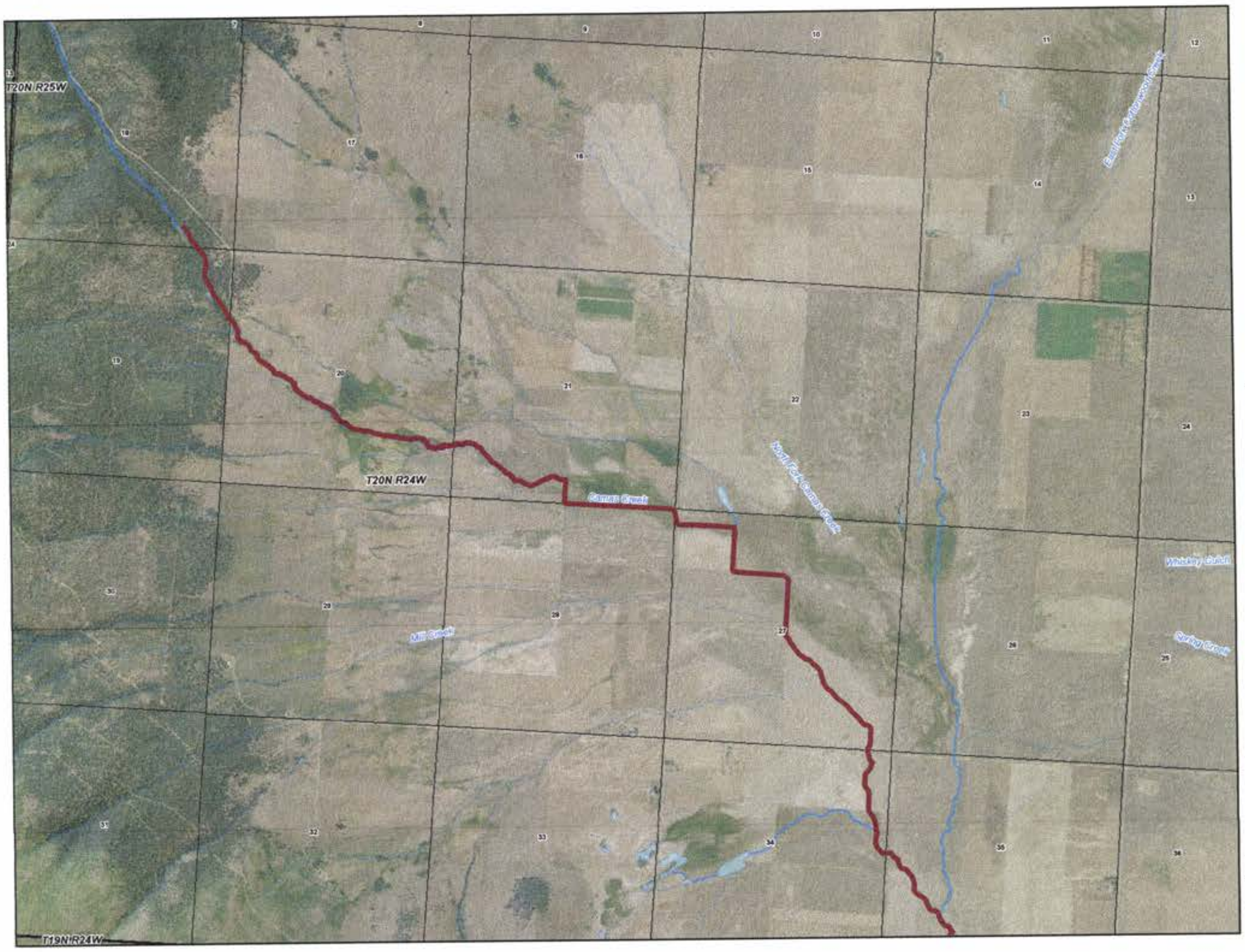
◎ Primary Point(s) of Diversion

▬ Place of Use

▭ Reservation Boundary

0 0.75 1.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T20N R25W
T20N R24W
T19N R24W
7
8
9
10
11
12
18
17
16
15
14
13
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36
Camas Creek
North Fork Camas Creek
Mill Creek
Whiskey Gulch
Spring Creek

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052853

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2
3
4

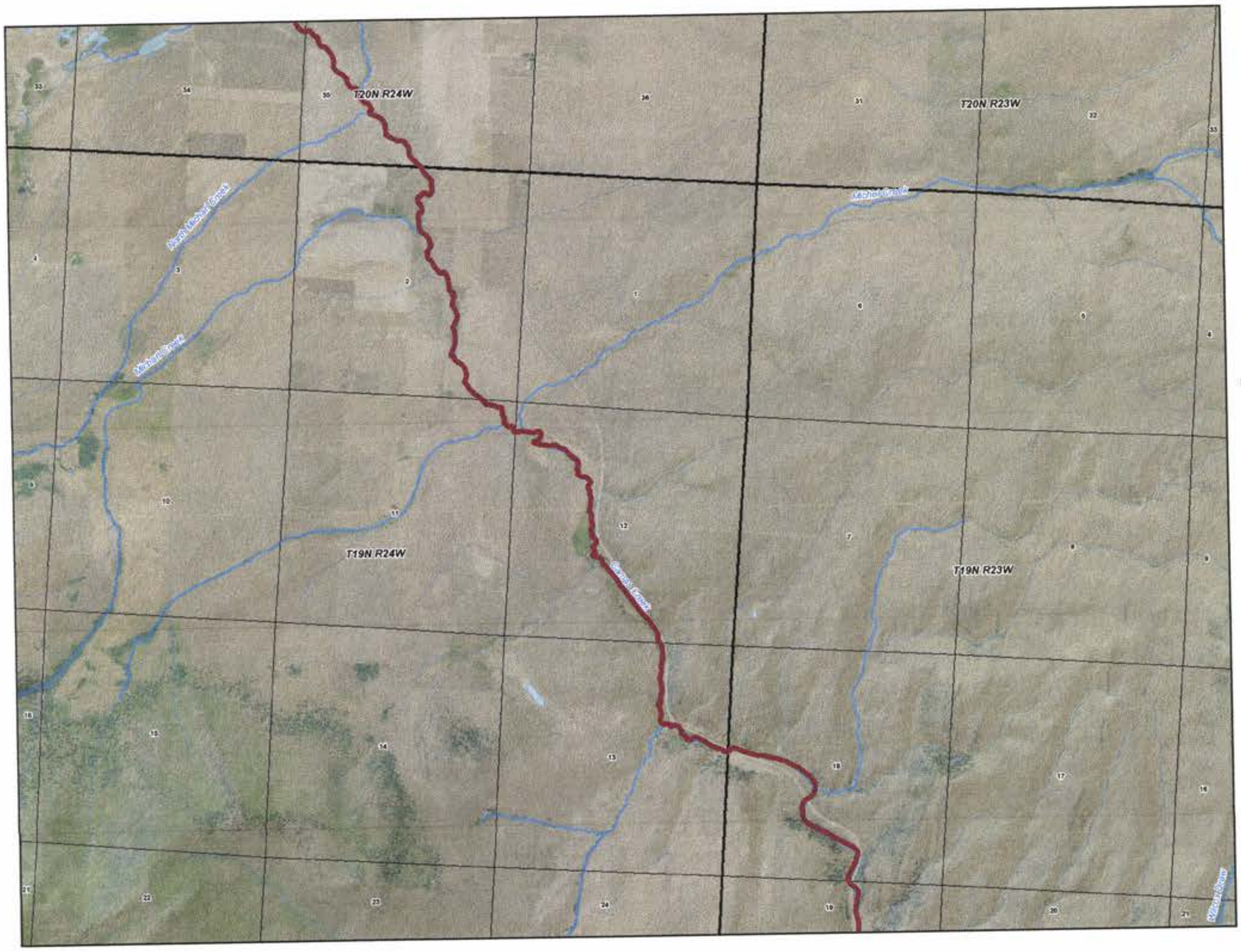
Flathead Indian Reservation

Legend

◎	Primary Point(s) of Diversion
▬	Place of Use
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T20N R24W
T20N R23W
T19N R24W
T19N R23W
North Michel Creek
Michel Creek
Michel Creek
34
35
36
31
32
33
3
2
1
6
5
4
10
11
12
7
8
9
15
14
13
18
17
16
22
23
24
19
20
21

Place of Use
and Point of
Diversion
Instream Flow
Other Sites

76L
30052853
Exhibit 3

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee
3
4

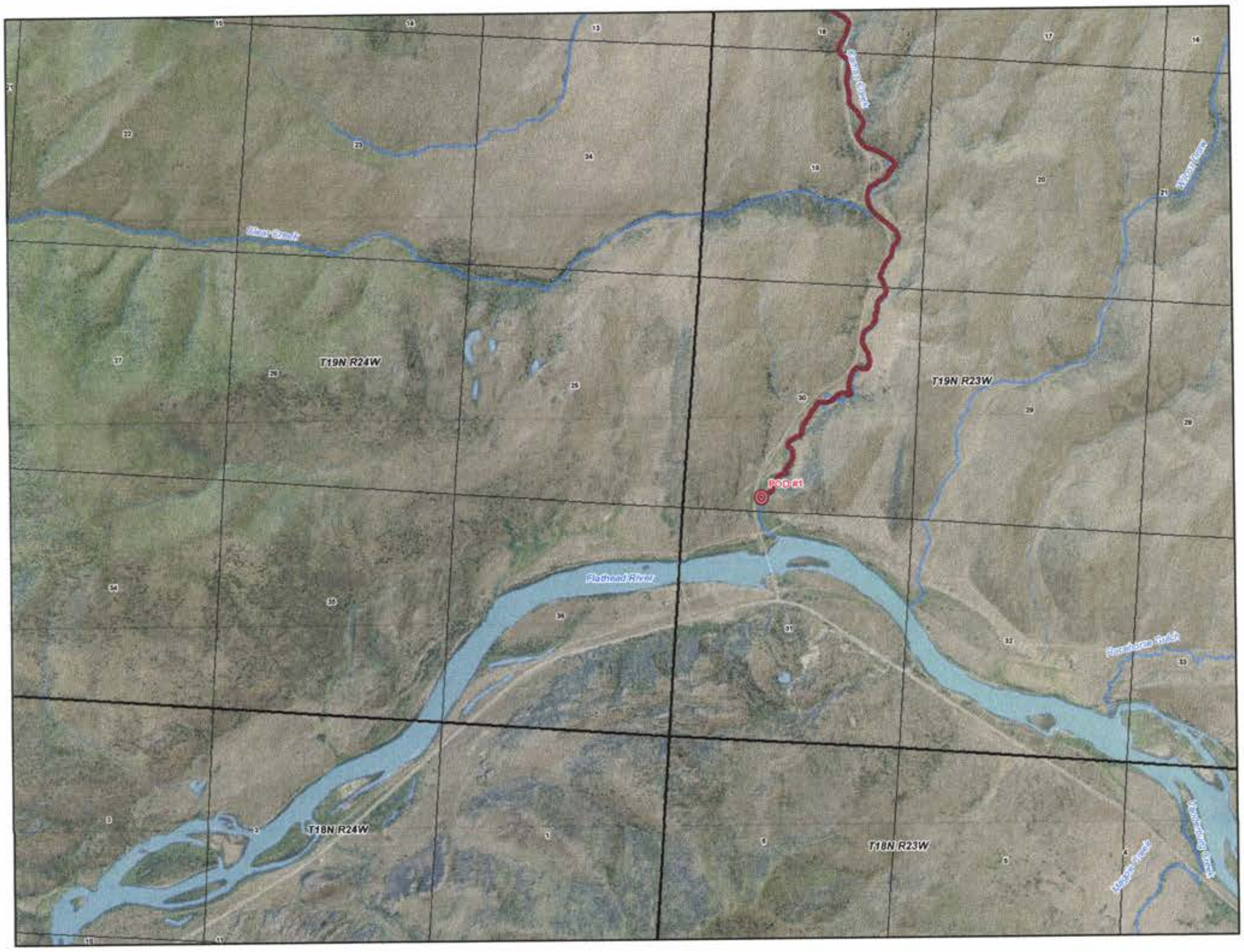
Flathead Indian Reservation

Legend

◎ Primary Point(s) of Diversion
▬ Place of Use
▭ Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos:
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


POD #1
Flathead River
T19N R24W
T19N R23W
T18N R24W
T18N R23W
Racehorse Gulch
Magpie Creek

Place of Use and Point of Diversion
Instream Flow Other Sites
76L 30052853
Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4

Flathead Indian Reservation

Legend

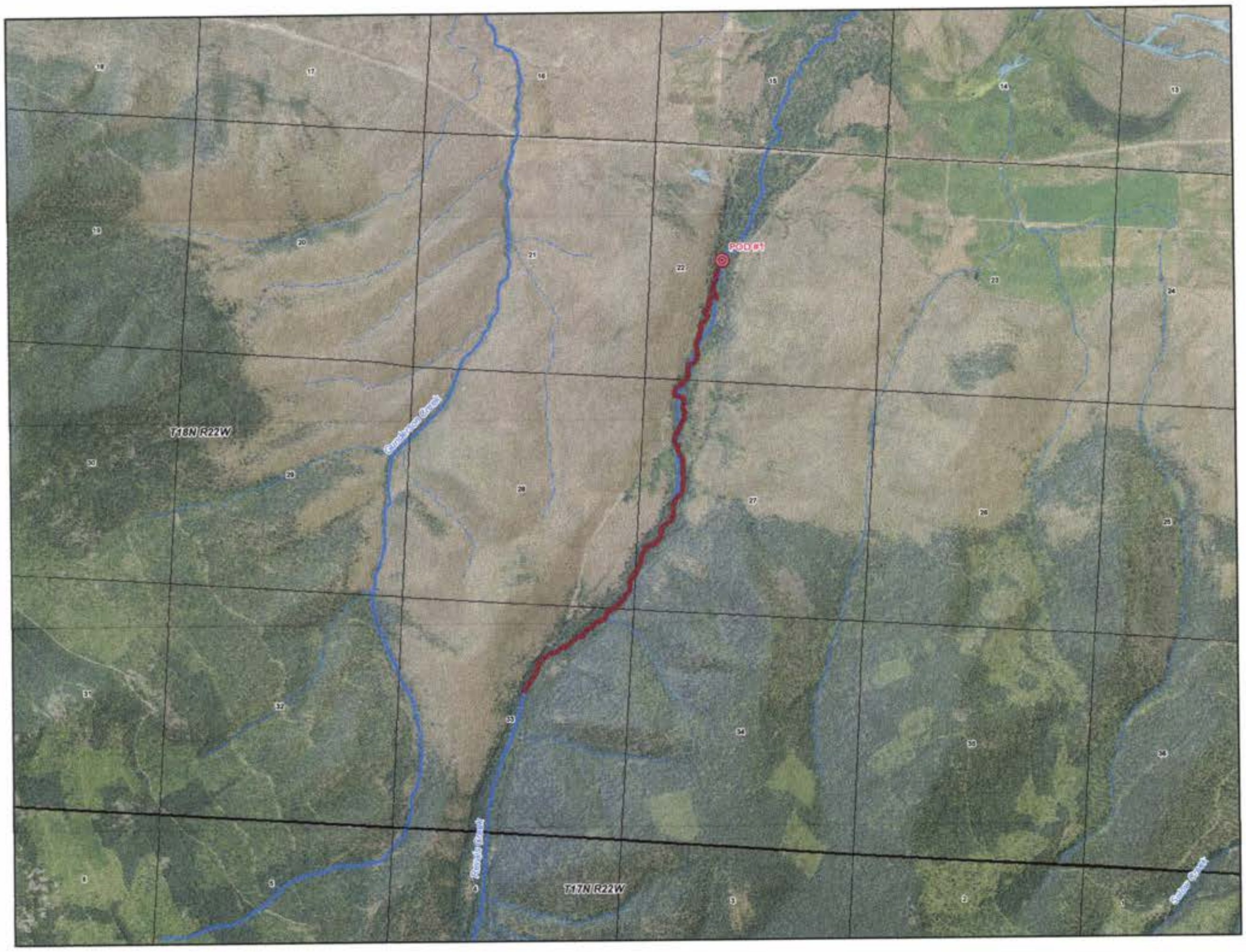
◎ Primary Point(s) of Diversion

▬ Place of Use

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


18
17
16
15
14
13
19
20
21
POD #1
22
23
24
T18N R22W
30
29
28
27
26
25
31
32
33
34
35
36
6
5
4
T17N R22W
3
2
1

Place of Use and Point of Diversion

Instream Flow Other Sites

76L
30052854
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

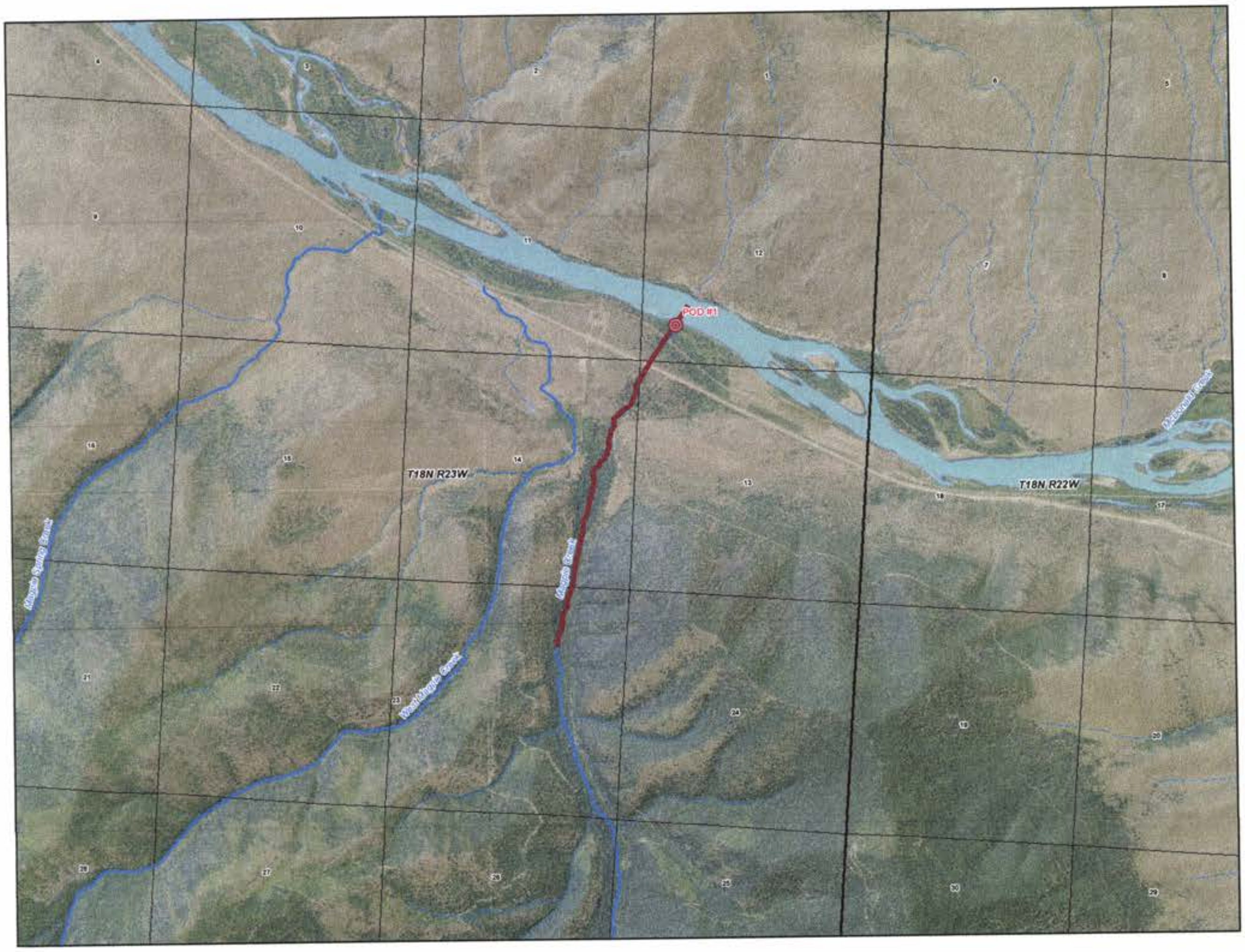
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


4
3
2
1
6
5
9
10
11
12
7
8
POD #1
16
15
14
13
18
17
T18N R23W
T18N R22W
Magpie Spring Creek
Magpie Creek
West Magpie Creek
21
22
23
24
19
20
28
27
26
25
30
29

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052855

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

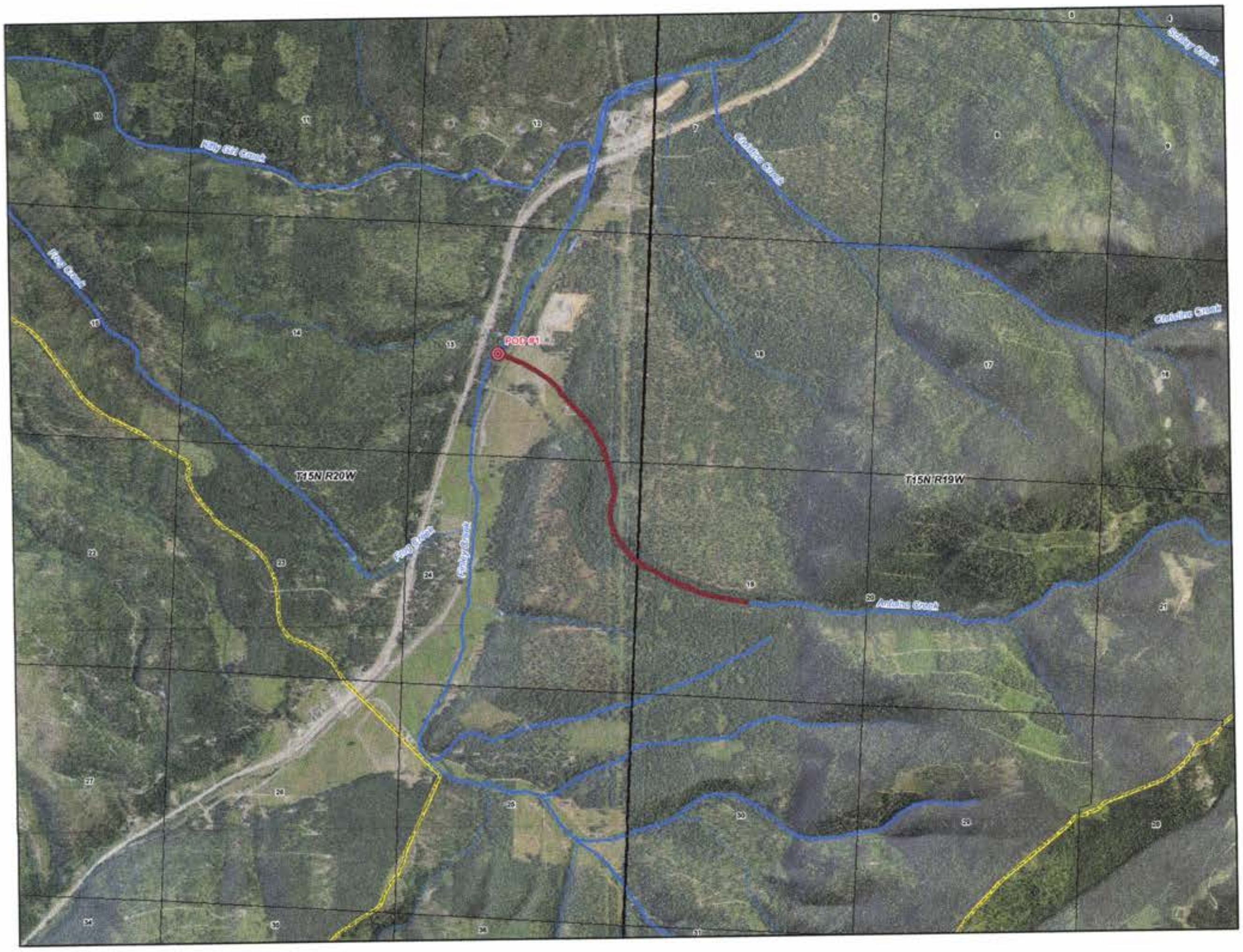
Flathead Indian Reservation

Legend

▬ Place of Use
◉ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
T15N R20W
T15N R19W
Finley Creek

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052856

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

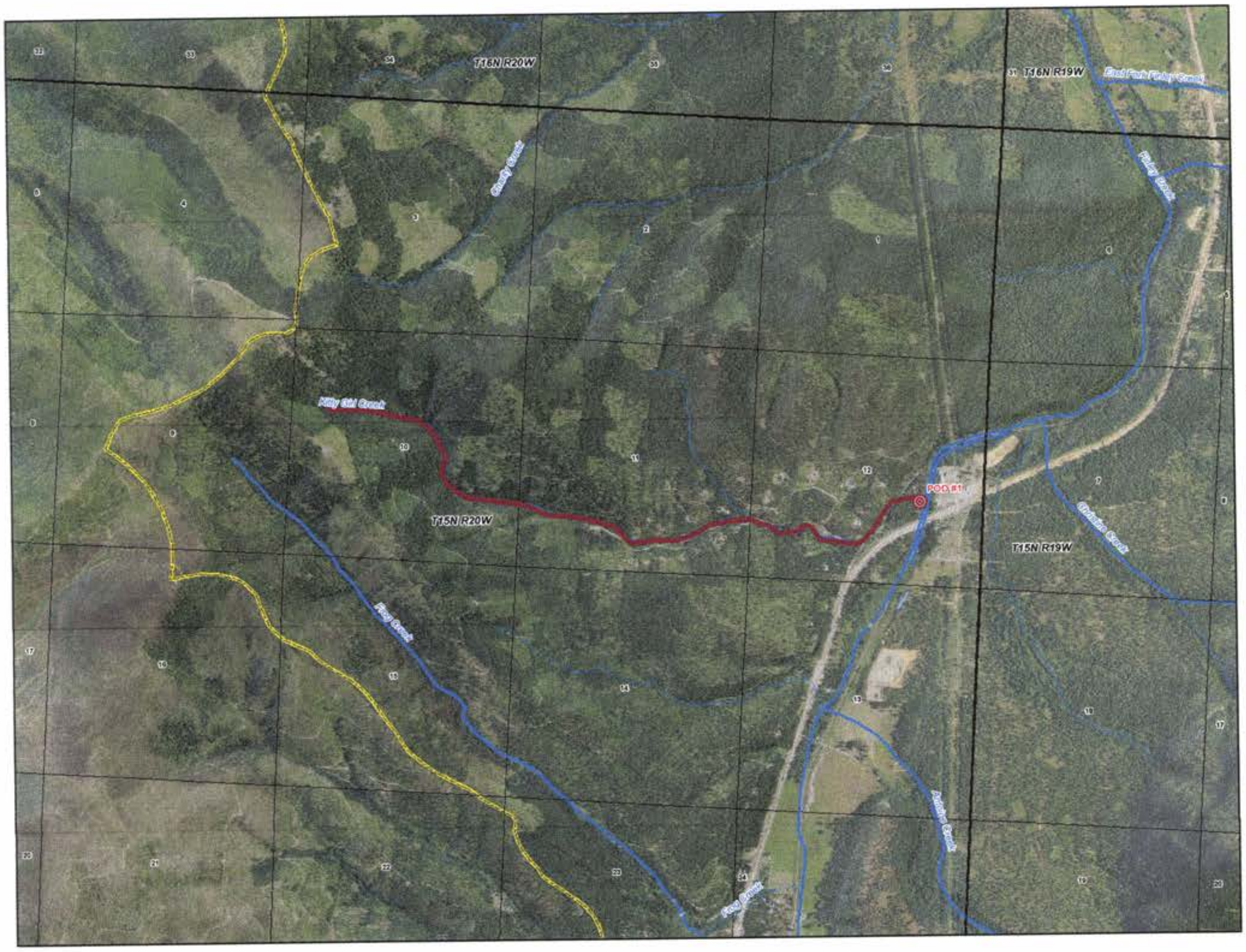
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T16N R20W
T16N R19W
East Fork Finley Creek
Finley Creek
Kitty Girl Creek
POD #1
T15N R20W
T15N R19W
Frog Creek

Place of Use and Point of Diversion
Instream Flow
Other Sites
76L
30052857
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

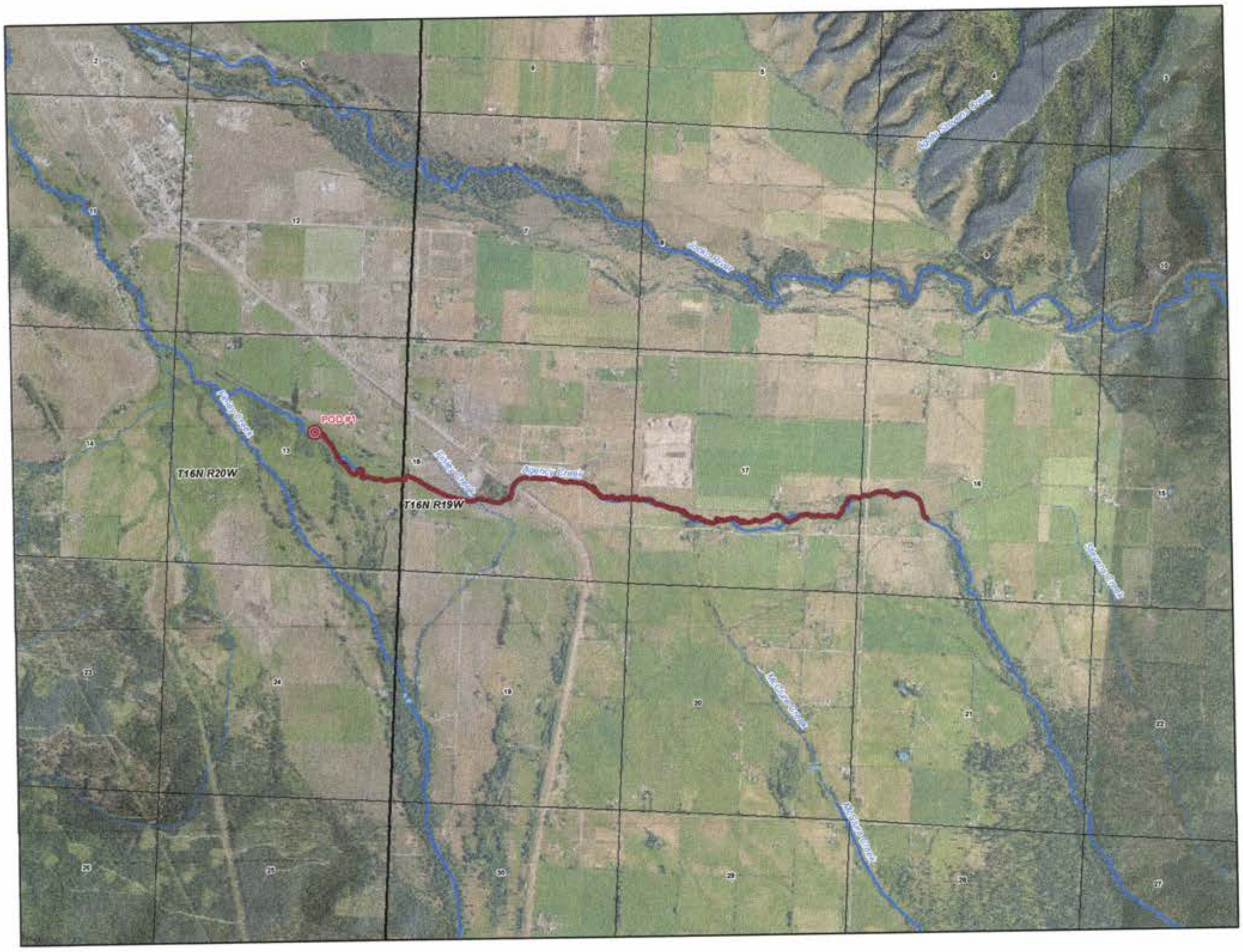
Flathead Indian Reservation

Legend

Place of Use
◎ Primary Point(s) of Diversion
Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
T16N R20W
T16N R19W
Jocko River
Finley Creek
Agency Creek
McClure Creek

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052858

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

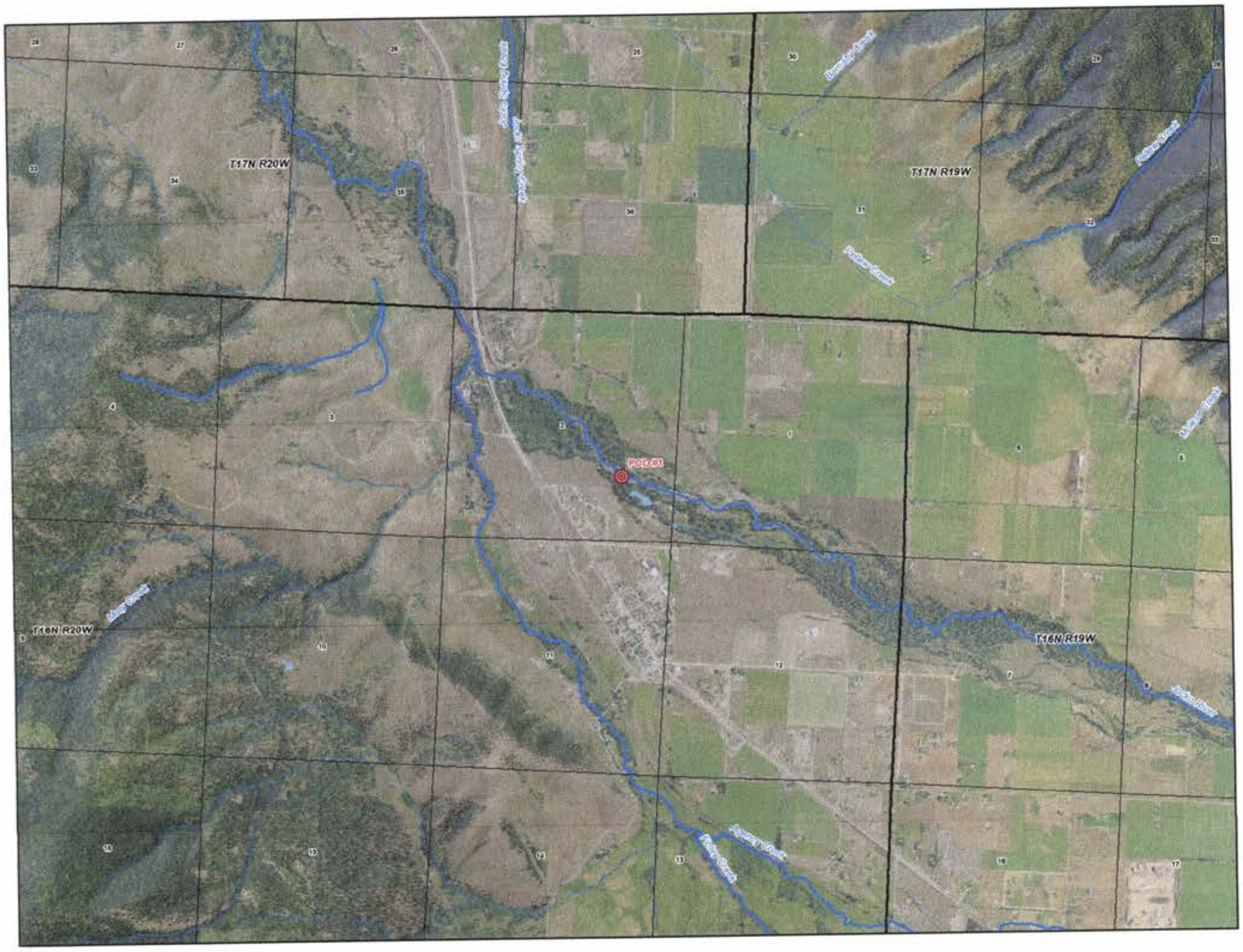
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T17N R20W
T17N R19W
T16N R20W
T16N R19W
POD #1
Jocko Spring Creek
Agency Creek
Jocko River

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052859

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

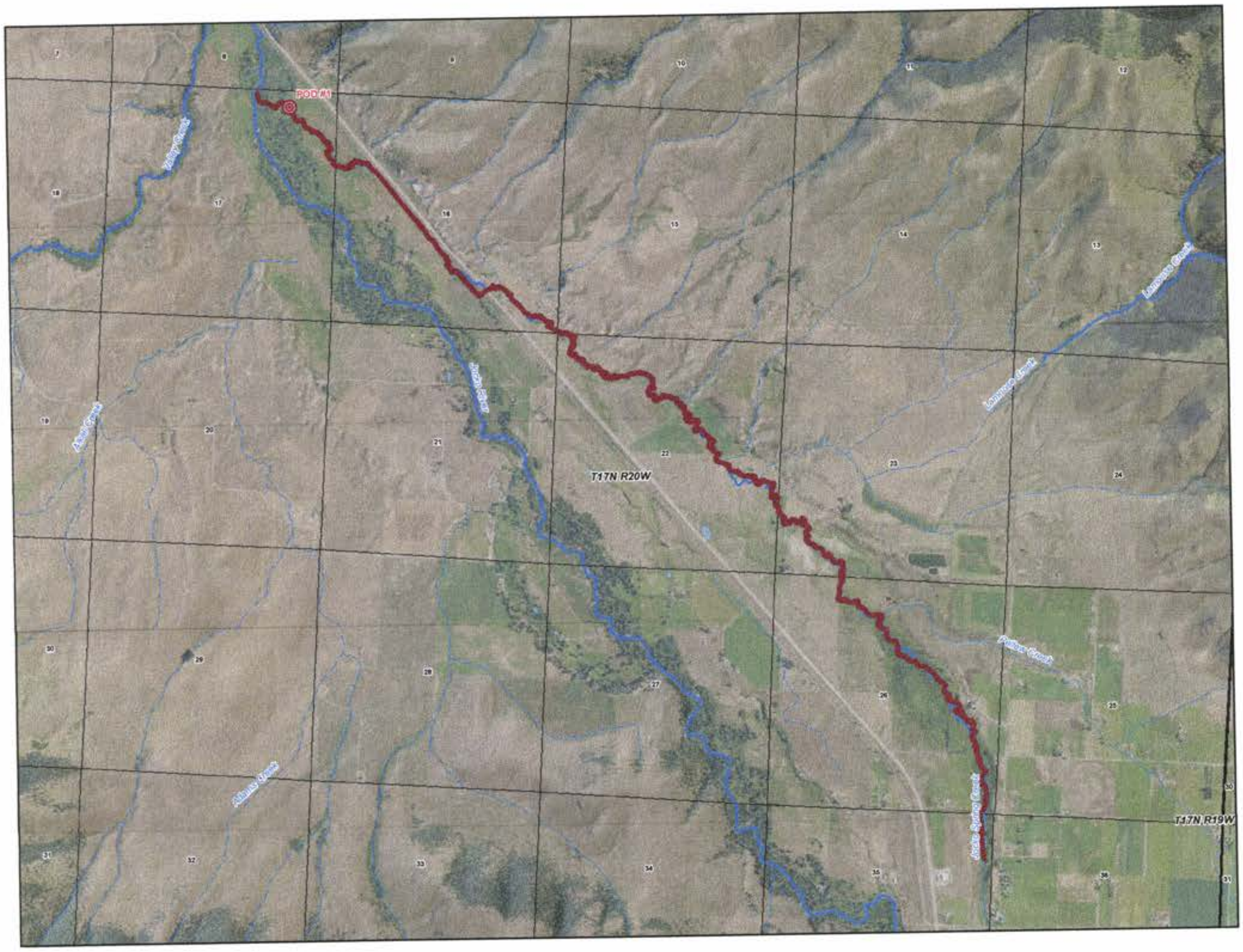
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


POD #1
T17N R20W
T17N R19W
Valley Creek
Jocko River
Lamoose Creek
Jocko Spring Creek
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052860

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

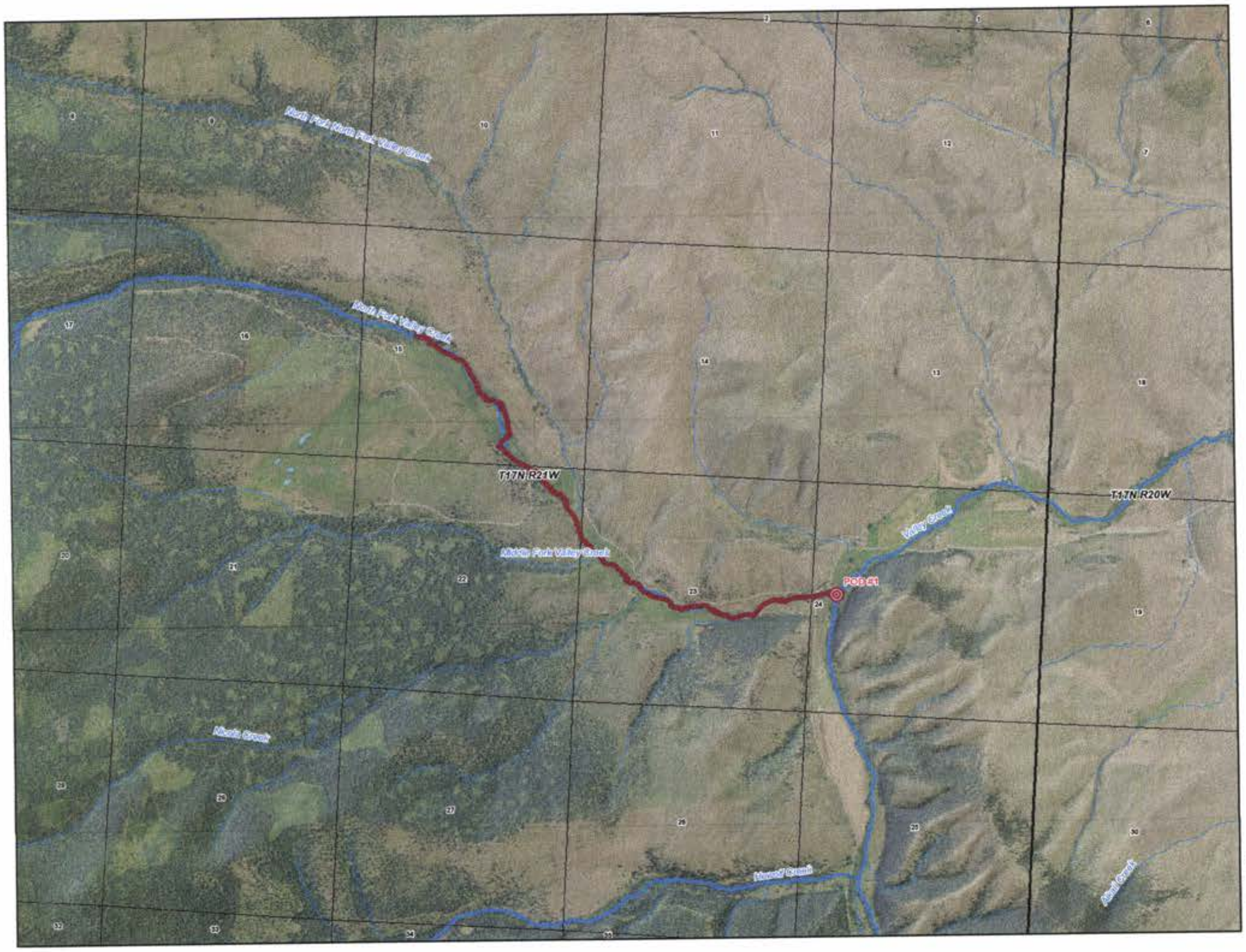
POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052861

Exhibit 1


North Fork North Fork Valley Creek
North Fork Valley Creek
T17N R21W
Middle Fork Valley Creek
POD #1
Valley Creek
T17N R20W
Nicola Creek
Howard Creek
2
1
6
8
9
10
11
12
7
17
16
15
14
13
18
20
21
22
23
24
19
28
26
27
26
25
30
32
33
34
35

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

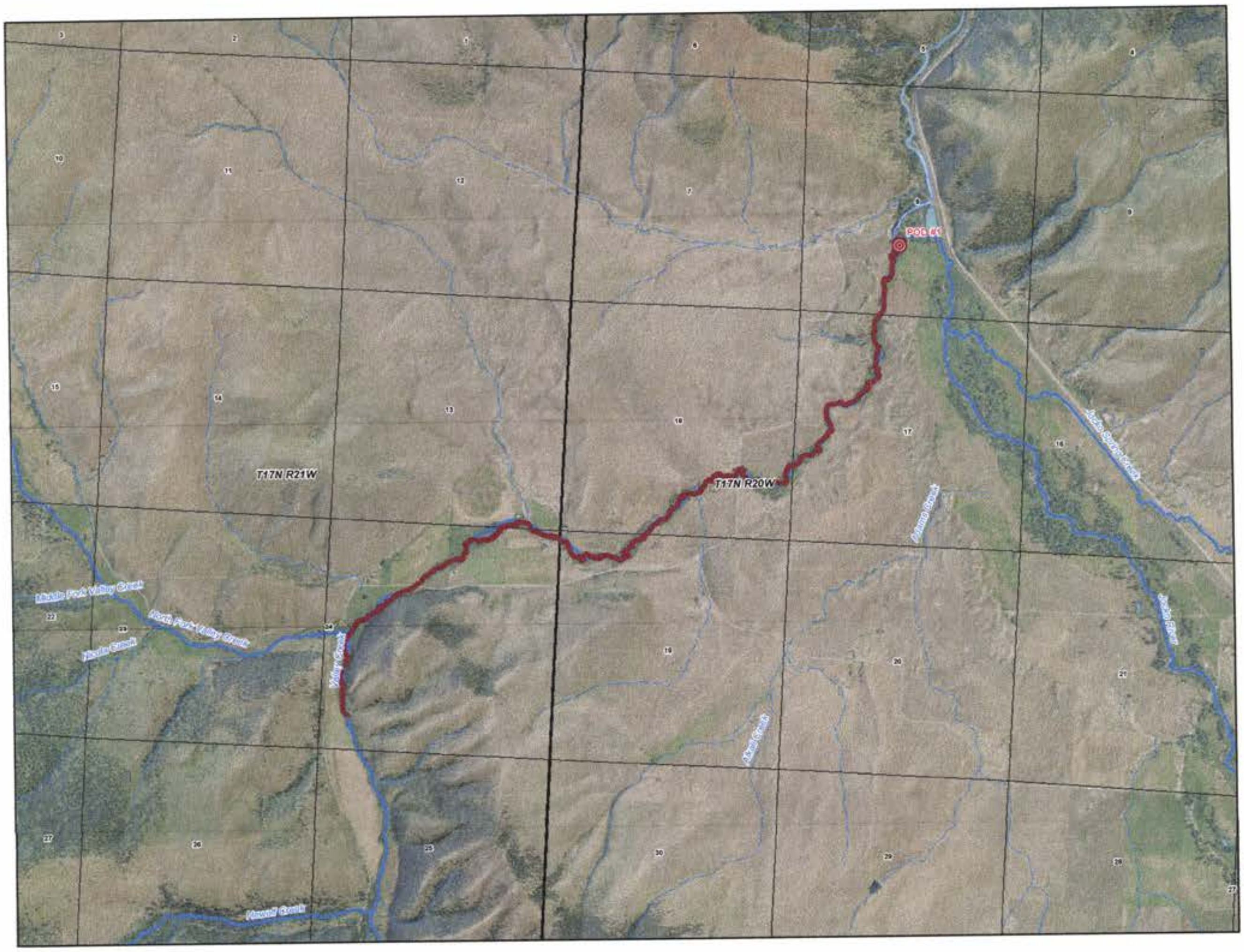
🟥 Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


3
2
1
6
5
4
10
11
12
7
POD #1
8
9
15
14
13
18
17
16
T17N R21W
T17N R20W
Middle Fork Valley Creek
North Fork Valley Creek
Valley Creek
22
23
24
19
20
21
Jocko Spring Creek
Jocko River
27
26
25
30
29
28
27

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052862

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

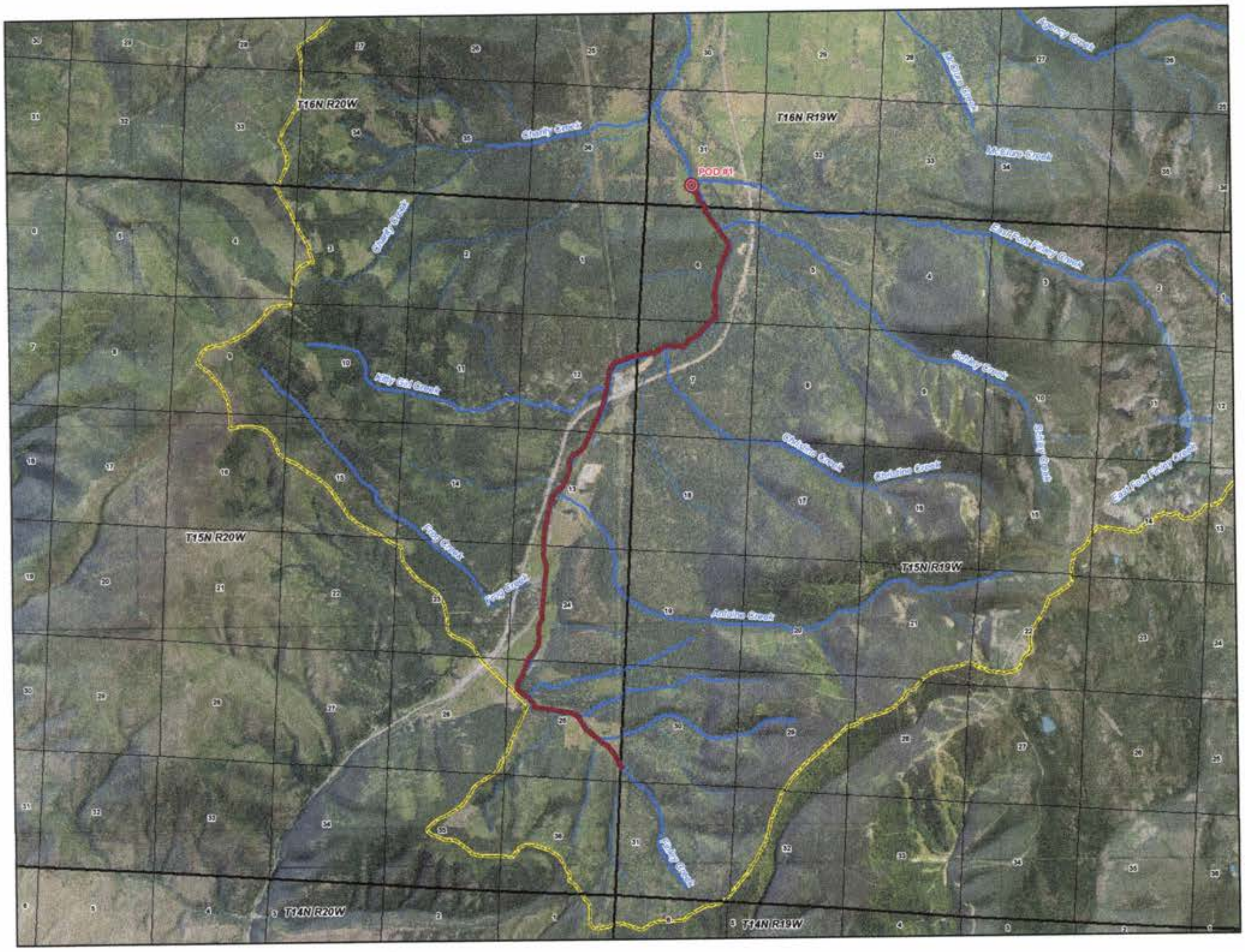
Flathead Indian Reservation

Legend

🟥 Place of Use
◎ Primary Point(s) of Diversion
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T16N R20W
T16N R19W
T15N R20W
T15N R19W
T14N R20W
T14N R19W
POD #1
Agency Creek
McClure Creek
McClure Creek
Charity Creek
Charity Creek
East Fork Finley Creek
East Fork Finley Creek
Kitty Girl Creek
Schley Creek
Schley Creek
Christine Creek
Christine Creek
Frog Creek
Frog Creek
Antoine Creek
Finley Creek

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052863

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Place of Use

◎ Primary Point(s) of Diversion

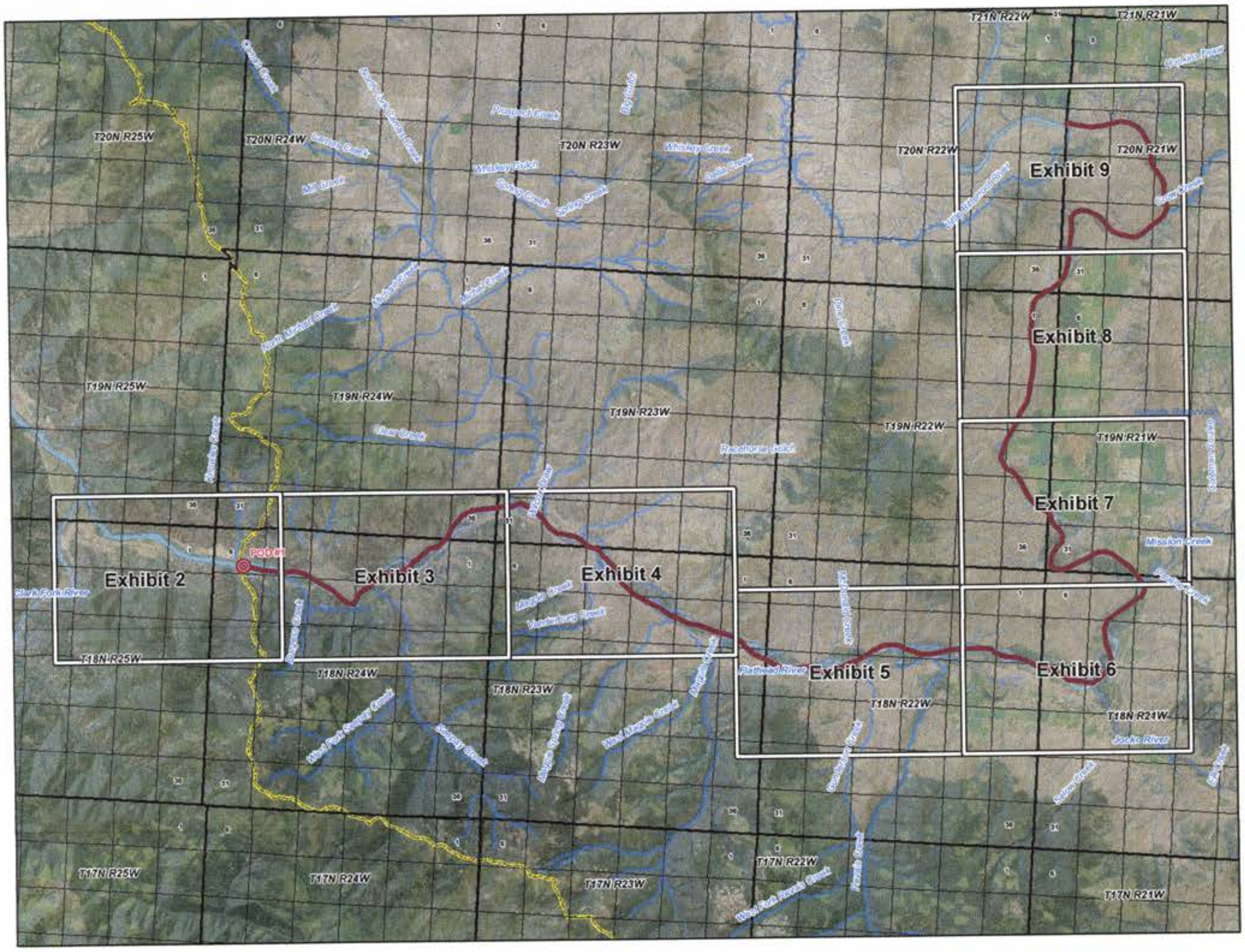
▭ Reservation Boundary

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)

Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.

Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)



T21N R22W
T21N R21W
T20N R25W
T20N R24W
T20N R23W
T20N R22W
T20N R21W
T19N R25W
T19N R24W
T19N R23W
T19N R22W
T19N R21W
T18N R25W
T18N R24W
T18N R23W
T18N R22W
T18N R21W
T17N R25W
T17N R24W
T17N R23W
T17N R22W
T17N R21W
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8
Exhibit 9
POD #1
Clark Fork River
Flathead River
Jocko River
Mission Creek
Prospect Creek
Whiskey Gulch
Racehorse Gulch
Mill Creek

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052864

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2 3 4 5 6
7 8 9

Flathead Indian Reservation

Legend

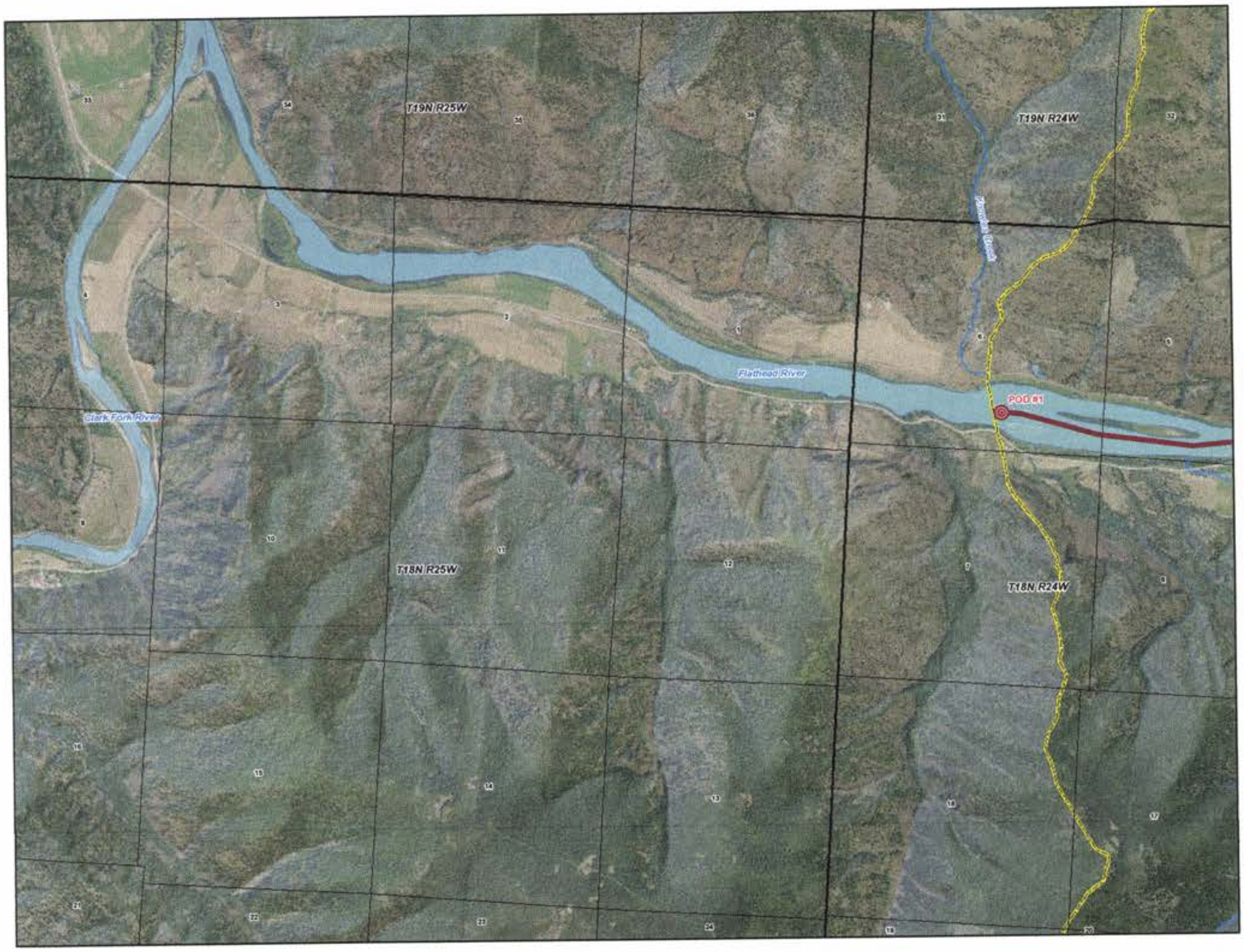
▬ Place of Use

◎ Primary Point(s) of Diversion

▭ Reservation Boundary

0 1.25 2.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R25W
T19N R24W
T18N R25W
T18N R24W
Flathead River
Clark Fork River
POD #1

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052864

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
5
6
8
9

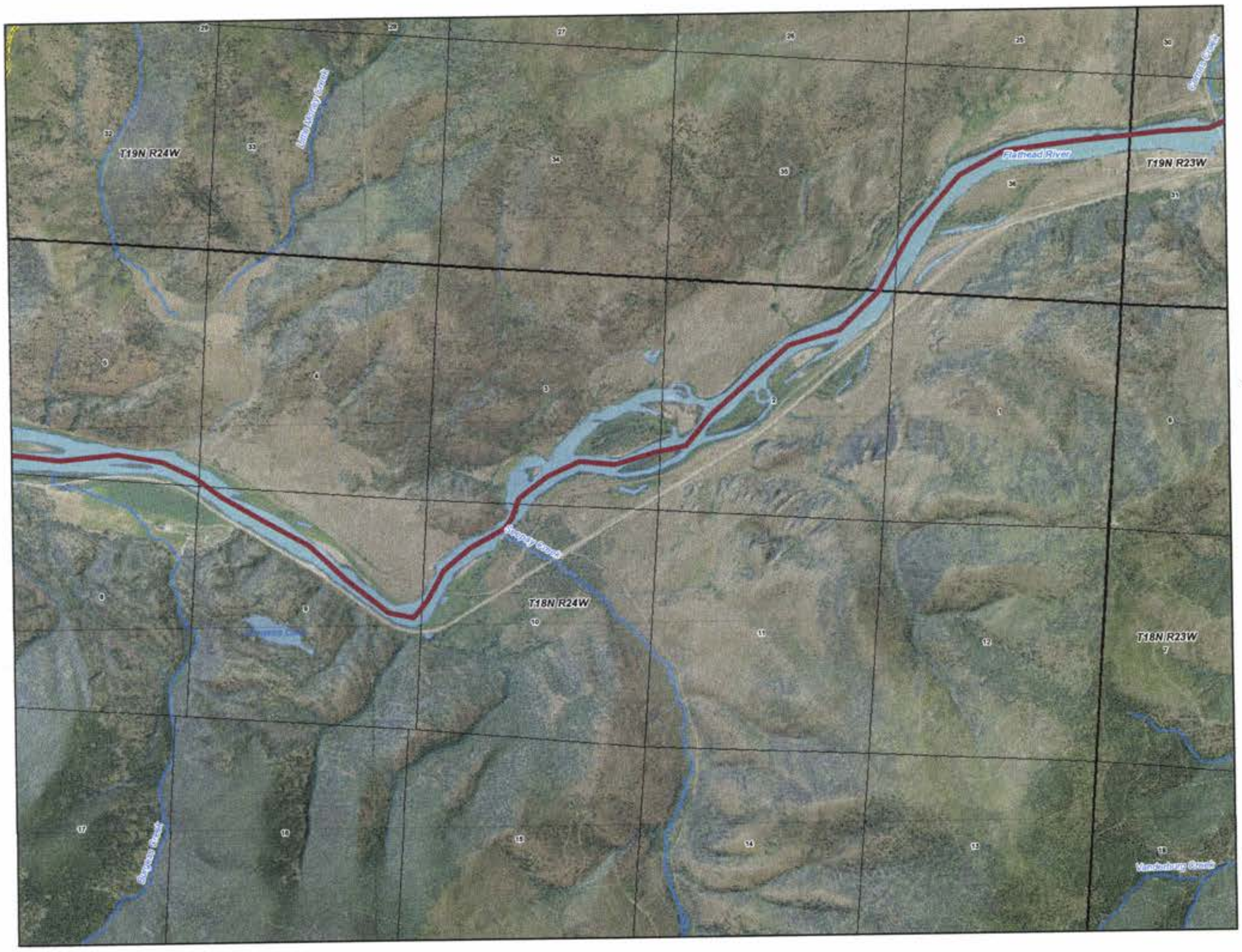
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)



T19N R24W
T19N R23W
T18N R24W
T18N R23W
Flathead River
Camas Creek
Seepay Creek
Vanderburg Creek

Place of Use and Point of Diversion

Instream Flow Other Sites

76L

30052864

Exhibit 3

Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

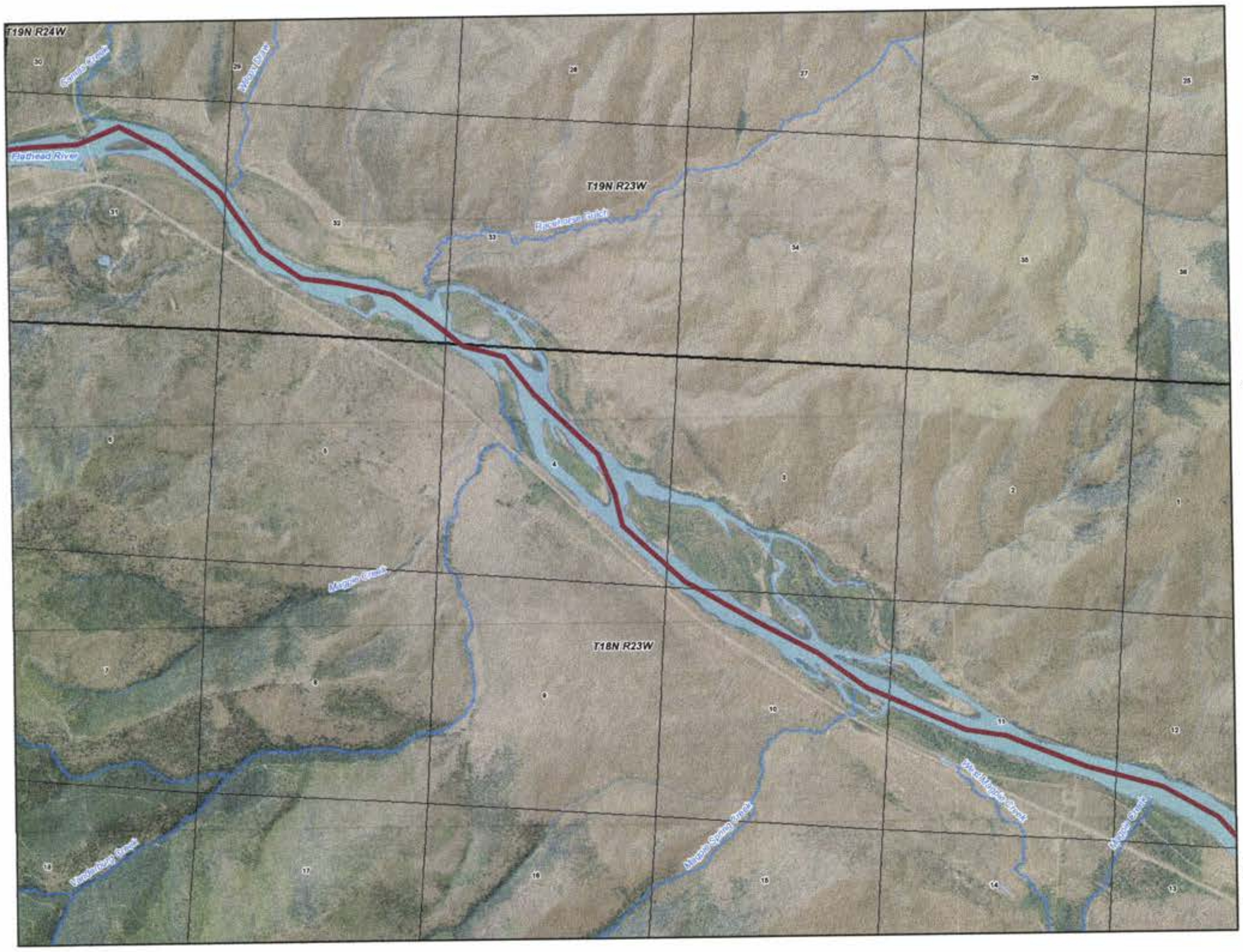
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R24W
Camas Creek
Wilcox Draw
Flathead River
T19N R23W
Racehorse Gulch
T18N R23W
Magpie Creek
Vanderburg Creek
Magpie Spring Creek
West Magpie Creek
Magpie Creek
30
29
28
27
26
25
31
32
33
34
35
36
6
5
4
3
2
1
7
8
9
10
11
12
18
17
16
15
14
13

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052864

Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
1
2
3
4
5
6
7
8

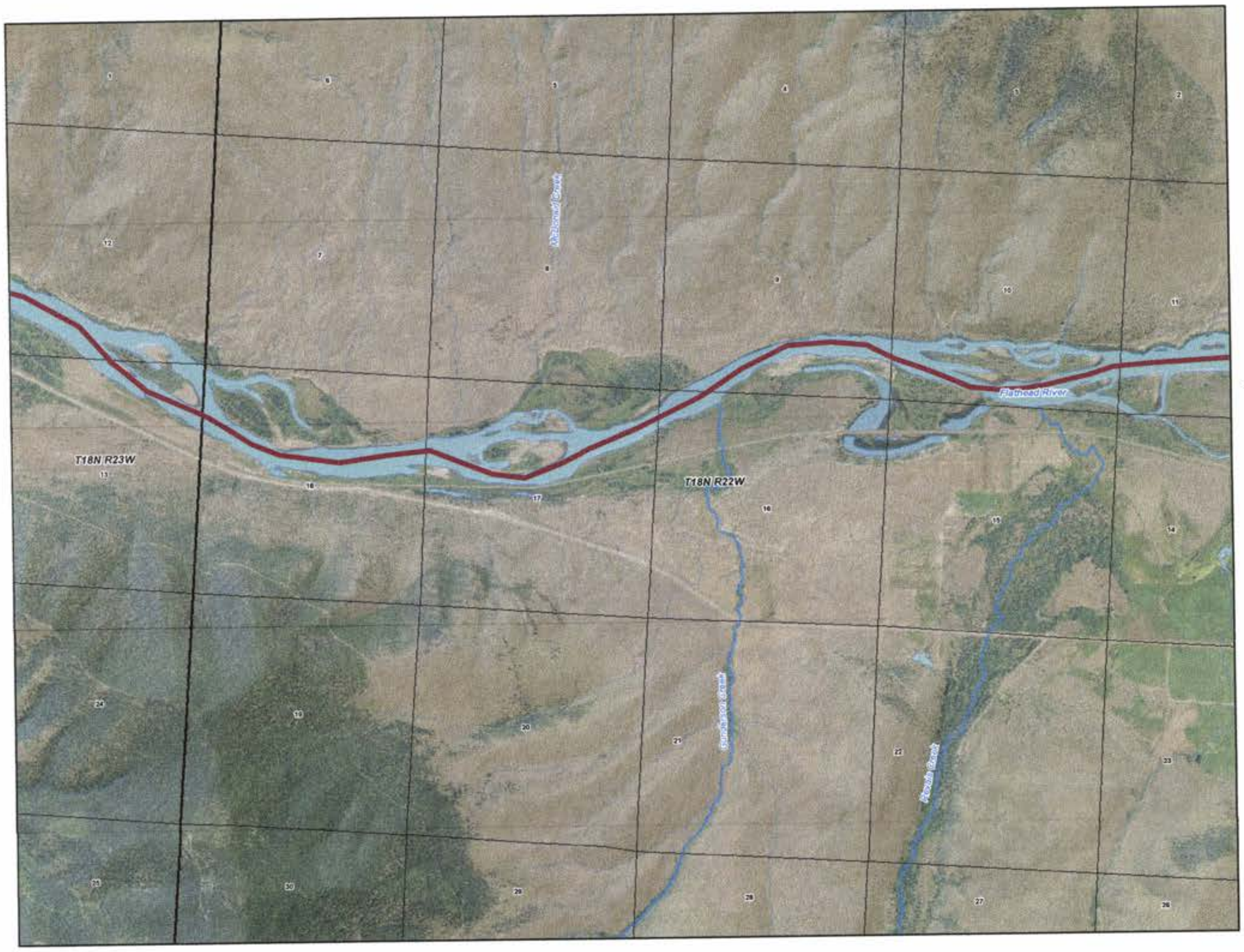
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


McDonald Creek
Flathead River
T18N R23W
T18N R22W

Place of Use and Point of Diversion

Instream Flow Other Sites

76L
30052864
Exhibit 5

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2
3
4
5
6
8
9

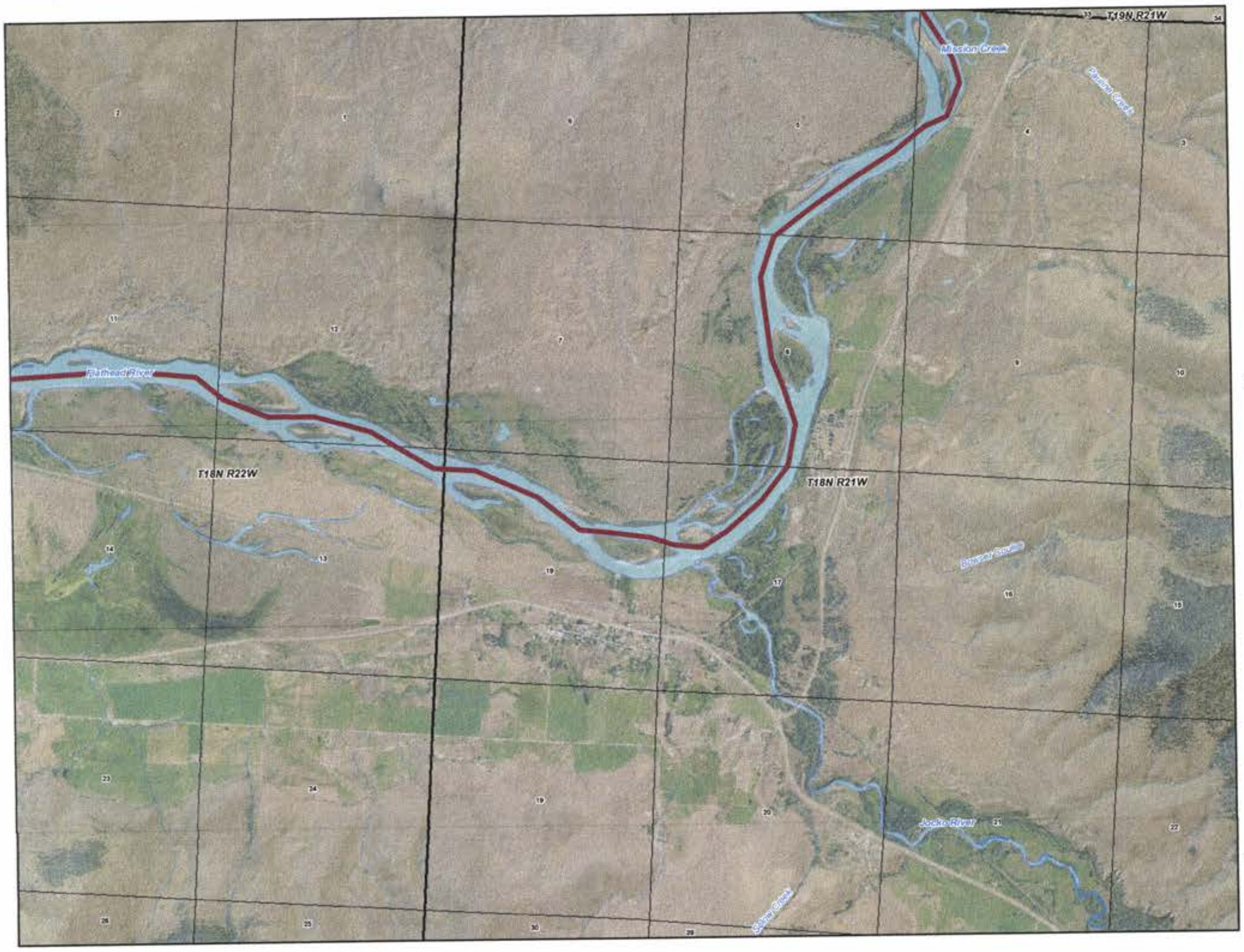
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ● Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R21W
Mission Creek
Flathead River
T18N R22W
T18N R21W
Jocko River

Place of Use and Point of Diversion

Instream Flow
Other Sites

76L
30052864
Exhibit 6

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9

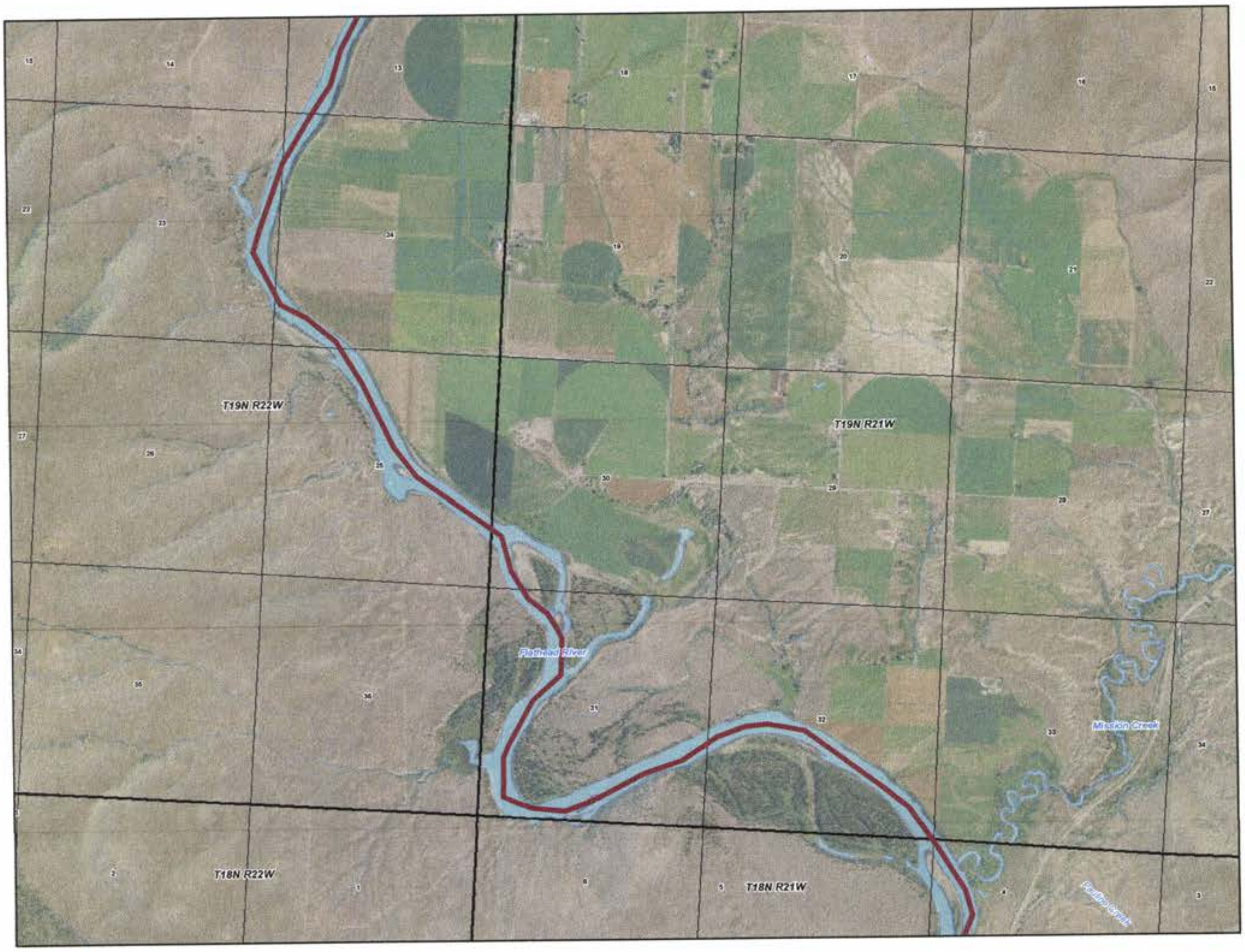
Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R22W
T19N R21W
T18N R22W
T18N R21W
Flathead River
Mission Creek
Post Creek

Place of Use
and Point of
Diversion
Instream Flow
Other Sites

76L
30052864
Exhibit 7

Hot Springs
Polson
Pablo
St Ignatius
Arlee
Area of Interest
2 3 4 5 6 8 9

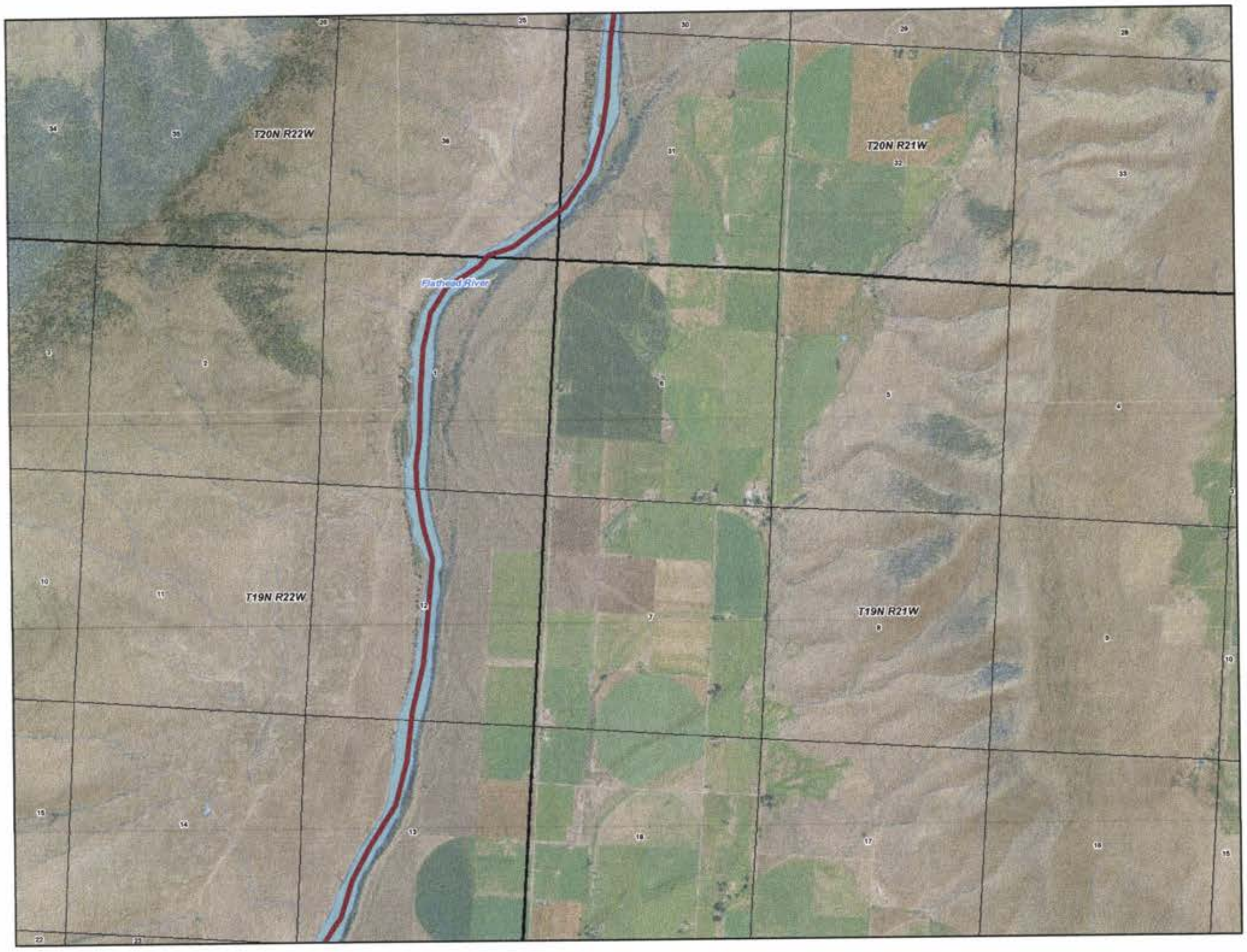
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T20N R22W
T20N R21W
Flathead River
T19N R22W
T19N R21W

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052864

Exhibit 8

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2 3 4 5 6
9
8

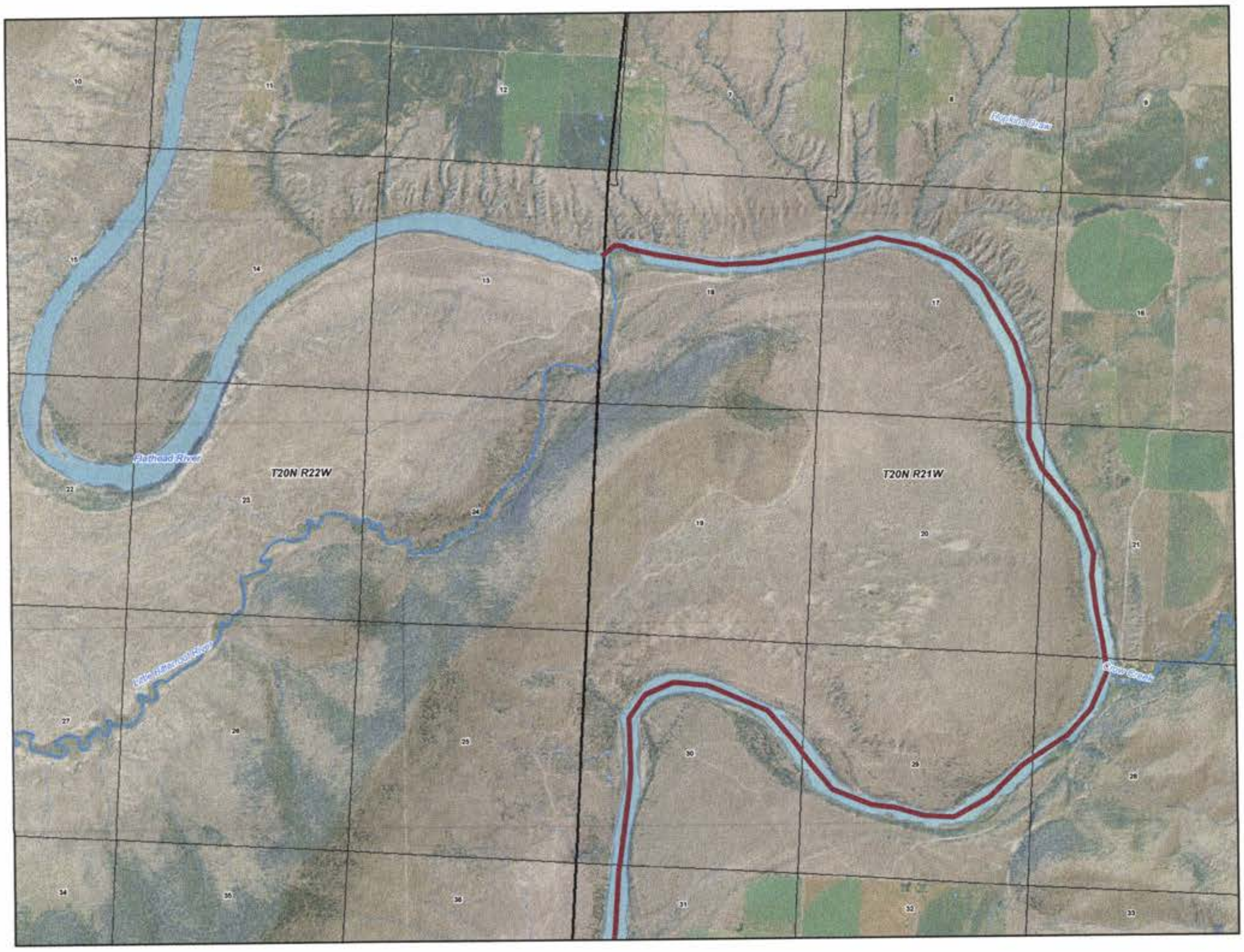
Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


10
11
12
7
8
9
Hopkins Draw
15
14
13
18
17
16
Flathead River
T20N R22W
T20N R21W
22
23
24
19
20
21
Little Bitterroot River
Crow Creek
27
26
25
30
29
28
34
35
36
31
32
33

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052864

Exhibit 9

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
5
6

Flathead Indian Reservation

Legend

🟥 Place of Use

◎ Primary Point(s) of Diversion

☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

T20N R25W
T20N R24W
12
7
8
9
10
11

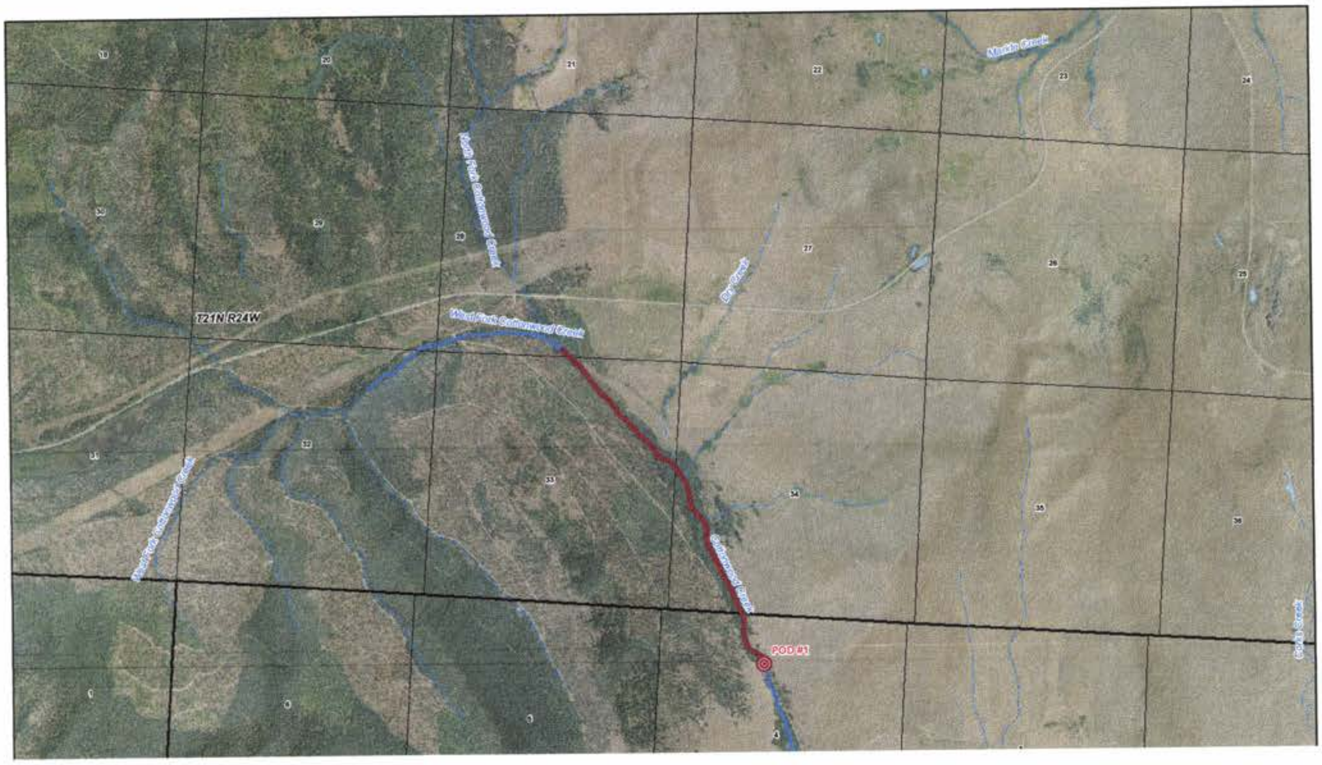
POU/POD Data Source: CSKT-MT Compact Instream Flow
Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052865

Exhibit 1


21
22
23
24
20
North Fork Cottonwood Creek
29
28
27
26
25
Dry Creek
T21N R24W
West Fork Cottonwood Creek
32
33
34
35
36
Cottonwood Creek
POD #1
4

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

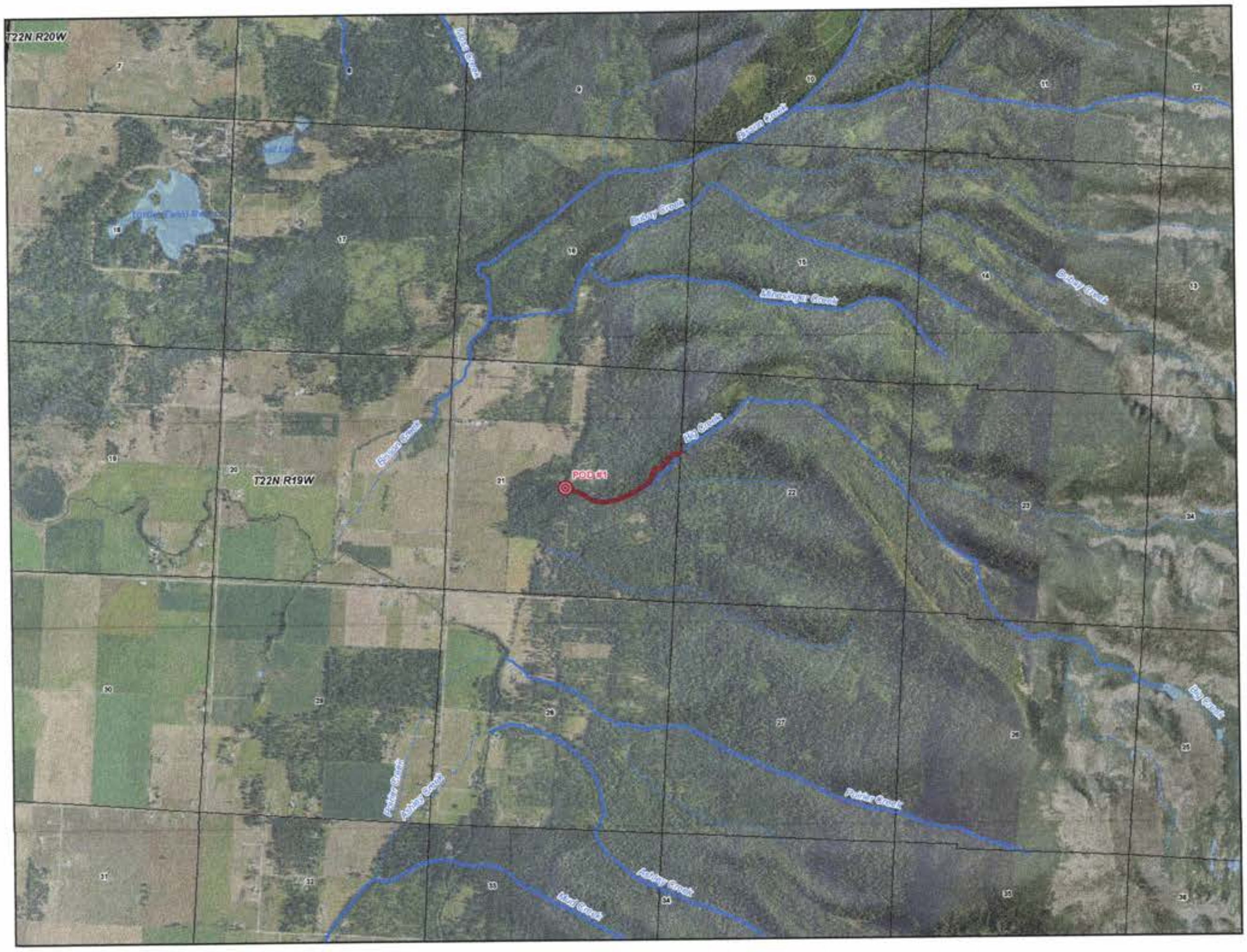
Legend

Place of Use

Primary Point(s) of Diversion

Reservation Boundary

0 0.25 0.5 Miles


T22N R20W
T22N R19W
POD #1
Big Creek
Dubay Creek
Big Creek
Dubay Creek
Ashley Creek
Mud Creek
Post Creek

Place of Use and Point of Diversion

Instream Flow Other Sites

76L 30052866

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

- ▬ Place of Use
- ◎ Primary Point(s) of Diversion
- ▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow Other (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Appendix 13: Interim Instream Flows and Interim Reservoir Pool Elevation

This appendix specifies interim instream flows, as identified in Article III.C.1.d.iv of the Compact, which are linked in Table 1 to the specific instream flow water rights identified in Article III.C.1.d.ii that, upon their enforceability, will replace the interim instream flows. This appendix also specifies interim reservoir pool elevations, as identified in Article III.C.1.e.iv, which are linked in Table 2 to the specific Minimum Reservoir Pool Elevation water rights in Article III.C.1.e that, upon their enforceability, will replace the interim reservoir pool elevations.

Table 1: Interim Instream Flows

Gage#	Stream	Interim Location	Flow Rate	Replacement Water Right #
516900	Agency Creek	below Upper J Canal	8.0	76L 30052785
514300	Big Knife Creek	below Jocko S Canal	2.0	76L 30052783
354000	Crow Creek	below Crow Pump Plant	17.0	76L 30052800
359500	Crow Creek	below Moiese A Canal	21.0	76L 30052802
351900	Crow Creek MFK	below Pablo Feeder Canal	1.0	76L 30052794
351500	Crow Creek NFK	below Pablo Feeder Canal	10.0	76L 30052795
353000	Crow Creek SFK	below Crow Feeder Canal	9.5	76L 30052799
352200	Crow Creek SFK	below Pablo Feeder Canal	24.0	76L 30052799
517500	Finley Creek	below Jocko E Canal	7.5	76L 30052788
517800	Finley Creek	above confluence w/ Jocko River	8.5	76L 30052788
516500	Finley Creek EFK	below Jocko N Canal	8.0	76L 30052786
317000	Hot Spring Creek	at HW 28 near Hot Springs	1.0	76L 30052807
513150	Jocko River	below Upper Jocko S Canal	20.0	76L 30052789
514900	Jocko River	below Jocko K Canal	36.0	76L 30052784
518000	Jocko River	below Lower S Canal	43.0	76L 30052780
519400	Jocko River	below Lower Jocko J Canal	76.0	76L 30052790
519500	Jocko River	at Dixon Bridge	96.0	76L 30052790
510000	Jocko River MFK	below Tabor Feeder Canal	20.0	76L 30052776
513000	Jocko River NFK	below Tabor Feeder Canal	18.0	76L 30052777
313100	Little Bitterroot	below Camas A Canal	6.0	76L 30052805
487055	Marsh Creek	below Kicking Horse Feeder Canal	2.0	76L 30052798
481500	Mission Creek	below Pablo Feeder Canal	18.0	76L 30052792
483300	Mission Creek	below 6C Canal	20.0	76L 30052796
356800	Mud Creek	below Ronan B Canal	0.8	76L 30052801
487000	Post Creek	below Kicking Horse Feeder Canal	19.0	76L 30052797
483000	Mission Creek	below C Canal	20.0	76L 30052796
487600	Post Creek	below Post F Canal	22.0	76L 30052797

Table 2: Interim Reservoir Pool Elevations

Reservoir Name	Interim Reservoir Pool Elevation (feet*)	Interim Reservoir Pool Volume (acre-Feet)	Replacement Water Right #
Tabor Reservoir	see schedule below	see schedule below	76L 30052929
Mission Reservoir	3,370.0	763	76L 30052929
Kicking Horse Reservoir	3,047.0	780	76L 30052929
Ninepipe Reservoir	2,995.0	836	76L 30052929
Lower Crow Reservoir	2,825.0	803	76L 30052929
Pablo Reservoir	3,184.0	410	76L 30052929
Hubbart Reservoir	3,150.4	27	76L 30052927
Upper Dry Fork Reservoir	2,915.0	413	76L 30052927
Lower Dry Fork reservoir	2,842.0	636	76L 30052927

Tabor Reservoir: schedule for interim reservoir pool levels

Date(s)	Interim Reservoir Pool Elevation (feet*)	Interim Reservoir Pool Volume (acre-feet)	Frequency of Occurrence (years)
Up to August 1	4,006	18,162	Target for each year, required one in four years
August 1 up to August 15	3,980	12,119	Target for each year, required three in four years
August 15 up to Nov 15	3,927	2,416	Required every year

* elevations are in feet above mean sea level as determined by reference to a certain U.S. Geological Survey bench mark, elevation 2910.882 feet, stamped "2900 N", as now located and established at Somers, Flathead County, or to such other bench marks as may be established by the U.S. Geological Survey having the same datum.

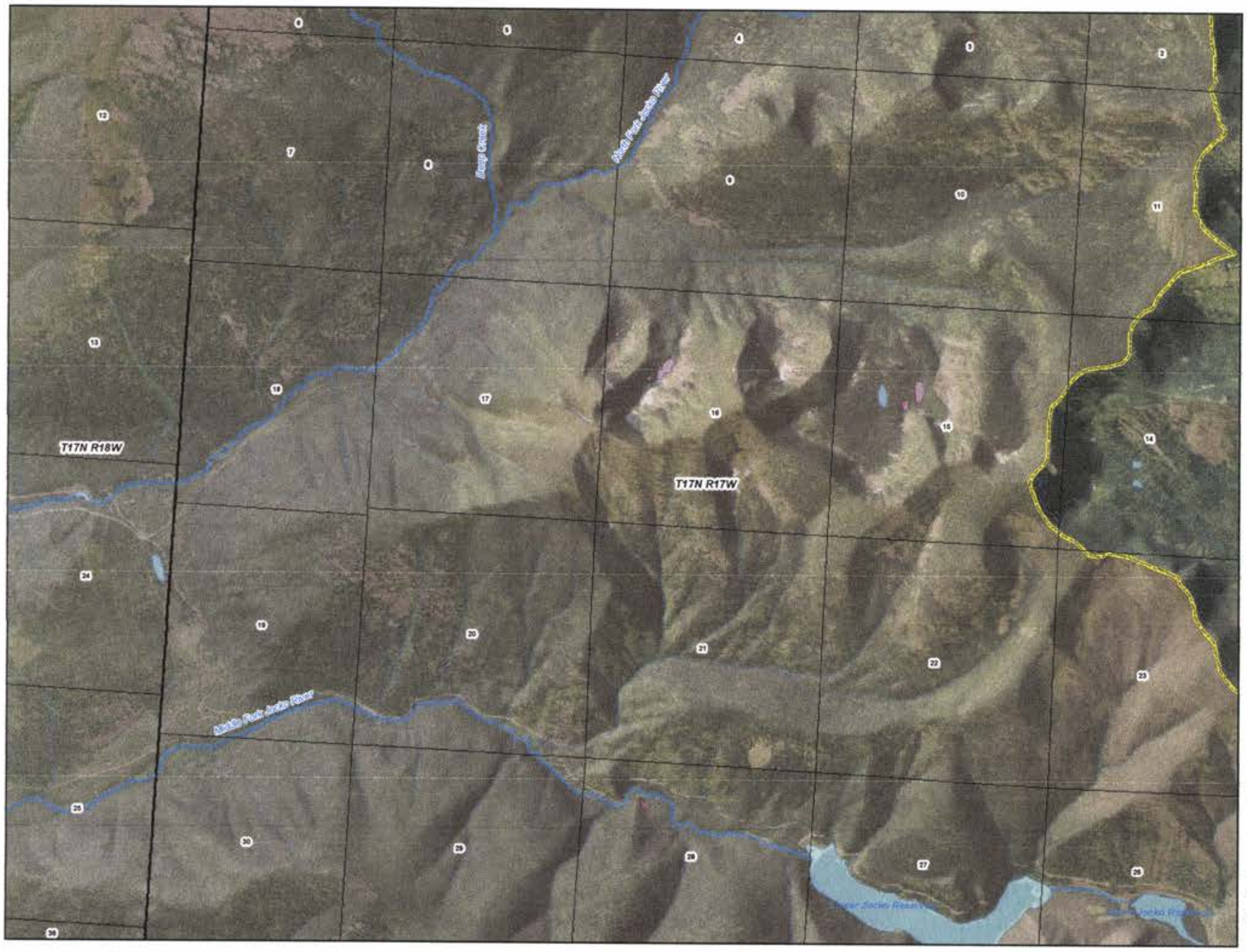
Appendix 14: Interim Instream Flow Protocols

This appendix identifies the enforcement procedures that are in effect as of December 31, 2014 for the interim instream flows, measured as instantaneous streamflow, that are subject to this enforcement procedure identified in Appendix 13 to this compact.

Ensuring compliance with the interim instream flows is the responsibility of the Project Operator at the Flathead Indian Irrigation Project (FIIP). If the flow in a given stream reach drops below the magnitude established for the interim instream flow in that reach, and the natural flow is equal to or greater than the interim instream flow, the CSKT Water Management Program (WMP): a) notifies the Project Operator directly to request rectification of the interim instream flow infraction on the date of contact; and b) prepares a letter of noncompliance to the attention of the Project Operator and the Bureau of Indian Affairs, Flathead Agency Superintendent (Superintendent).

In the event that the Project Operator, through the operation of FIIP facilities, cannot comply with any given interim instream flow, the Superintendent or designee may curtail secretarial water right diversions to achieve compliance. FIIP, and if necessary, secretarial water right diversions shall continue to be curtailed until the given interim instream flow is met. If, with these two actions, the given interim instream flow still cannot be met, that instream flow level remains below the streamflow magnitude values identified in Appendix 13 until such time as naturally available water supply is sufficient to meet the given interim instream flow. The Bureau of Indian Affairs administrative appeals process is available to resolve disputes related to compliance with the interim instream flows.

Irrespective of whether a noncompliance notice is issued, if the natural flow in a given stream reach drops below the magnitude established for the interim instream flow, the WMP documents both the magnitude of the interim instream flow and the magnitude of the natural flow and delivers a letter of insufficient flow to the Project Operator and the Superintendent.


Deep Creek
North Fork Jocko River
T17N R18W
T17N R17W
Middle Fork Jocko River

Place of Use

High Mountain Lakes

76L 30052672

Exhibit 5

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

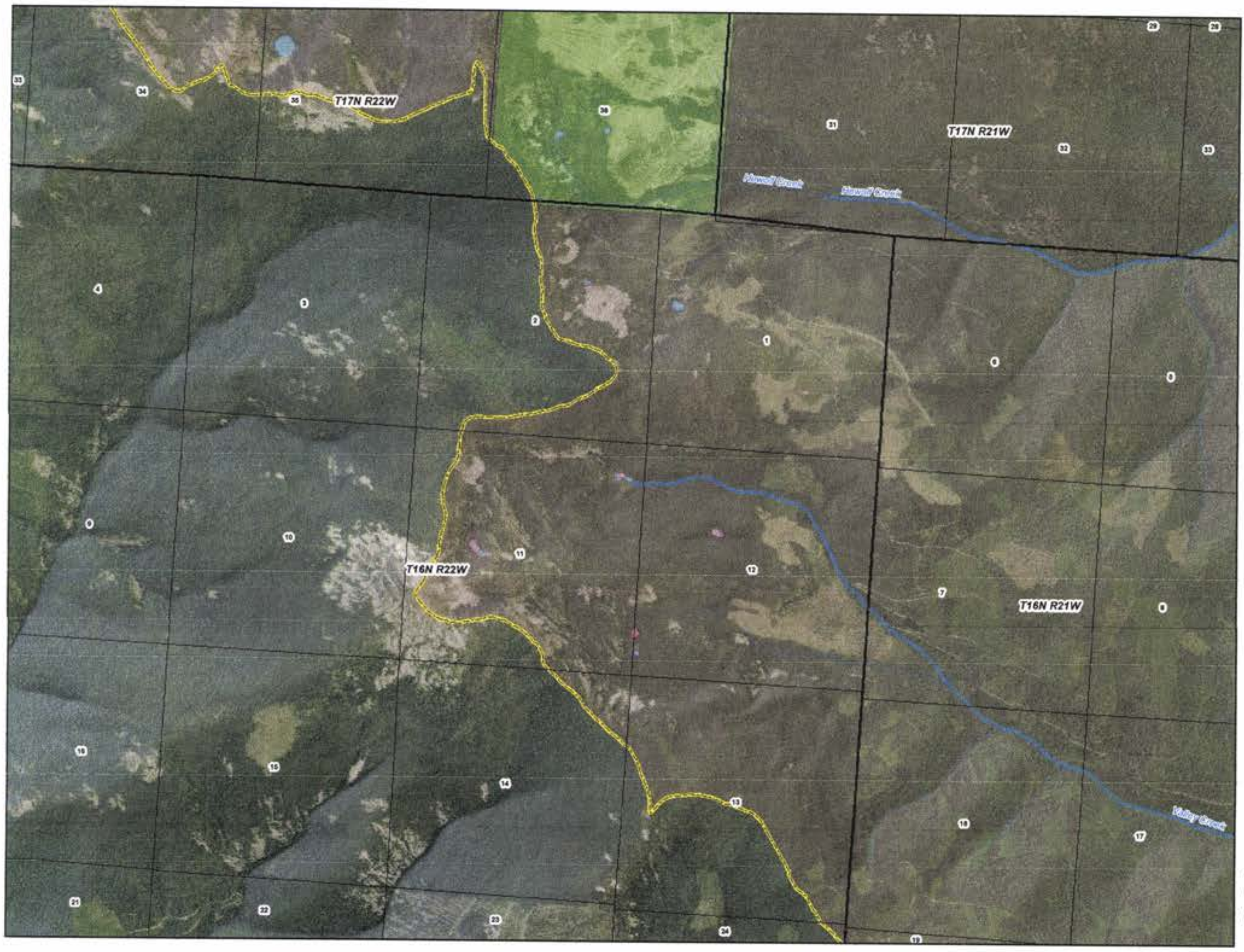
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T17N R22W
T17N R21W
T16N R22W
T16N R21W
Howell Creek
Howell Creek
Valley Creek

Place of Use

High Mountain Lakes

76L 30052672

Exhibit 6

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

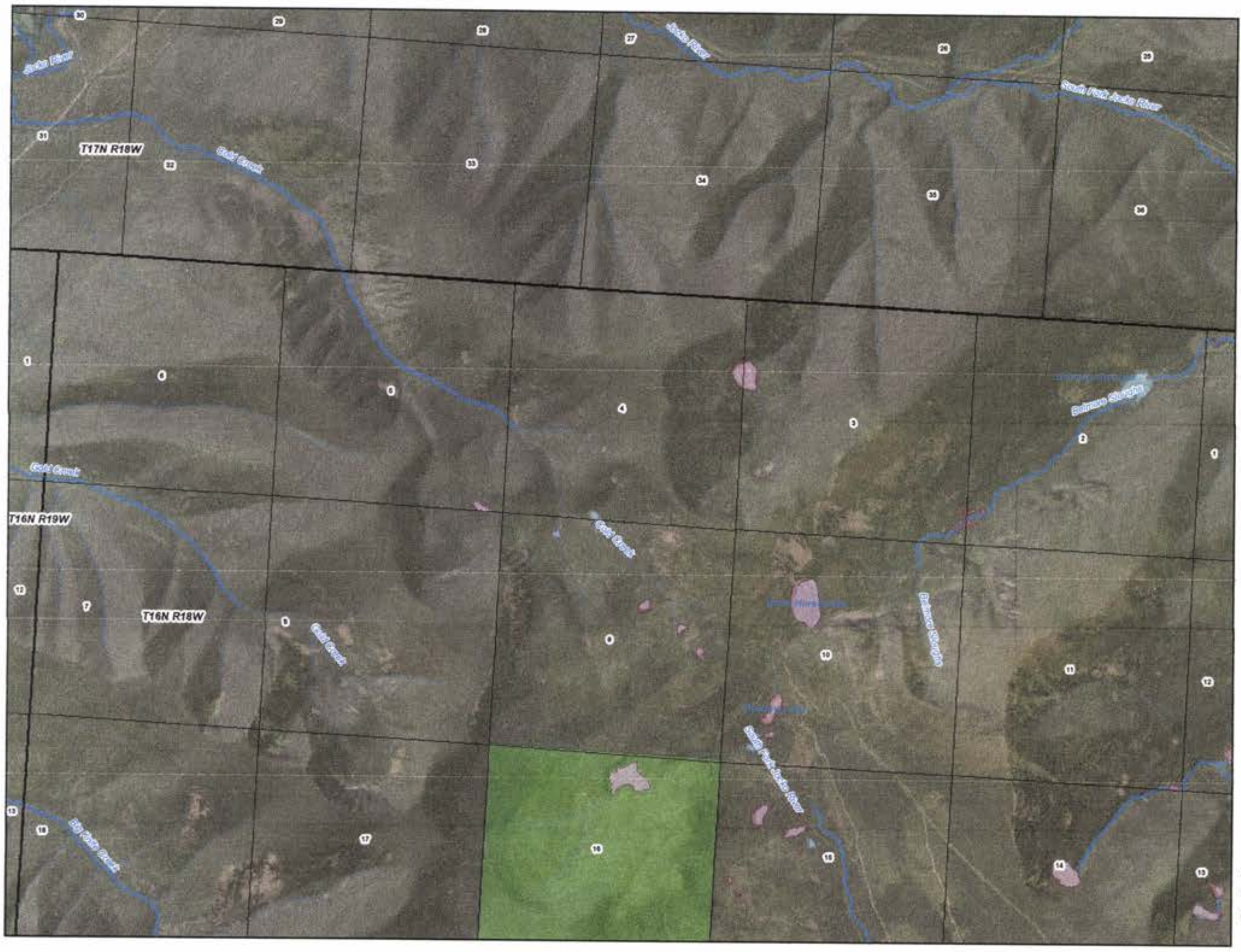
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Jocko River
T17N R18W
Gold Creek
South Fork Jocko River
Belmore Slough
T16N R19W
T16N R18W
Big Knife Creek

Place of Use

High Mountain Lakes

76L
30052672

Exhibit 7

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

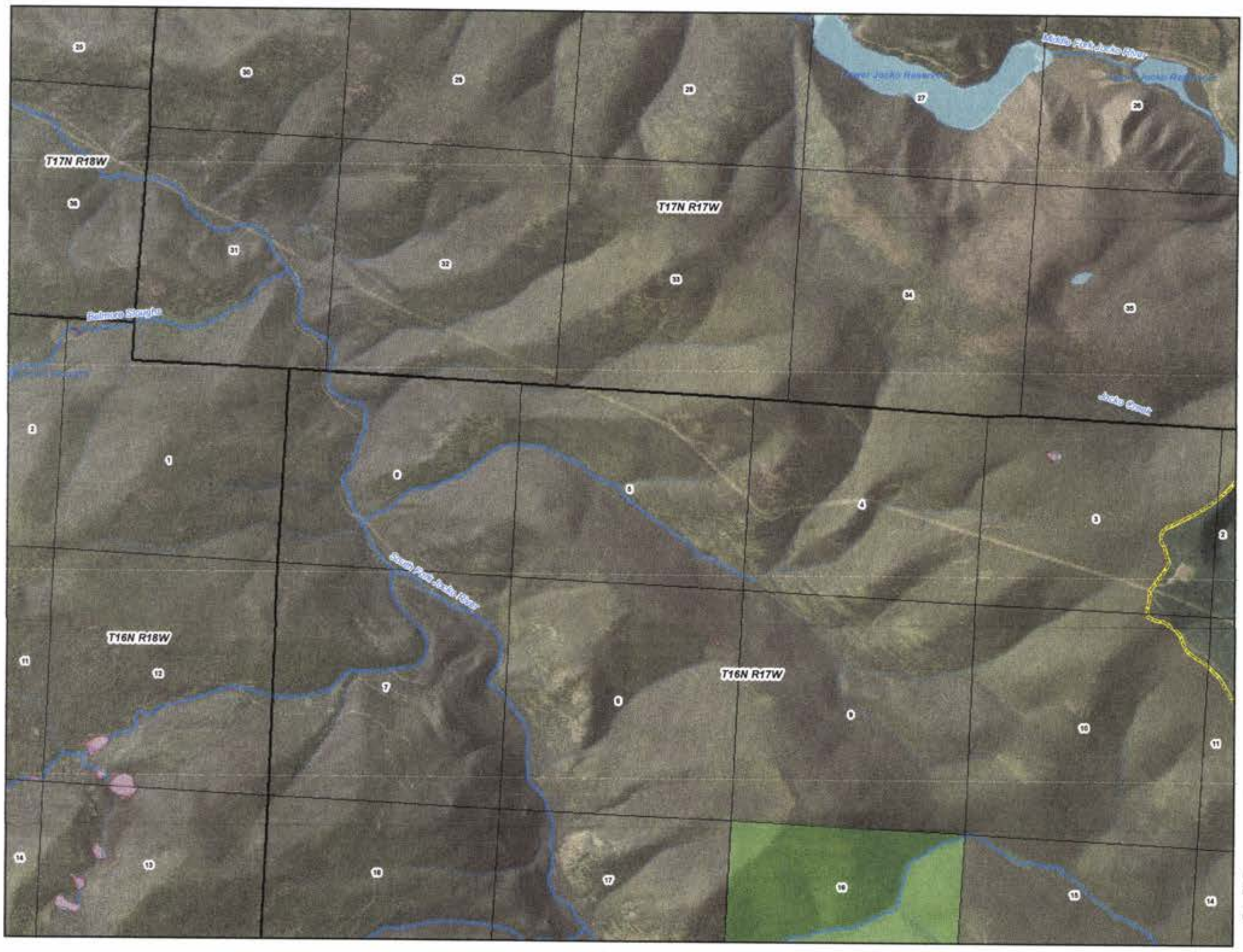
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T17N R18W
T17N R17W
T16N R18W
T16N R17W
Middle Fork Jocko River
Lower Jocko Reservoir
Jocko Creek
South Fork Jocko River
Belmore Slough
27
28
29
30
31
32
33
34
35
36
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Place of Use

High Mountain Lakes

76L
30052672
Exhibit 8

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

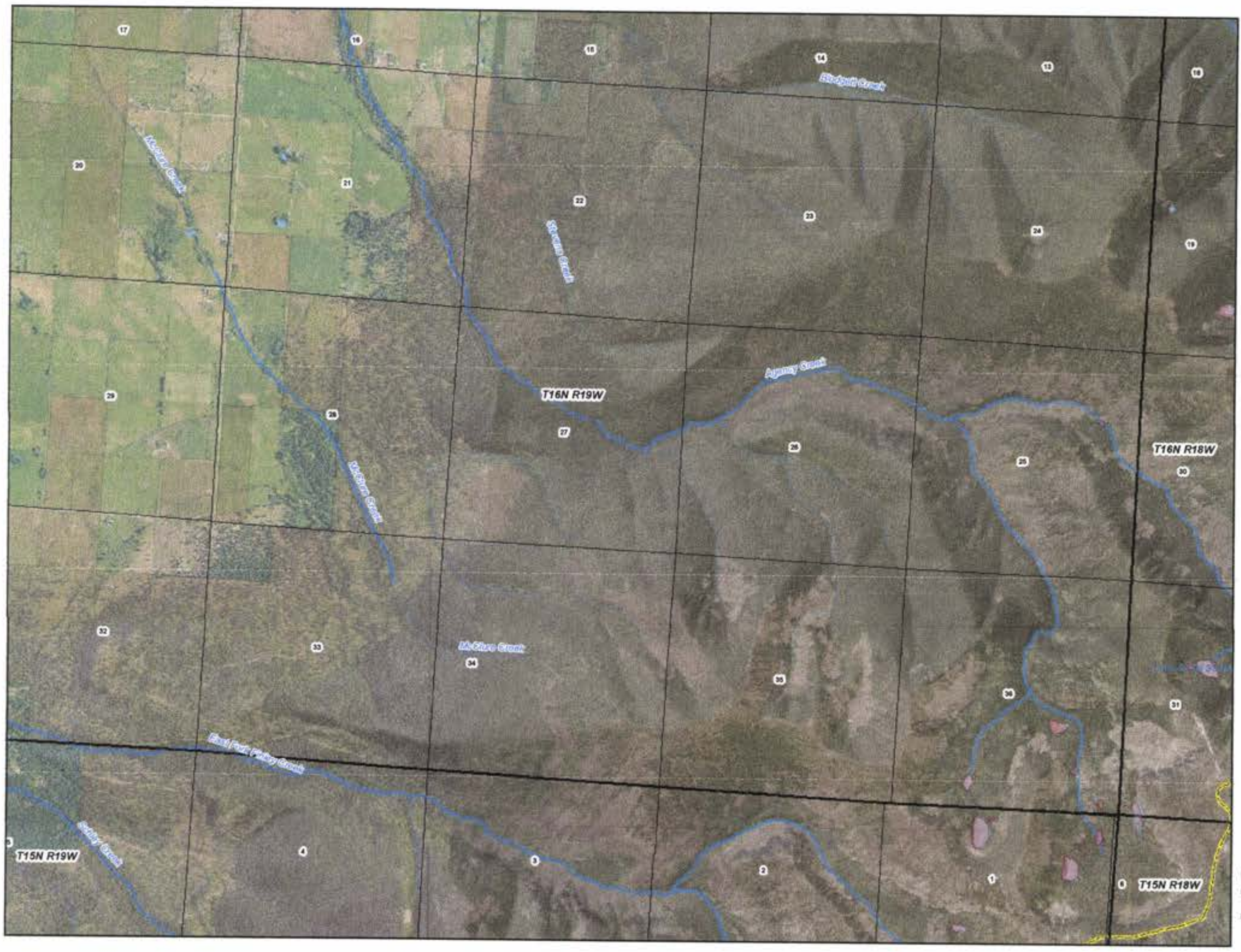
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


17
16
15
14
13
18
20
21
22
23
24
19
Agency Creek
T16N R19W
29
28
27
26
25
T16N R18W
30
32
33
McClure Creek
34
35
36
31
East Fork Finley Creek
T15N R19W
4
3
2
1
6
T15N R18W

Place of Use

High Mountain Lakes

76L
30052672

Exhibit 9

Area
of
Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

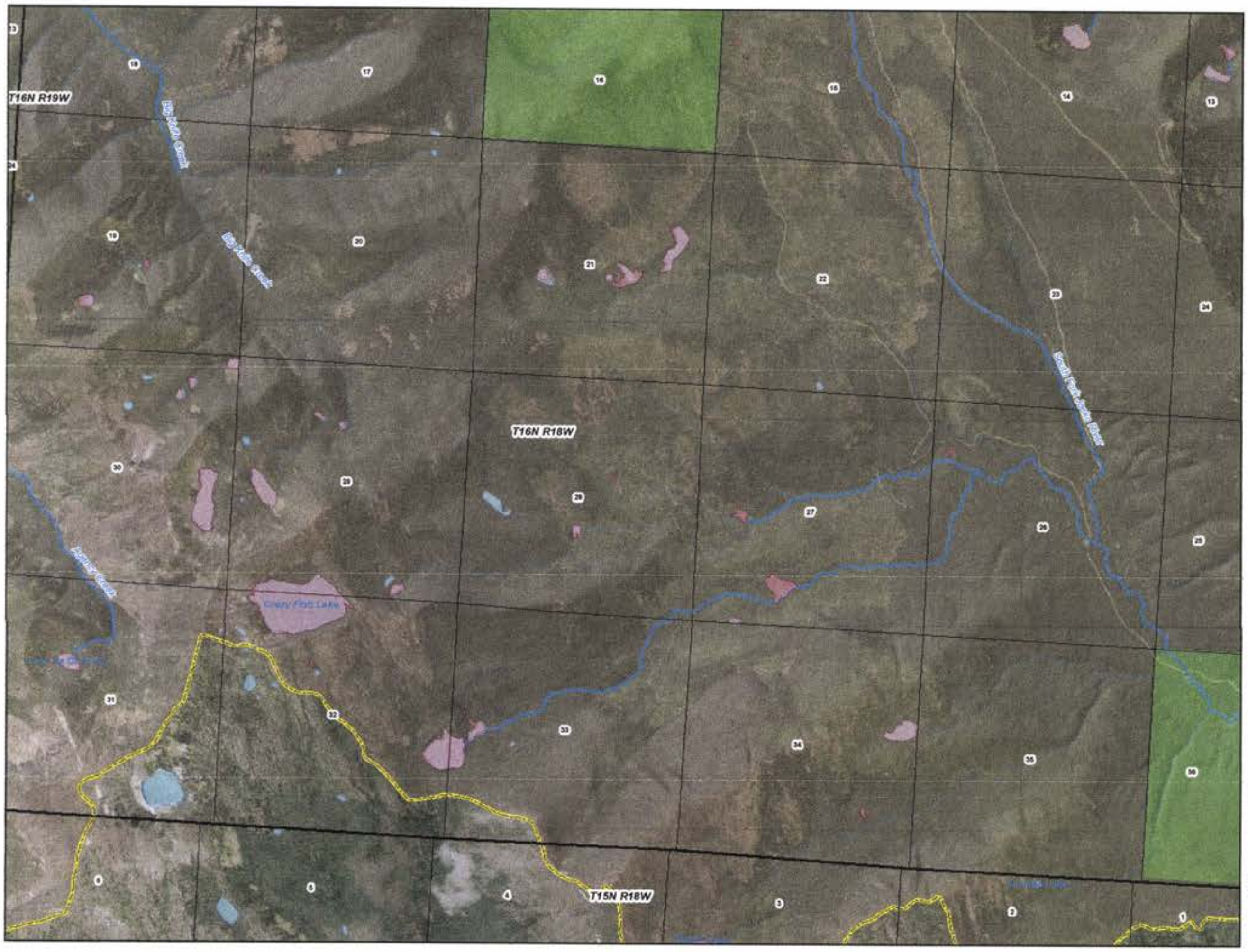
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain
Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T16N R19W
T16N R18W
T15N R18W
13
18
17
16
15
14
13
24
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36
6
5
4
3
2
1

Place of Use

High Mountain Lakes

76L 30052672

Exhibit 10

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
1415

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

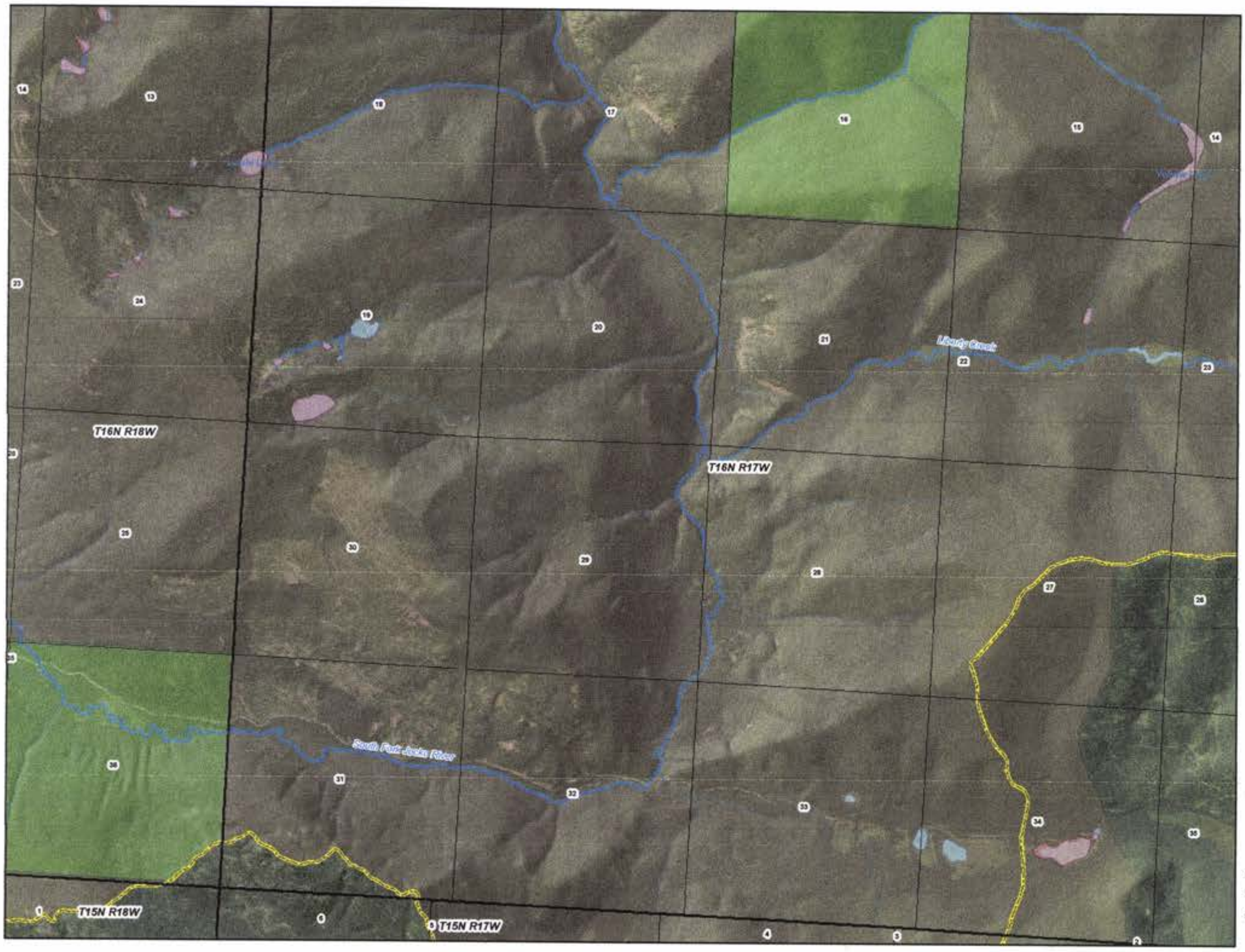
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)

Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library

Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T16N R18W
T16N R17W
T15N R18W
T15N R17W
Liberty Creek
South Fork Jocko River
13
18
17
16
15
14
24
19
20
21
22
23
30
29
28
27
26
36
31
32
33
34
35
6
5
4
3
2

Place of Use

High Mountain Lakes

76L 30052672

Exhibit 11

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

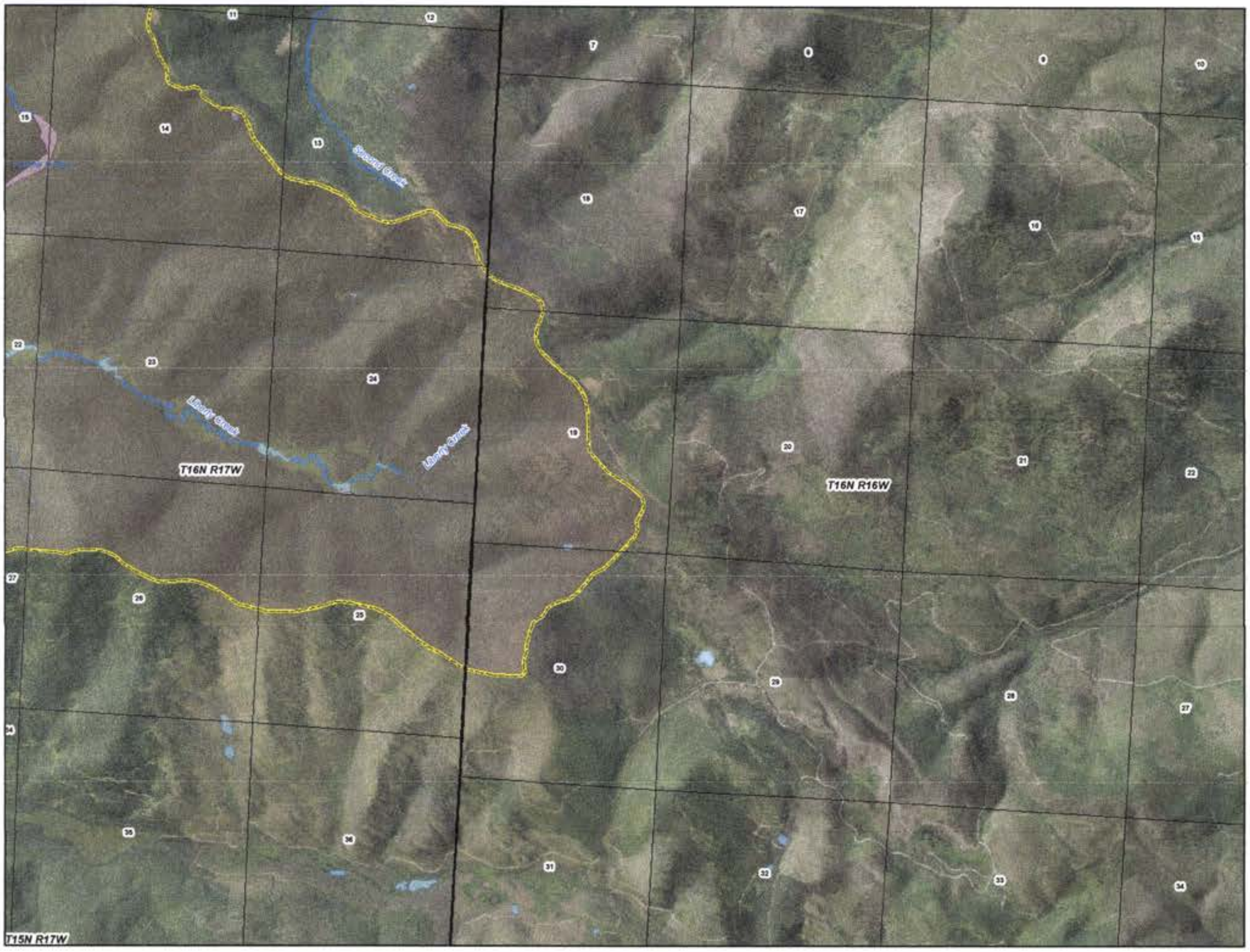
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second).


11
12
7
8
9
10
15
14
13
Second Creek
18
17
16
15
22
23
24
Liberty Creek
Liberty Creek
19
20
21
22
T16N R17W
T16N R16W
27
26
25
30
29
28
27
35
36
31
32
33
34
T15N R17W

Place of Use

High Mountain Lakes

76L
30052672
Exhibit 12

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
Flathead Indian Reservation

Legend

- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

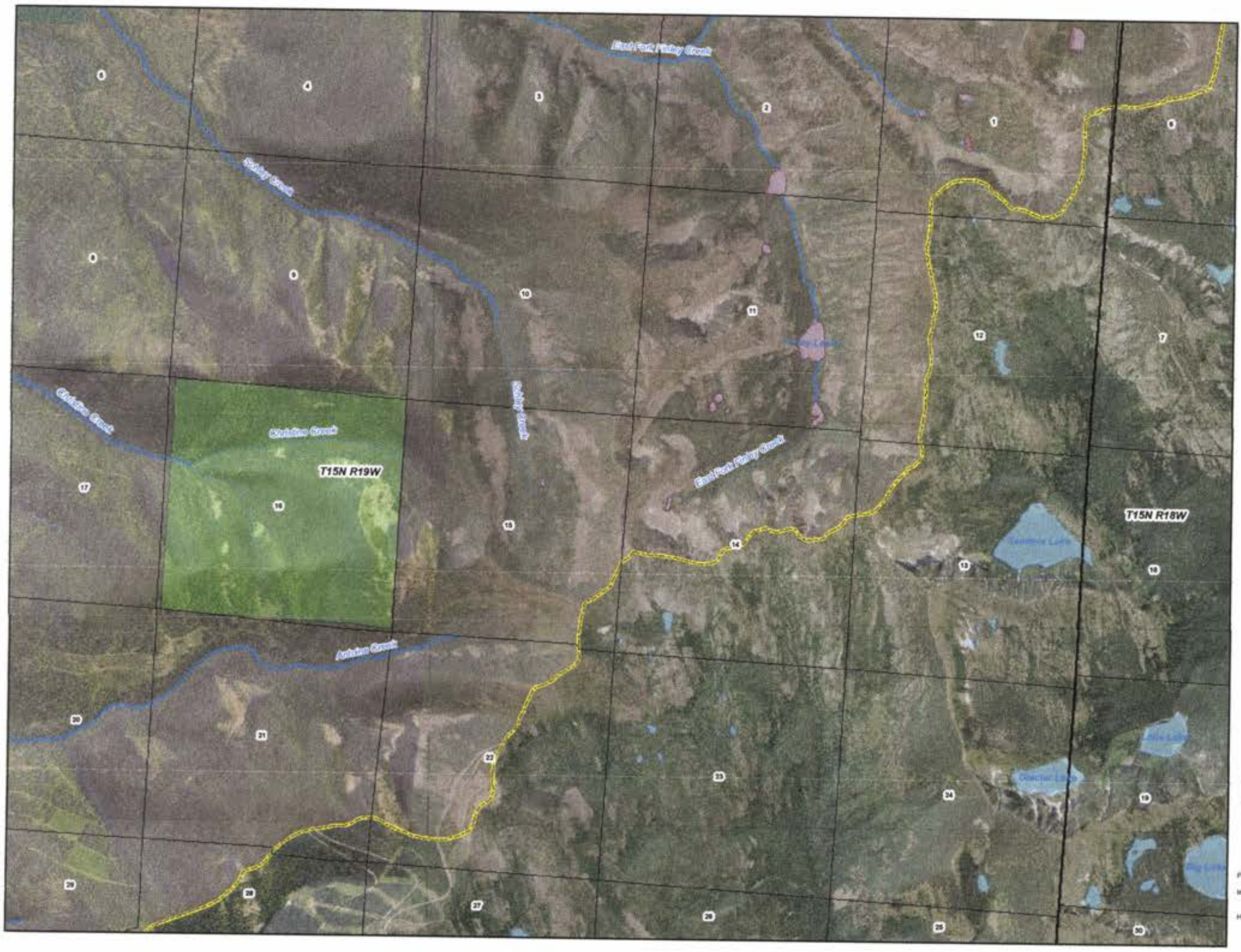
POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use

High Mountain Lakes

76L
30052672

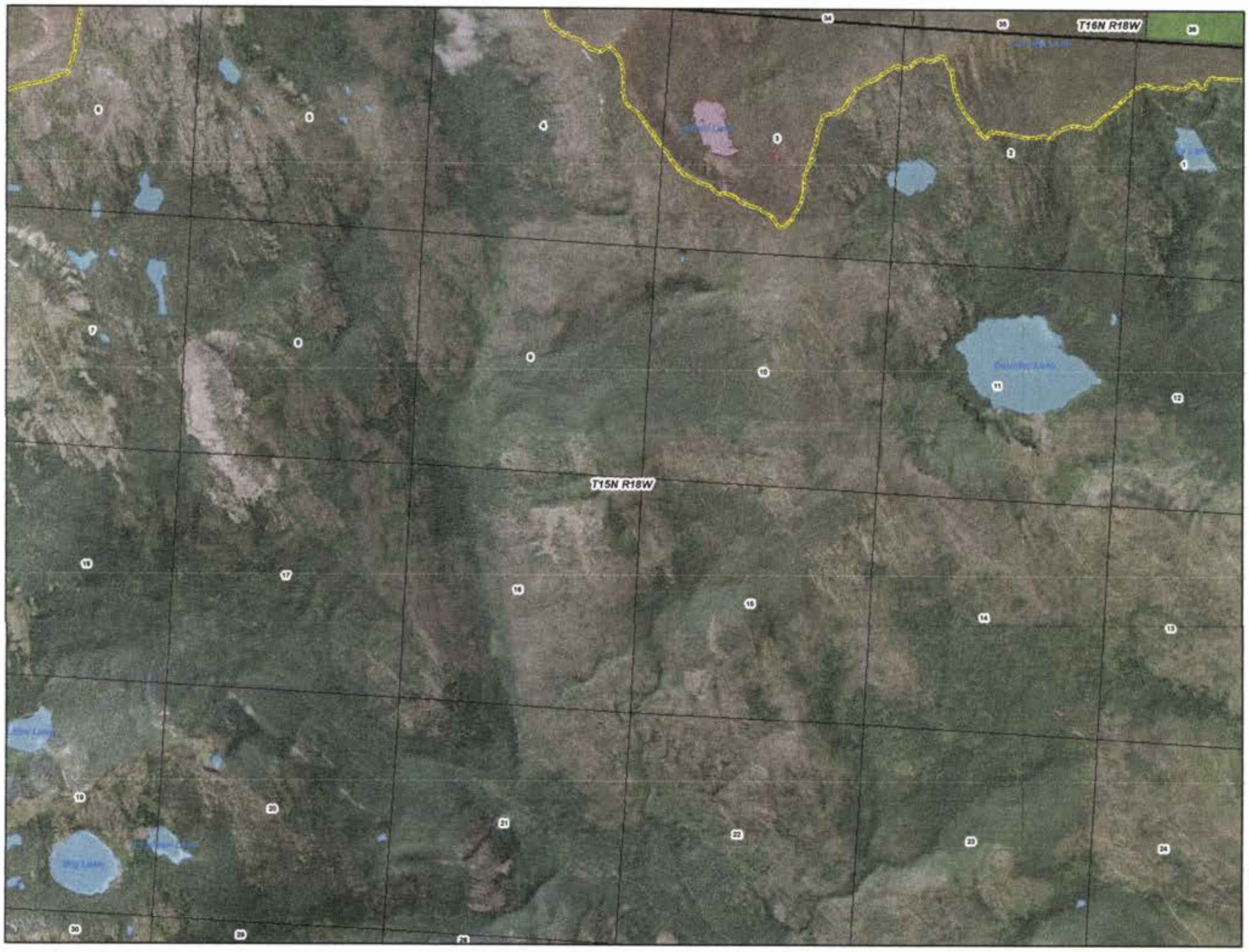
Exhibit 13


East Fork Finley Creek
Schley Creek
Antoine Creek
T15N R19W
T15N R18W
Glacier Lake
Legend
Places of Use
Reservation Boundary
Land Owner
Tribal
Federal
State
0
0.25
0.5
Miles

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


34
35
36
T16N R18W
6
5
4
3
2
1
7
8
9
10
11
12
T15N R18W
18
17
16
15
14
13
19
20
21
22
23
24
30
29
28

Place of Use

High Mountain Lakes

76L
30052672
Exhibit 14

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

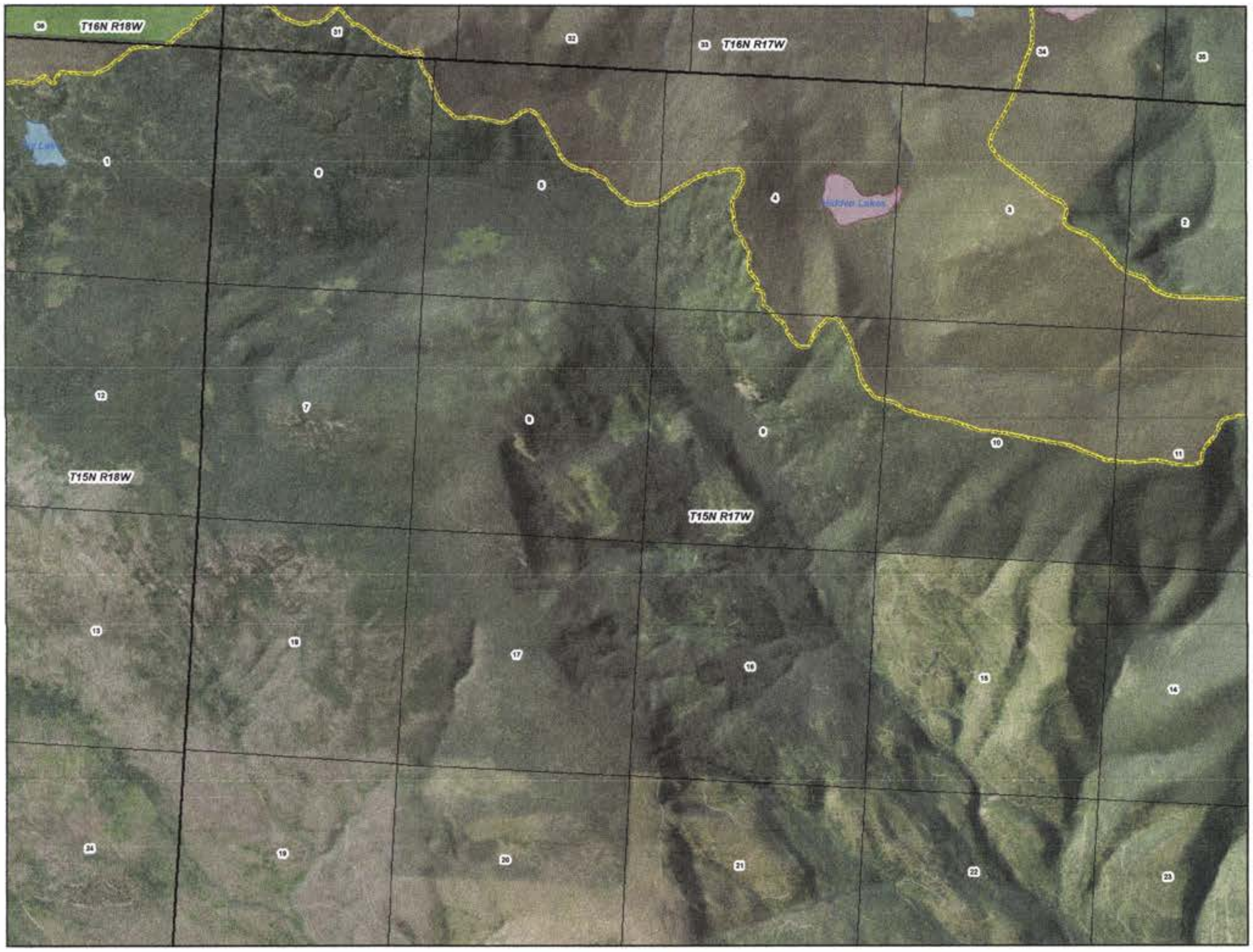
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T16N R18W
T16N R17W
T15N R18W
T15N R17W
Hidden Lakes
36
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11
13
18
17
16
15
14
24
19
20
21
22
23

Place of Use

High Mountain Lakes

76L 30052672

Exhibit 15

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
18

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

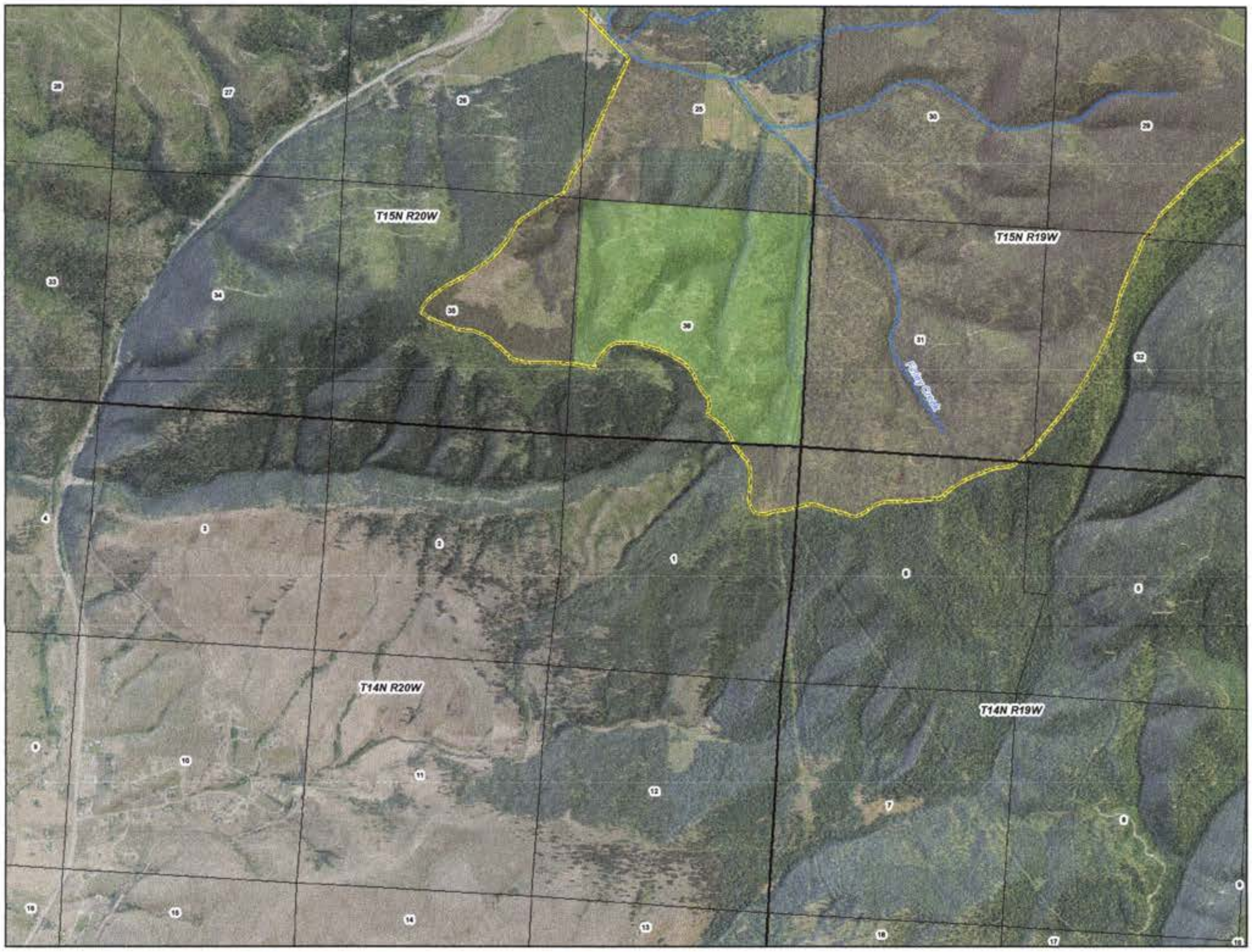
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T15N R20W
T15N R19W
T14N R20W
T14N R19W

Place of Use

High Mountain Lakes

76L
30052672

Exhibit 16

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
1415

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

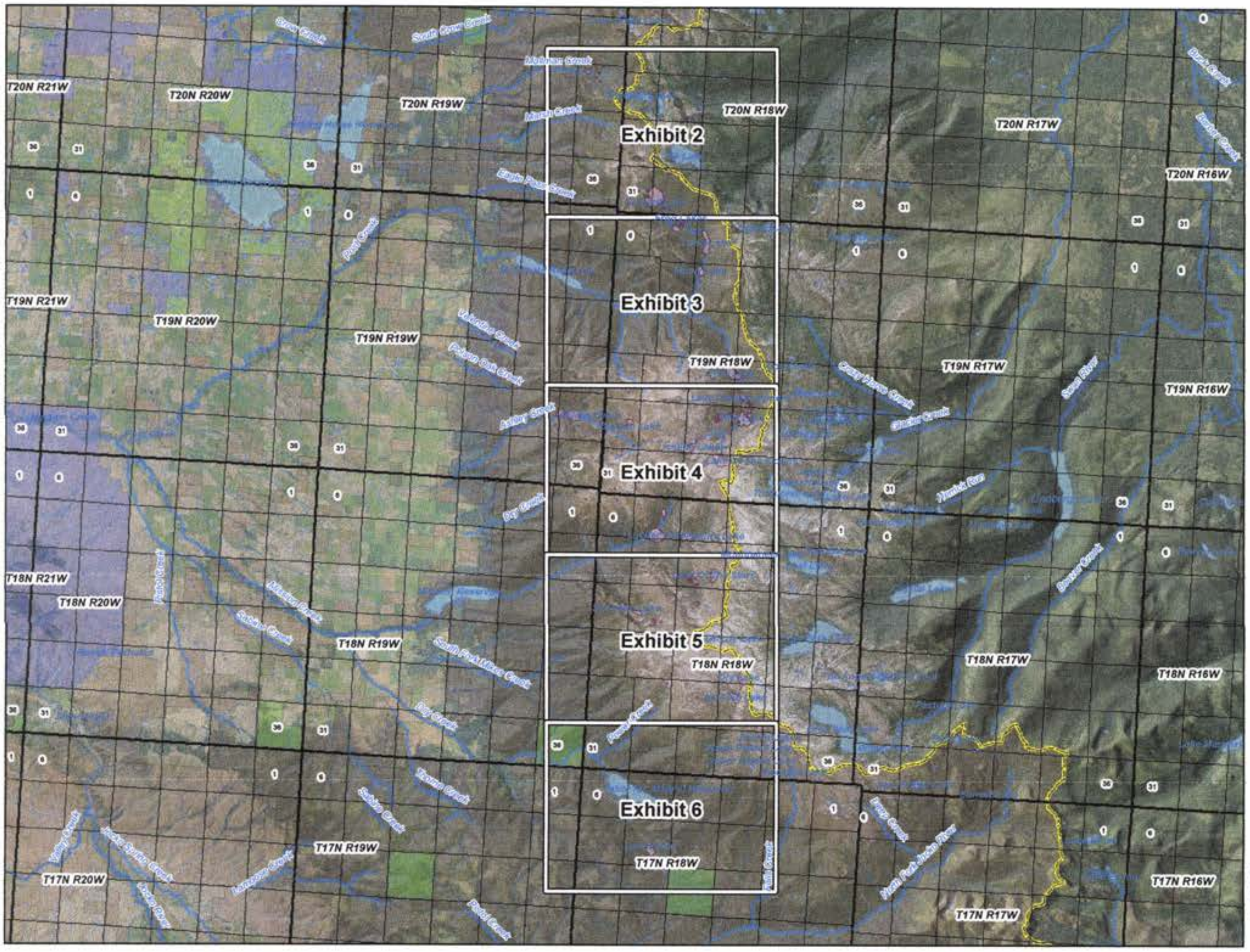
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T20N R21W
T20N R20W
T20N R19W
T20N R18W
T20N R17W
T20N R16W
T19N R21W
T19N R20W
T19N R19W
T19N R18W
T19N R17W
T19N R16W
T18N R21W
T18N R20W
T18N R19W
T18N R18W
T18N R17W
T18N R16W
T17N R20W
T17N R19W
T17N R18W
T17N R17W
T17N R16W
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Crow Creek
South Crow Creek
Mollman Creek
Marsh Creek
Eagle Pass Creek
Post Creek
Valentine Creek
Poison Oak Creek
Ashley Creek
Dry Creek
Mission Creek
Sabine Creek
South Fork Mission Creek
Crazy Horse Creek
Glacier Creek
Swan River
North Fork Jocko River
Valley Creek
Jocko Spring Creek
Jocko River

Place of Use

High Mountain Lakes

76L
30052673

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
5
6

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

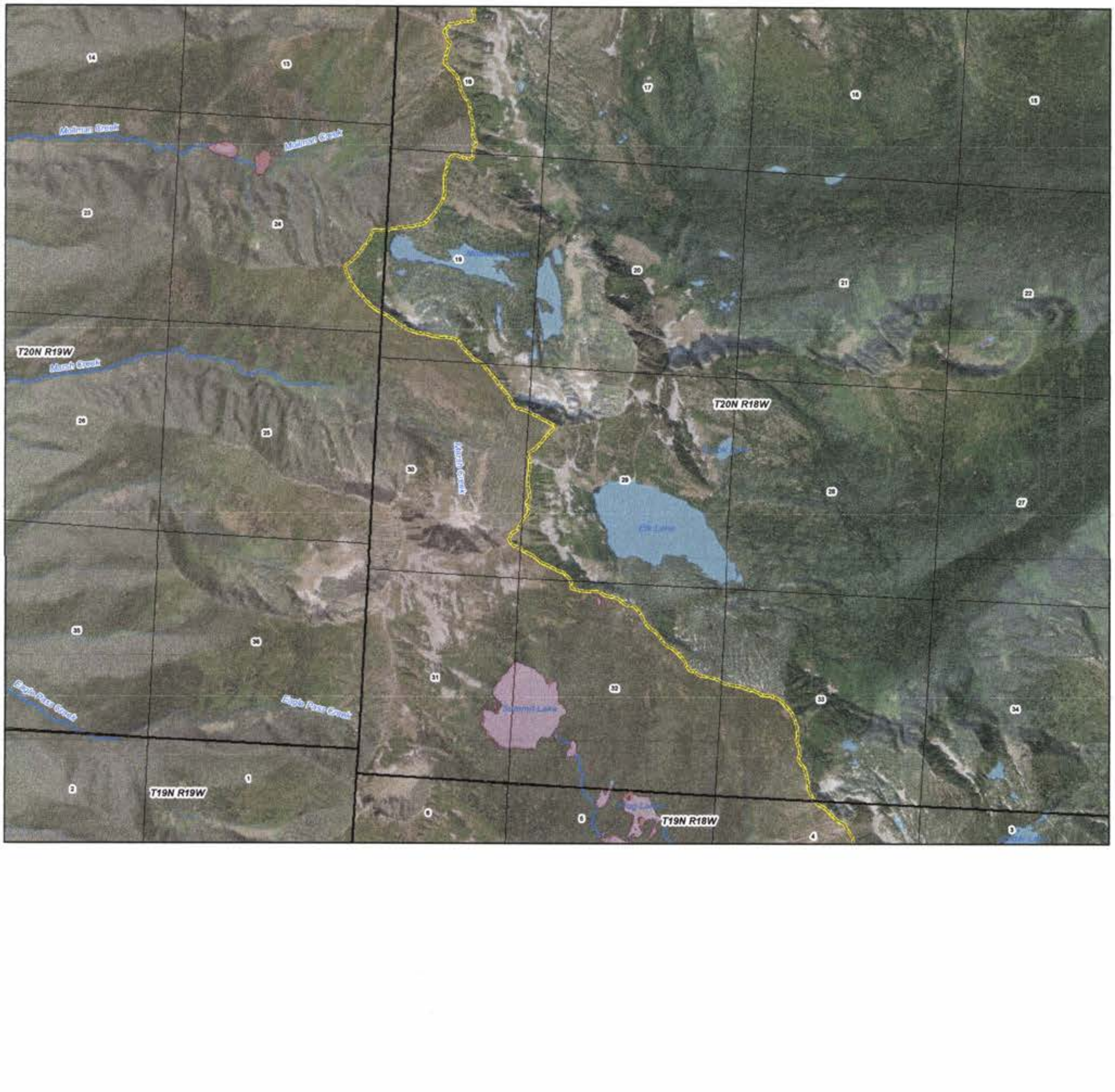
🟫 Tribal

🟦 Federal

🟩 State

0 1.25 2.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


14
13
18
17
16
15
Mollman Creek
Mollman Creek
23
24
19
20
21
22
T20N R19W
Marsh Creek
26
25
T20N R18W
30
Marsh Creek
29
Elk Lake
28
27
35
36
31
32
Summit Lake
33
34
Eagle Pass Creek
Eagle Pass Creek
2
1
T19N R19W
6
5
T19N R18W
4
3

Place of Use

High Mountain Lakes

76L
30052673

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2
3
4
5
6

Flathead Indian Reservation

Legend

- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

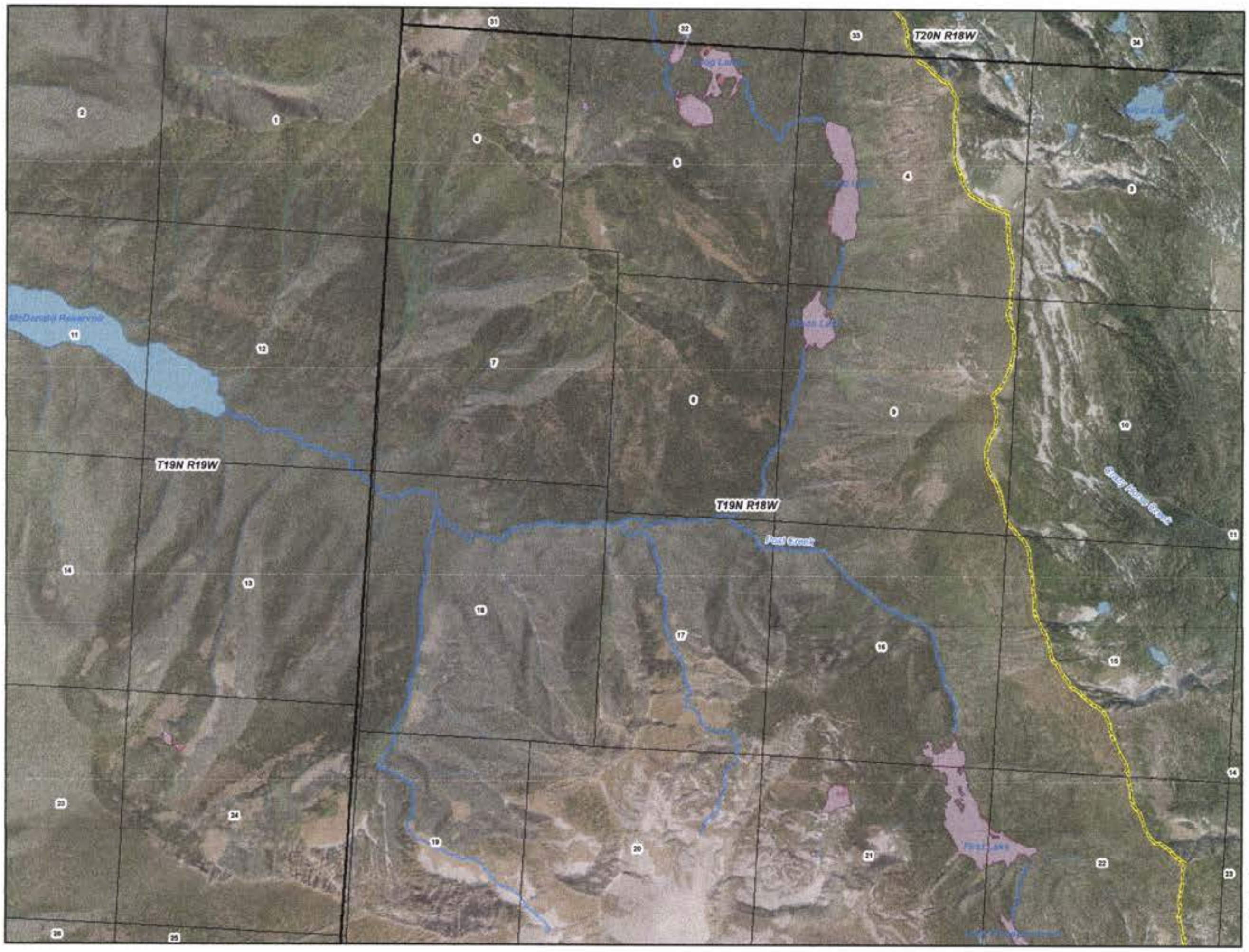
POU/POD Data Source: CSKT-MT Compact High Mountain
Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use

High Mountain Lakes

76L
30052673

Exhibit 3



T20N R18W
T19N R19W
T19N R18W
McDonald Reservoir
Post Creek
First Lake
31
32
33
34
2
1
6
5
4
3
11
12
7
8
9
10
14
13
18
17
16
15
11
23
24
19
20
21
22
23
14
26
25

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

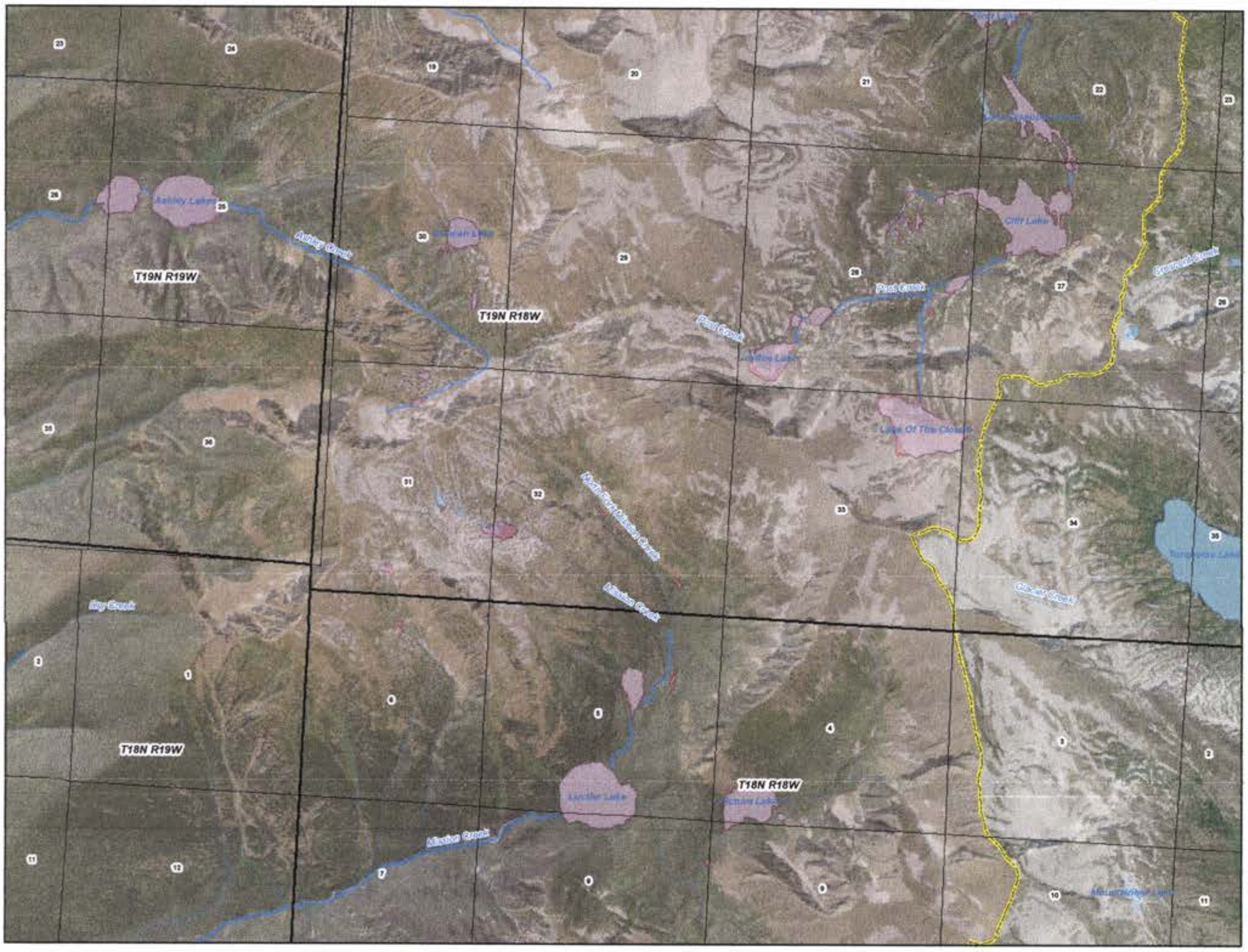
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain
Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Ashley Lakes
Ashley Creek
T19N R19W
T19N R18W
Cliff Lake
Post Creek
Post Creek
Crescent Creek
Lake Of The Clouds
Mission Creek
Dry Creek
T18N R19W
T18N R18W
Mission Creek
Glacier Creek
Turquoise Lake
23
24
19
20
21
22
23
26
25
30
29
28
27
26
35
36
31
32
33
34
35
2
1
6
5
4
3
2
11
12
7
8
9
10
11

Place of Use

High Mountain Lakes

76L 30052673

Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

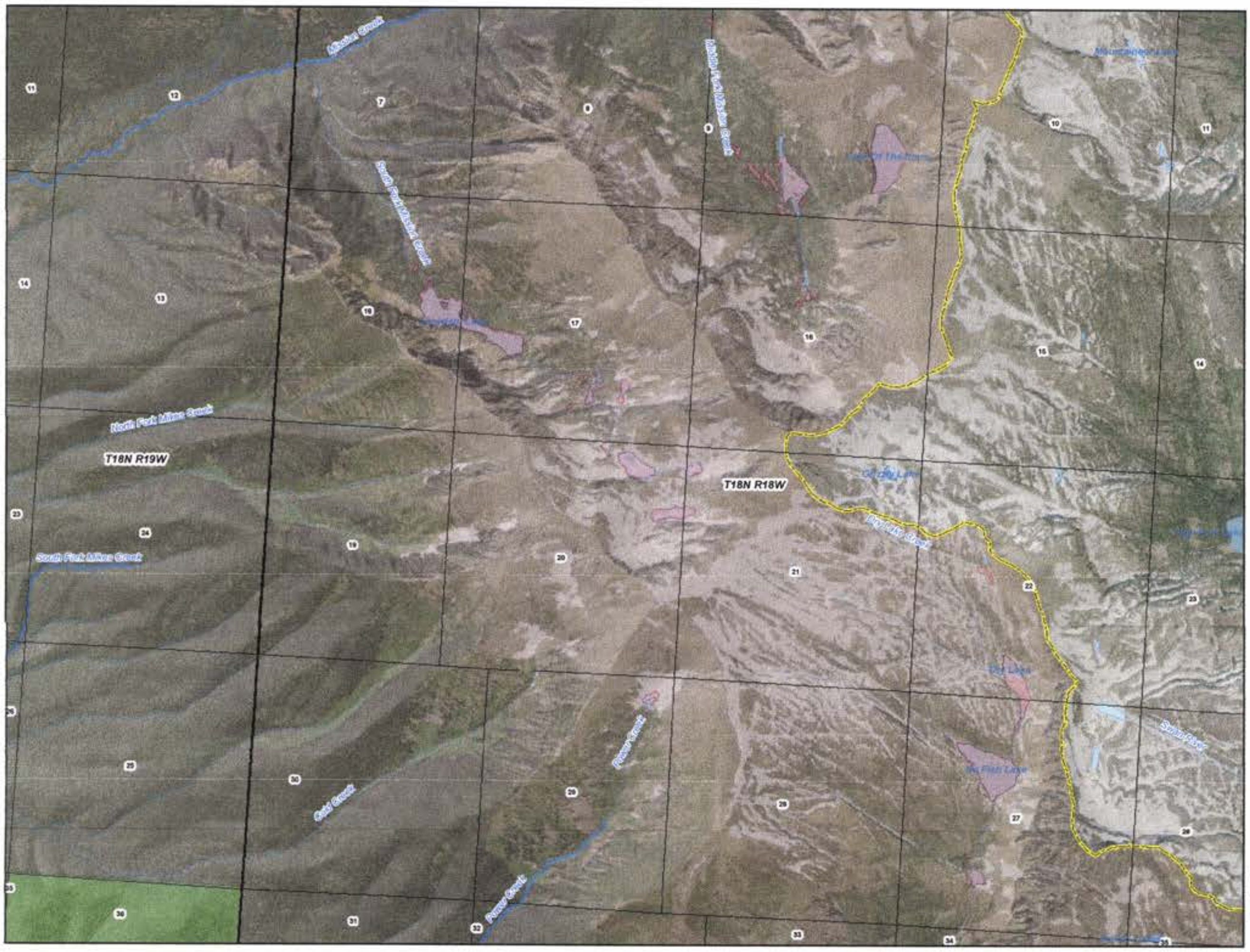
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain
Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Mission Creek
Middle Fork Mission Creek
South Fork Mission Creek
North Fork Mission Creek
South Fork Mission Creek
T18N R19W
T18N R18W
Swan River
Big Fish Lake
Post Creek
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Place of Use

High Mountain Lakes

76L
30052673
Exhibit 5

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
5
6

Flathead Indian Reservation

Legend

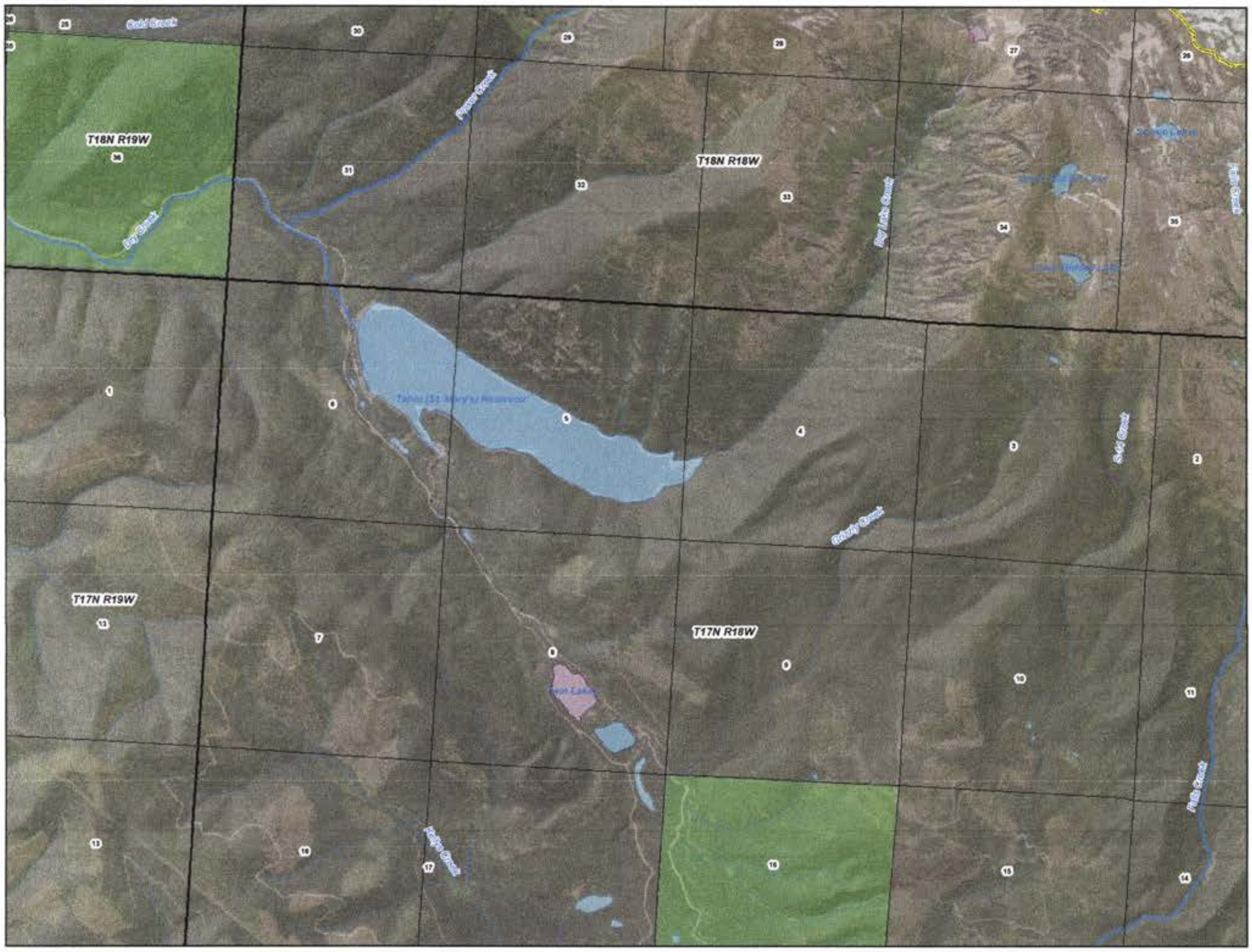
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


25
Gold Creek
30
29
28
27
26
T18N R19W
36
Dry Creek
31
32
T18N R18W
33
34
35
1
6
5
4
3
2
Tabor (St. Mary's) Reservoir
Grizzly Creek
T17N R19W
12
7
8
T17N R18W
9
10
11
13
18
17
16
15
14

Place of Use

High Mountain Lakes

76L 30052673

Exhibit 6

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052867 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE WATER IN FLATHEAD LAKE UP TO THE SHORELINE ELEVATION OF 2883 FEET ABOVE MEAN SEA LEVEL.

Source Name: SWAN RIVER
Source Type: SURFACE WATER

Source Name: FLATHEAD RIVER (FLATHEAD LAKE)
Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER (FLATHEAD LAKE)
Diversion Means: INLAKE
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2						FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER (FLATHEAD LAKE)
Diversion Means: INLAKE
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3						LAKE

Period of Diversion:
Source Name: SWAN RIVER
Diversion Means: INLAKE
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
4						FLATHEAD

Period of Diversion:
Source Name: SWAN RIVER
Diversion Means: INLAKE
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

THE PLACE OF USE IS FLATHEAD LAKE, BOTH ON AND OFF OF THE FLATHEAD INDIAN RESERVATION.

Remarks:

SEE 30052867 MAP EXHIBIT(S) 1.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE QUANTITY OF WATER AVAILABLE TO SATISFY THIS RIGHT.

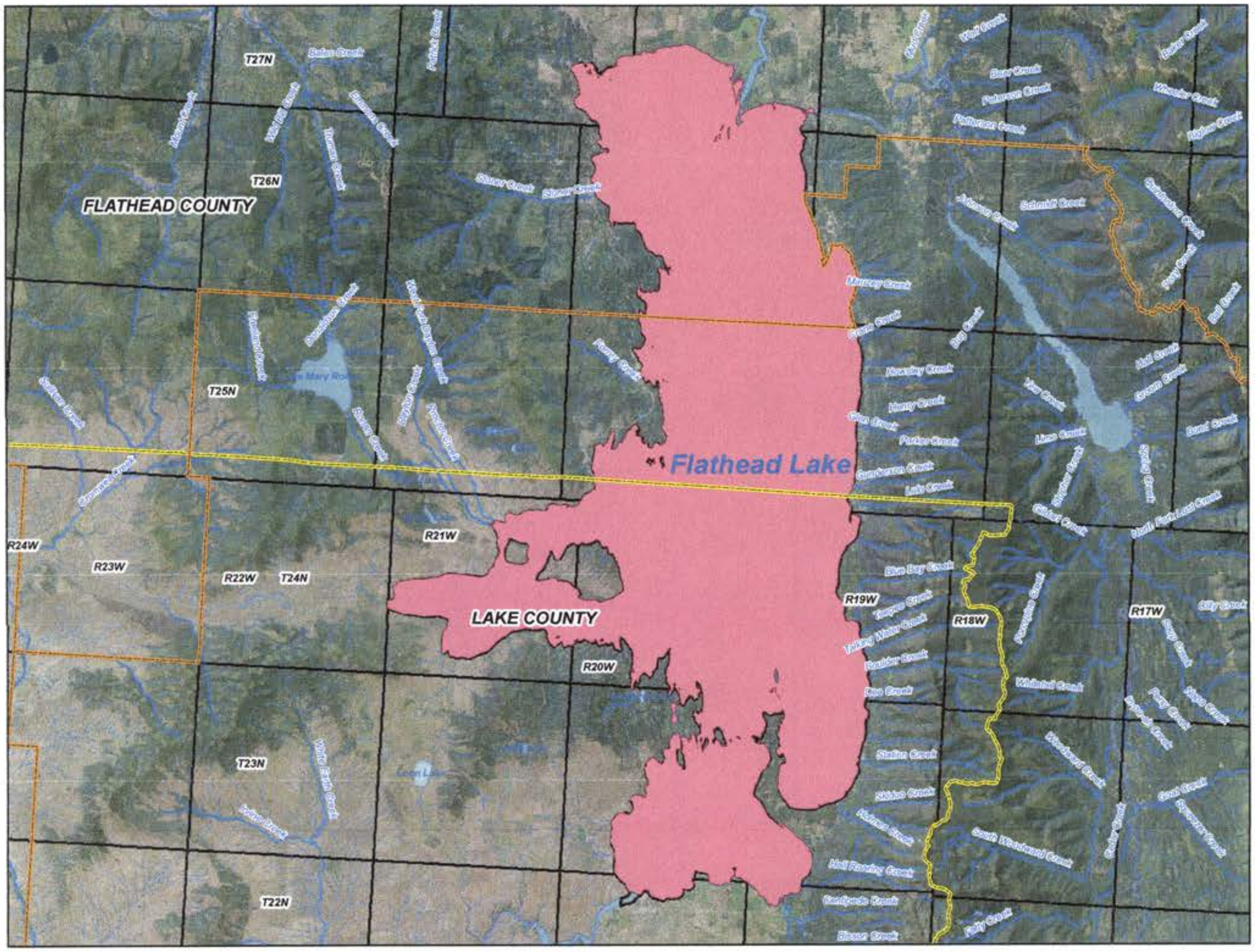
THE PURPOSE OF THIS WATER RIGHT IS FOR THE MAINTENANCE AND ENHANCEMENT OF FISH HABITAT. THIS WATER RIGHT SHALL NOT BE CHANGED TO ANY OTHER OR ADDITIONAL PURPOSE.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE SOURCES FOR THIS WATER RIGHT INCLUDE ALL NAMED AND UNNAMED TRIBUTARIES THAT DRAIN DIRECTLY INTO FLATHEAD LAKE.

#18

(1) Pg


T27N
T26N
FLATHEAD COUNTY
T25N
Flathead Lake
R24W
R23W
R22W
T24N
R21W
LAKE COUNTY
R20W
R19W
R18W
R17W
T23N
T22N

Place of Use

Flathead
Lake

76LJ
30052867

Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥	Place of Use
☐	Reservation Boundary
☐	County Boundary

0 1.75 3.5 Miles

POU/POD Data Source: CSKT-MT Compact Flathead Lake
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052870 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: JULY 16, 1855 at 12:00 A.M.

Enforceable Priority Date: JULY 16, 1855 at 12:00 A.M.

Purpose (use): POWER GENERATION

Maximum Flow Rate: 8.00 CFS

Maximum Volume: 5,792.00 AC-FT

Source Name: BOULDER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESW	26	24N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 8.00 CFS

Diversion Means: OTHER

Diversion Type: PRIMARY

THE MEANS OF DIVERSION IS HEADWORKS AND PENSTOCK.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				34	24N	19W	LAKE

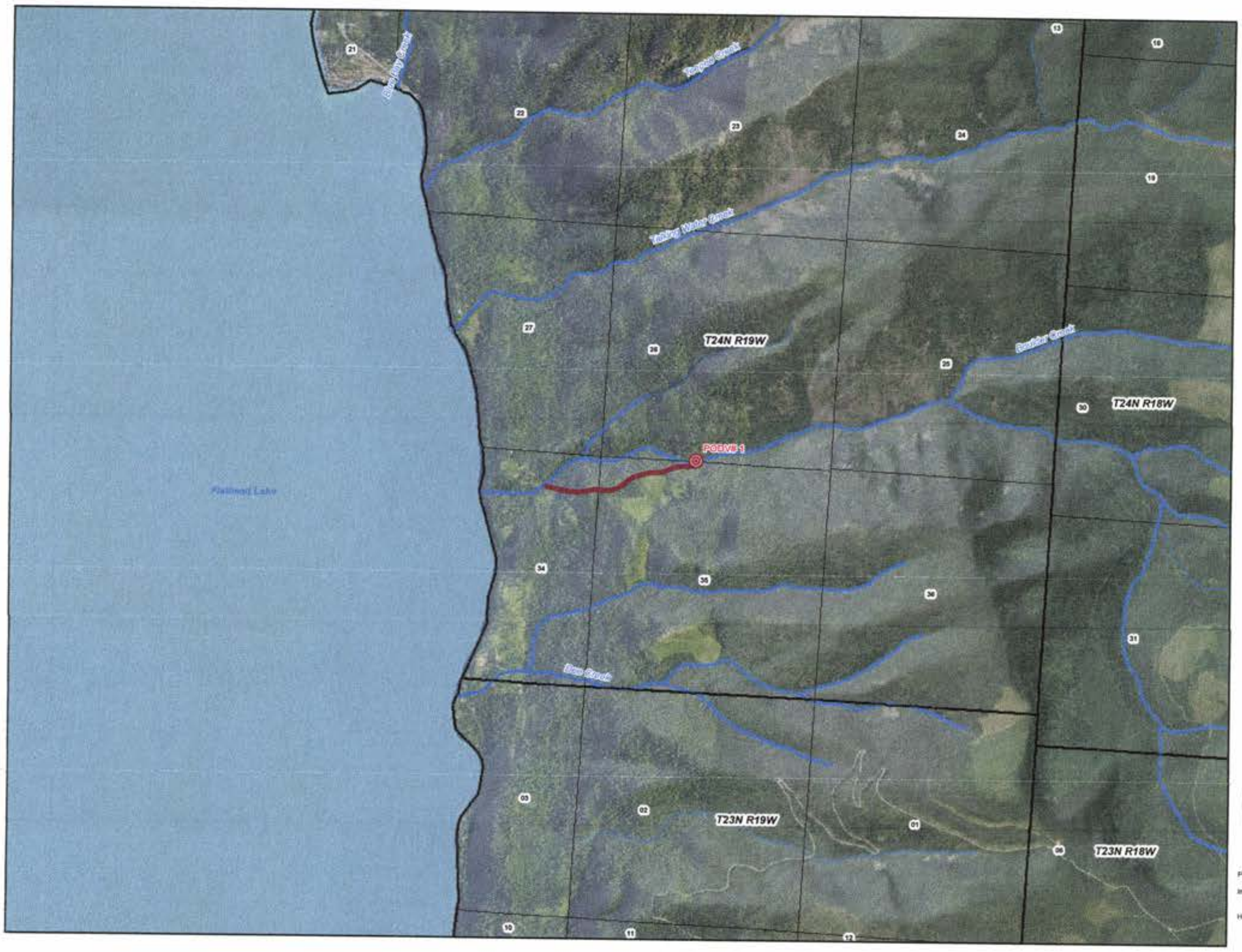
Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052870 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

#19
(1) pg


21
Blue Bay Creek
Tanpoo Creek
22
23
24
13
18
19
Talking Water Creek
27
26
T24N R19W
25
Boulder Creek
30
T24N R18W
POD# 1
Flathead Lake
34
35
36
31
Dee Creek
03
02
T23N R19W
01
06
T23N R18W
10
11
12

Place of Use and Point of Diversion

Power Generation

76LJ

30052870

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
▬	Pipeline
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Power Generation
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052871 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: JULY 16, 1855 at 12:00 A.M.

Enforceable Priority Date: JULY 16, 1855 at 12:00 A.M.

Purpose (use): POWER GENERATION

Maximum Flow Rate: 6.00 CFS

Maximum Volume: 4,344.00 AC-FT

Source Name: HELLROARING CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	34	23N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 6.00 CFS

Diversion Means: OTHER

Diversion Type: PRIMARY

THE MEANS OF DIVERSION IS HEADWORKS AND PENSTOCK.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	22N	19W	LAKE

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION.

30052871 30052872

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052871 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO SUPPLY ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT.
30052871 30052872

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052872 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: JULY 16, 1855 at 12:00 A.M.

Enforceable Priority Date: JULY 16, 1855 at 12:00 A.M.

Purpose (use): POWER GENERATION

Maximum Flow Rate:

A SPECIFIC FLOW RATE HAS NOT BEEN DEFINED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 30.00 AC-FT

Source Name: HELLROARING CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSW	34	23N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 6.00 CFS

Diversion Means: OTHER

Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2		NWSW	34	23N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Diversion Type: SECONDARY

WATER IS RELEASED FROM HELLROARING CREEK RESERVOIR USING THE SECONDARY POINT OF DIVERSION IN NWSW SEC 34 TWP 23N RNG 19W LAKE COUNTY.

THE MEANS OF DIVERSION AT #1 IS HEADWORKS AND PENSTOCK.

Reservoir: ON STREAM **Reservoir Name** HELLROARING CREEK RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
		34	23N	19W	LAKE

Diversion to Reservoir: DIVERSION # 1

Dam Height: 17.00 FEET

Depth: 15.00 FEET

Surface Area: 4.36 ACRES

SEE THE ATTACHED RESERVOIR DIAGRAMS.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	22N	19W	LAKE

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION.

30052871 30052872

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

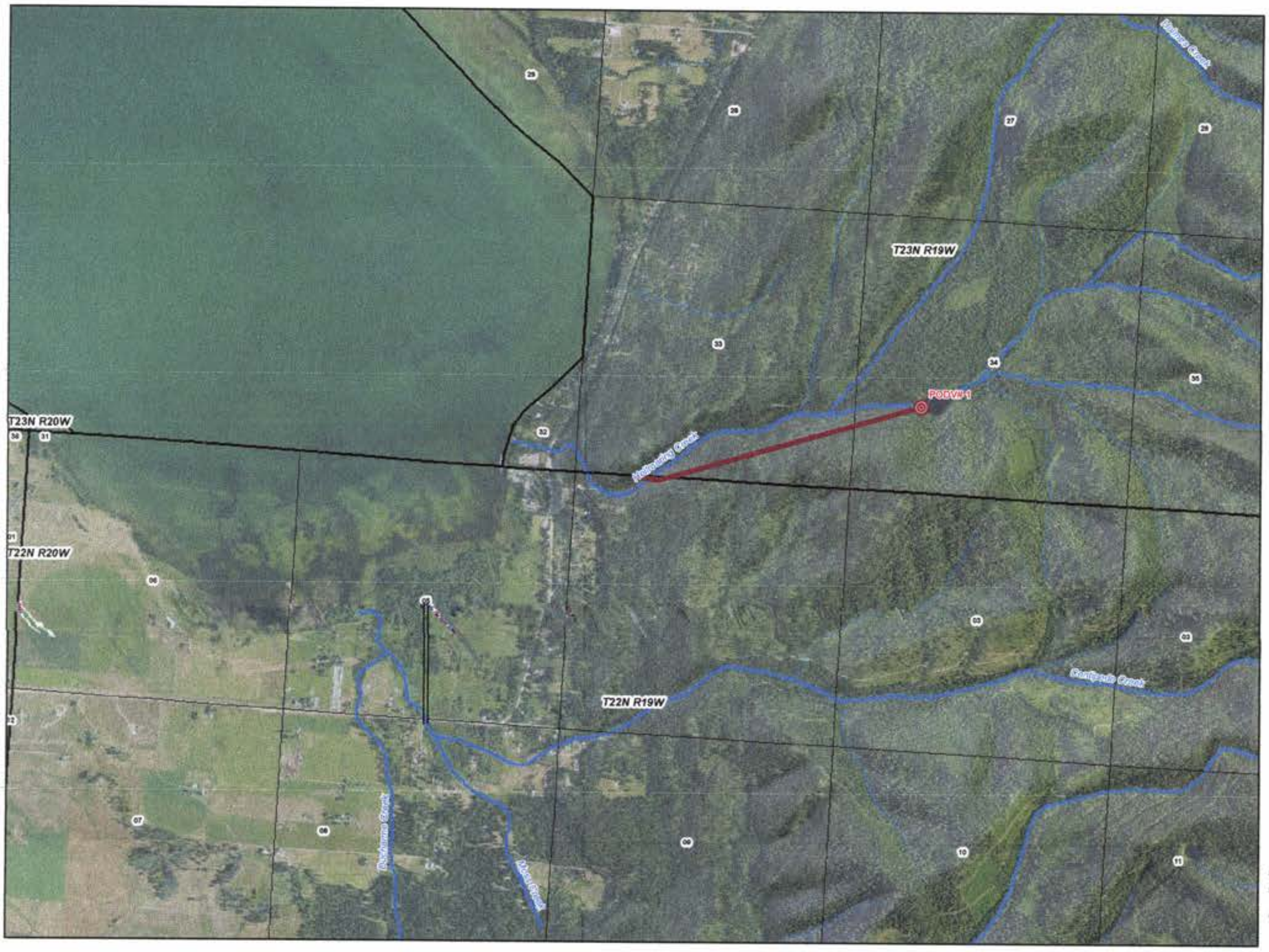
THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052872 MAP EXHIBIT(S) 1.

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO SUPPLY ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT.
30052871 30052872

APPX #20

(4) Pages


T23N R19W
T23N R20W
T22N R20W
T22N R19W
PODV#1
33
34
32
30
31
Legend
Primary Point(s) of Diversion
Pipeline
Reservation Boundary
0
0.2
0.4
Miles

Place of Use and Point of Diversion

Power Generation

76LJ

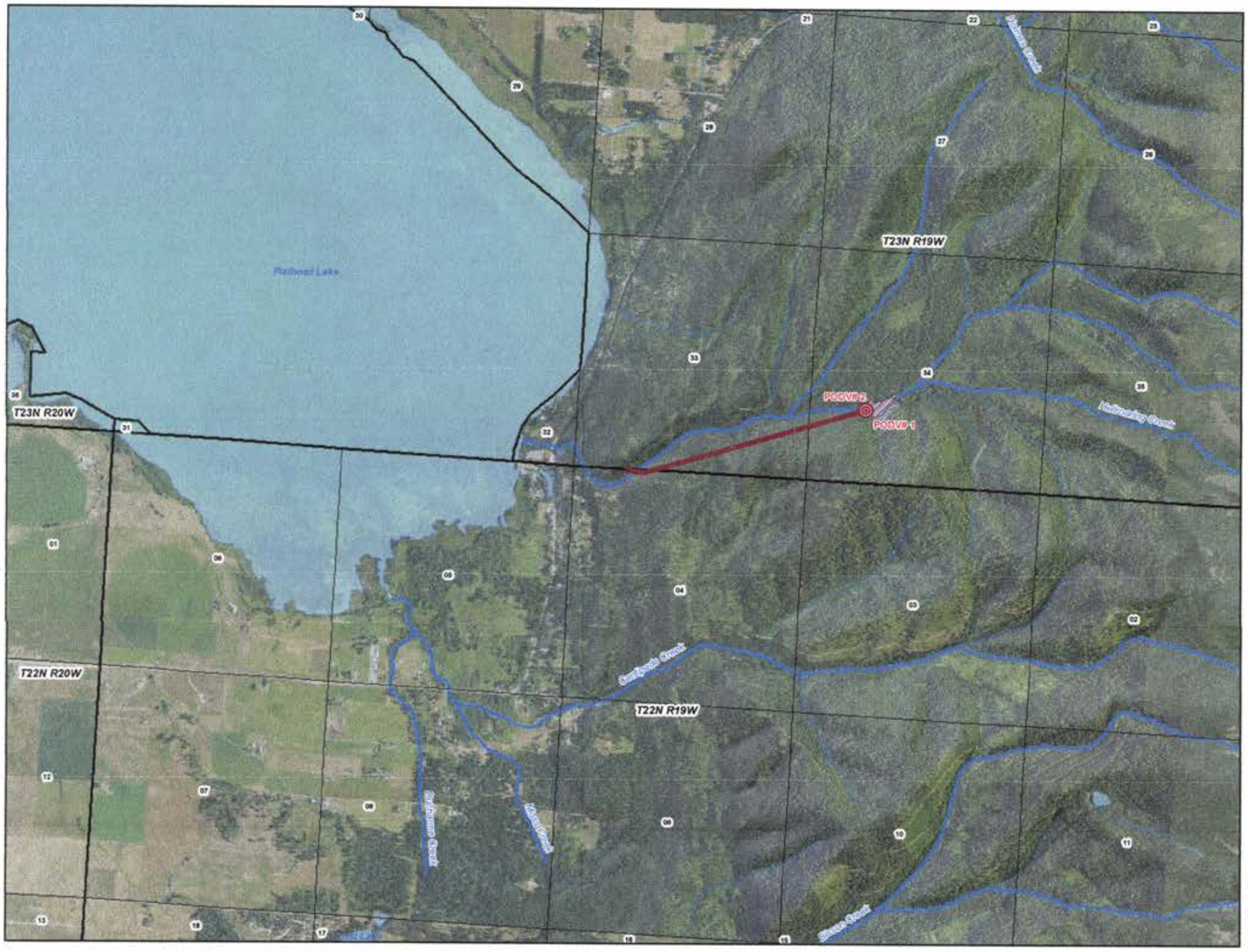
30052871

Exhibit 1

Hot Springs
Polson
Pablo
St. Ignatius
Arlee
Area of Interest

Flathead Indian Reservation

POU/POD Data Source: CSKT-MT Compact Power Generation
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Flathead Lake
T23N R20W
T23N R19W
T22N R20W
T22N R19W
PODV# 2
PODV# 1
Hellroaring Creek
30
21
22
23
29
28
27
26
33
34
35
36
31
32
01
06
05
04
03
02
12
07
08
09
10
11
13
18
17
16
15

Place of Use
and Point of
Diversion
Power
Generation
76LJ
30052872
Exhibit 1

Hot Springs
Polson
Pablo
St Ignatius
Arlee
Area of Interest

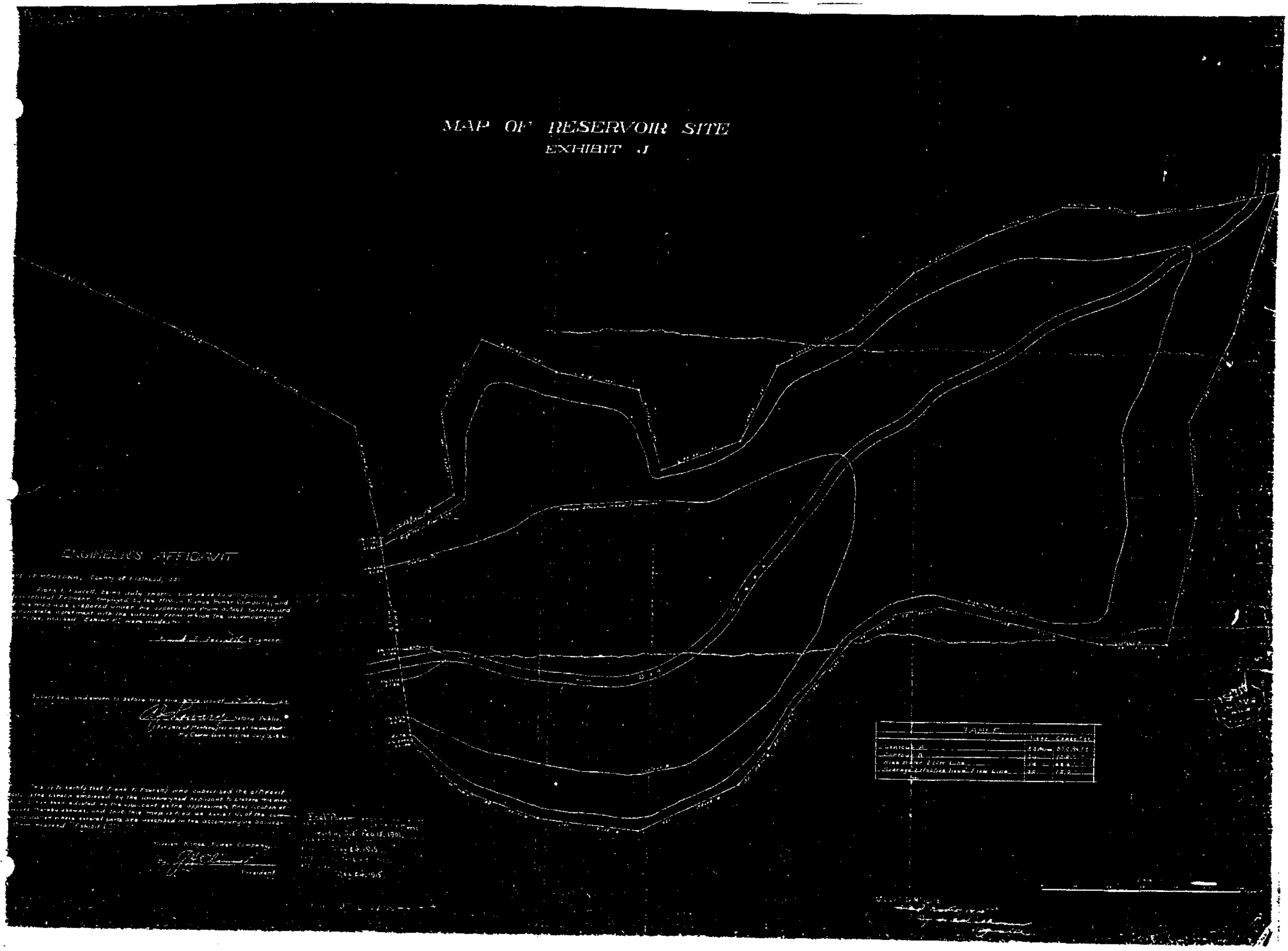
Flathead Indian Reservation

Legend

🟥 Place of Use
◎ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
— Pipeline
▨ Reservoir
☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Power Generation
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)



MAP OF RESERVOIR SITE

EXHIBIT J

ENGINEER'S AFFIDAVIT

[illegible] of Montana, County of Flathead, ss:

Frank [illegible] Fawcett, being duly sworn, [illegible] Engineer, employed by the [illegible] Power Company, and [illegible] this map was prepared under his supervision from actual surveys [illegible]

[illegible] Engineer.

Subscribed and sworn to before me this [illegible]

[illegible] Notary Public.

[illegible] My Commission expires [illegible]

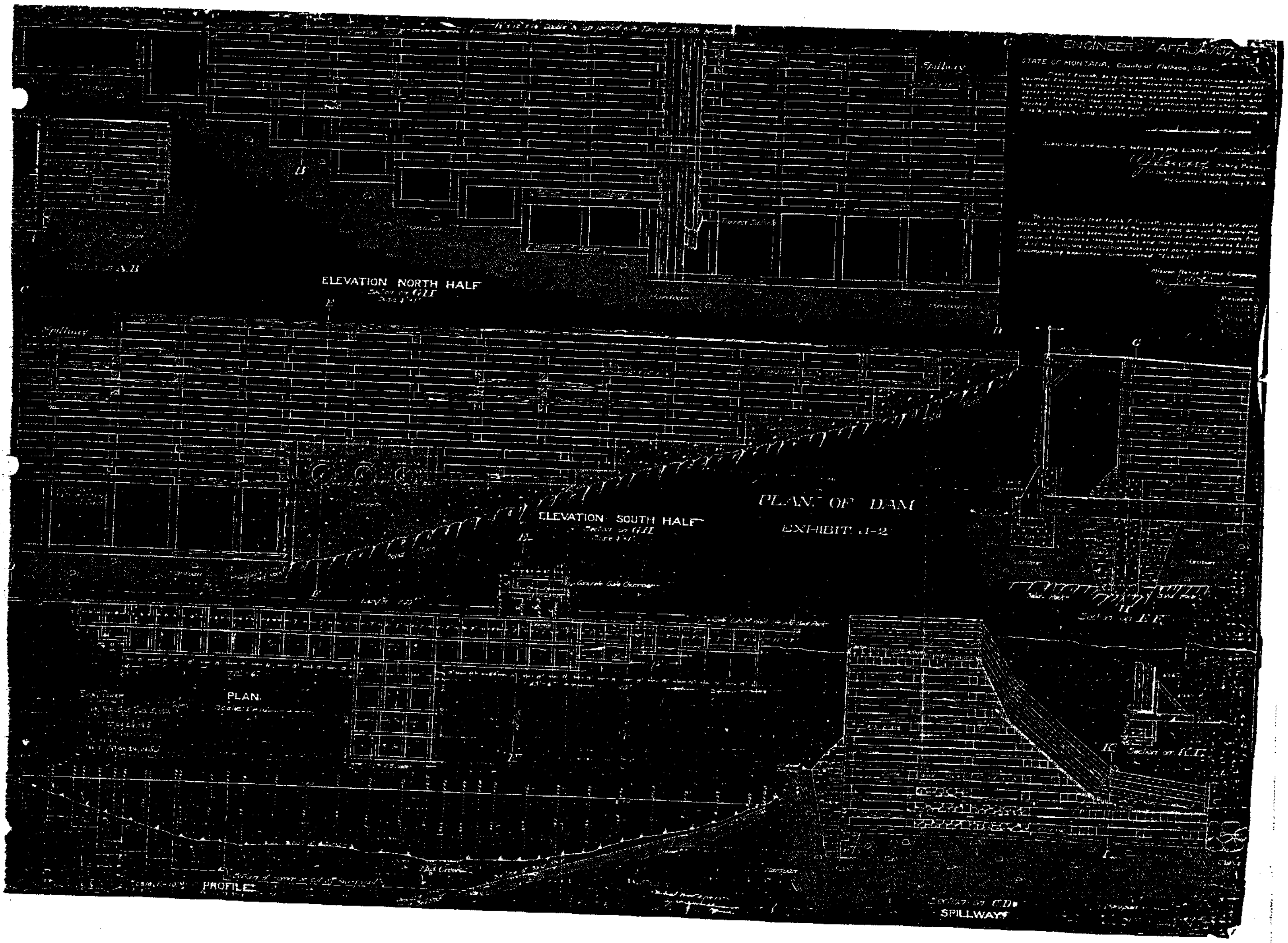
This is to certify that Frank [illegible] Fawcett who subscribed the affidavit [illegible]

[illegible] Power Company.

By [illegible]

President.

TABLE		
	Area	Capacity
Contour A	[illegible]	[illegible]
Contour B	[illegible]	[illegible]
High Water Flow Line	[illegible]	[illegible]
Average Effective Head Flow Line	[illegible]	[illegible]


ENGINEER'S AFFIDAVIT
STATE OF MONTANA, County of Flathead, ss.
Spillway
Section on A B
ELEVATION NORTH HALF
Section on G H
ELEVATION SOUTH HALF
Section on G H
PLAN OF DAM
EXHIBIT J-2
Section on E F
Section on K L
PLAN
PROFILE
Section on C D
SPILLWAY

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052922 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620-0701

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 100.00

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO CROW CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INWETLAND

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				22	20N	20W	LAKE
2				25	20N	20W	LAKE
3				26	20N	20W	LAKE
4				27	20N	20W	LAKE
5				35	20N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

Remarks:

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.

SEE 30052922 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052924 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620-0701

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 49.84

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO FLATHEAD LAKE.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INWETLAND

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

SEE 30052924 MAP EXHIBIT(S) 1.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052925 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620-0701

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 432.83

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO MISSION CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INWETLAND

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	19N	19W	LAKE
2				1	19N	20W	LAKE
3				2	19N	20W	LAKE
4				3	19N	20W	LAKE
5				4	19N	20W	LAKE
6				9	19N	20W	LAKE
7				10	19N	20W	LAKE
8				11	19N	20W	LAKE
9				12	19N	20W	LAKE
10				16	19N	20W	LAKE
11				26	20N	20W	LAKE
12				27	20N	20W	LAKE
13				33	20N	20W	LAKE
14				34	20N	20W	LAKE
15				35	20N	20W	LAKE
16				36	20N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

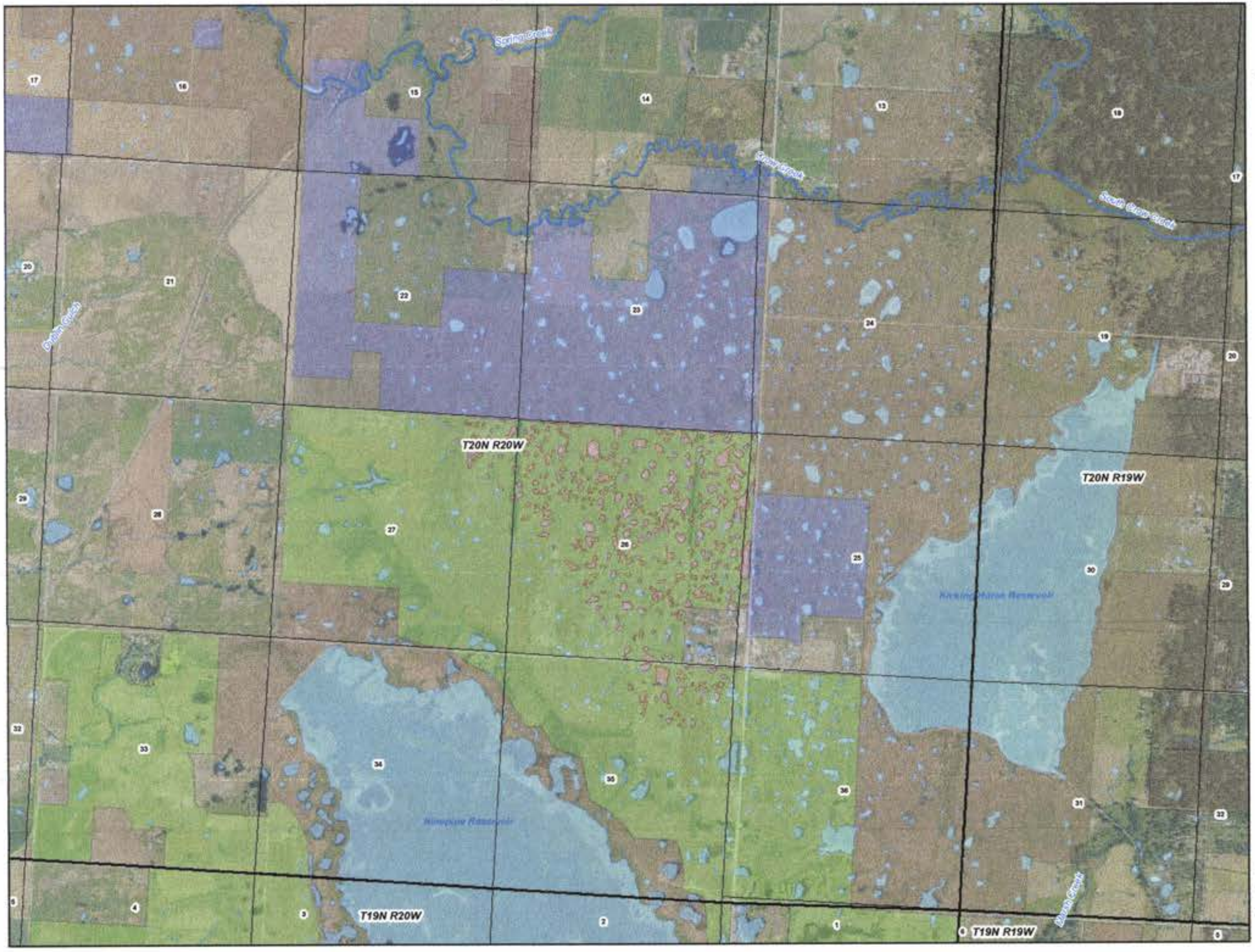
THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.

SEE 30052925 MAP EXHIBIT(S) 1 THROUGH 3.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Appx #21

(5) pages


Spring Creek
Crow Creek
South Crow Creek
Dublin Gulch
T20N R20W
T20N R19W
T19N R20W
T19N R19W
Kicking Horse Reservoir
Ninepipe Reservoir
17
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5

Place of Use

MFWP Wetlands

76L
30052922

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
MTFWP WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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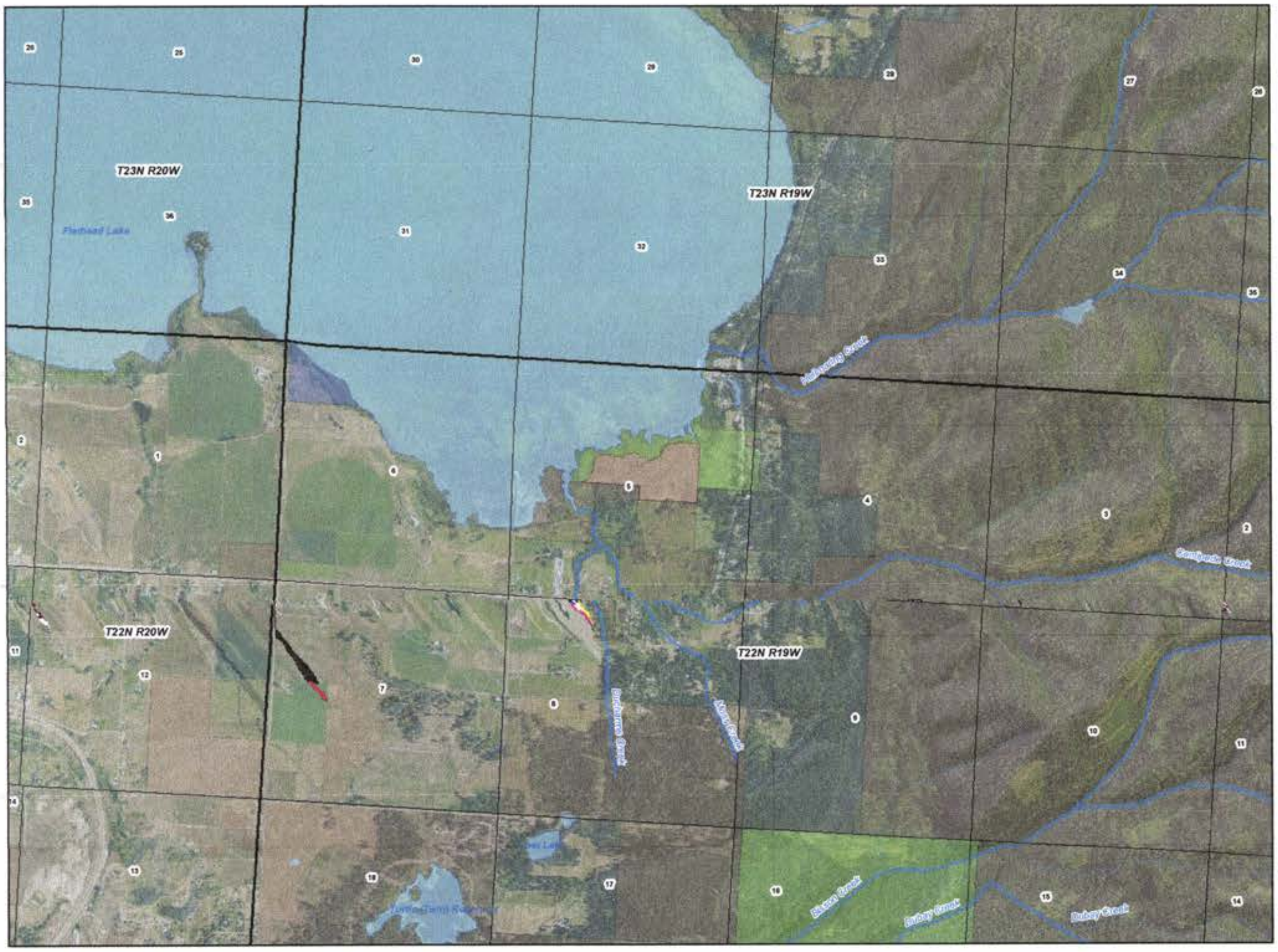

T23N R20W
T23N R19W
T22N R20W
T22N R19W
Flathead Lake
Hellroaring Creek
Bisson Creek
Dubay Creek
Dubay Creek

Place of Use

MFWP Wetlands

76LJ
30052924

Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
Arlee

Flathead Indian Reservation

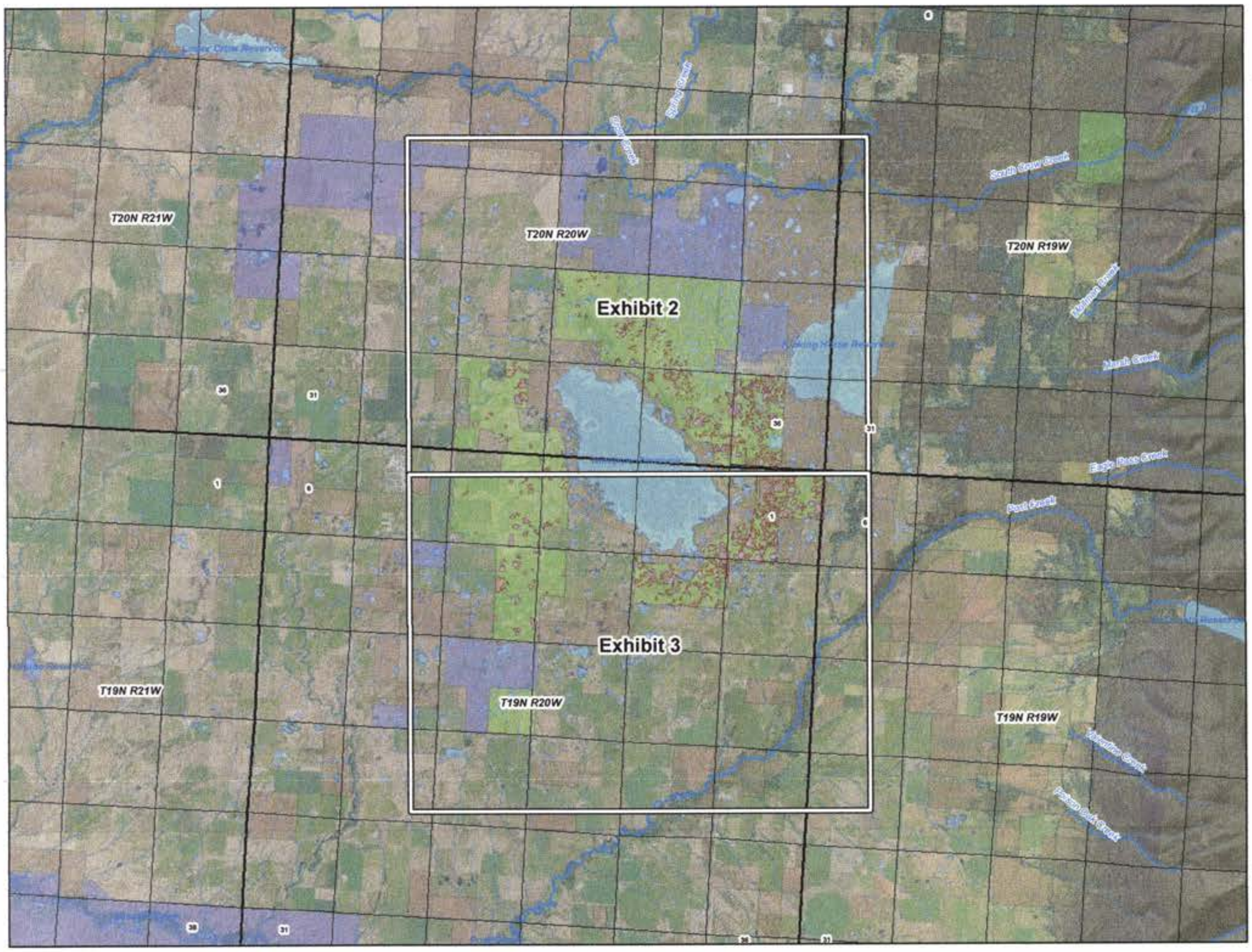
Legend

🟥 Places of Use
▢ Reservation Boundary
▨ Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
MTFWP WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use
MFWP Wetlands
76L 30052925
Exhibit 1


T20N R21W
T20N R20W
T20N R19W
T19N R21W
T19N R20W
T19N R19W
Exhibit 2
Exhibit 3
South Crow Creek
Marsh Creek
Eagle Pass Creek
Post Creek

Area of Interest
Hot Springs
Polson
Pablo
2
3
Arlee

Flathead Indian Reservation

Legend

- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
USFWS WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
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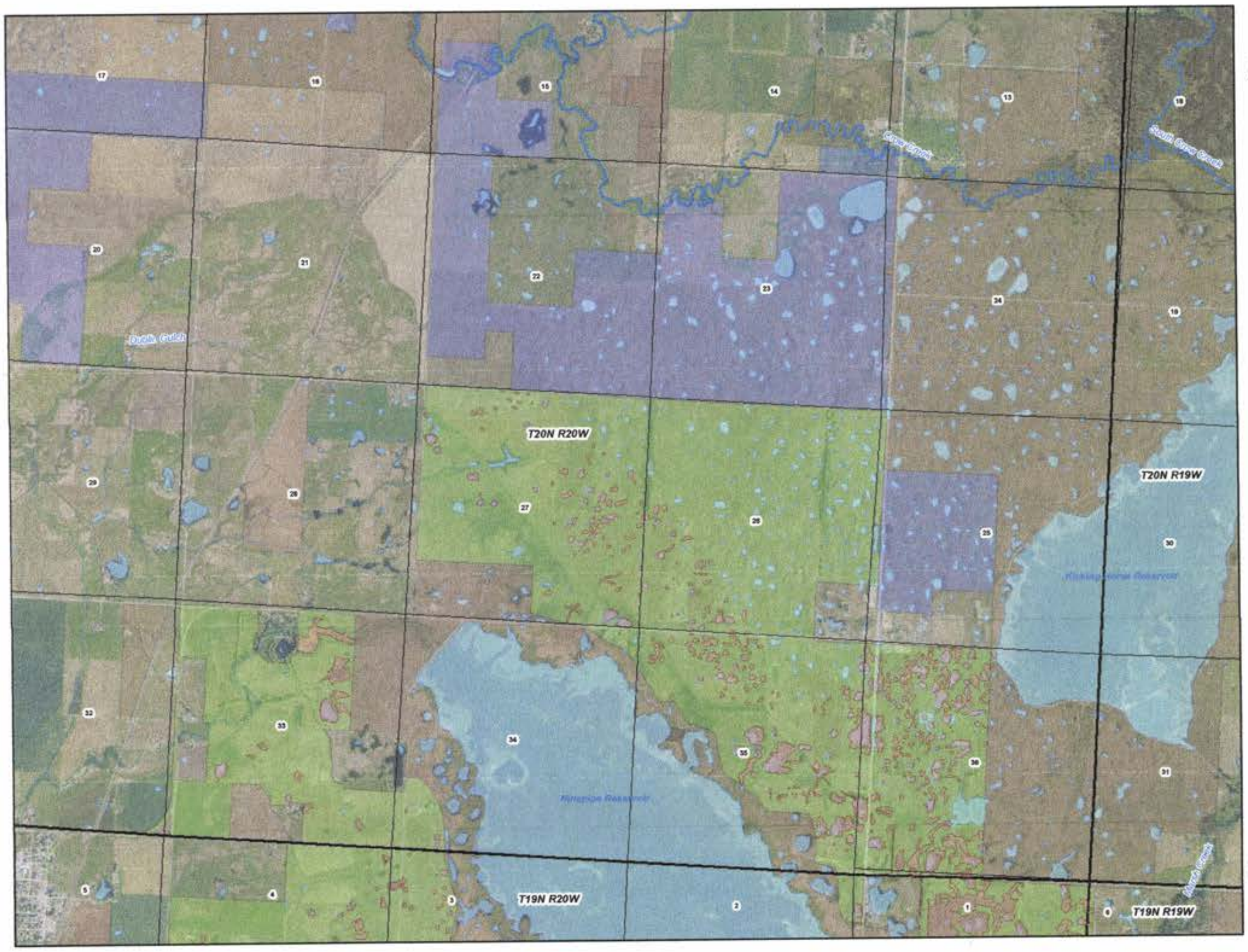
(1-arc second)


17
16
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Crow Creek
South Crow Creek
20
21
22
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19
Dublin Gulch
T20N R20W
T20N R19W
29
28
27
26
25
30
Kicking Horse Reservoir
32
33
34
35
36
31
Ninepipe Reservoir
5
4
3
2
1
6
T19N R20W
T19N R19W

Place of Use

MFWP Wetlands

76L
30052925

Exhibit 2

Area
of
Interest
Hot
Springs
Polson
Pablo
2
3
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use
▭ Reservation Boundary

Land Owner

▨ Tribal
🟦 Federal
🟩 State

0 0.25 0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
USFWS WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
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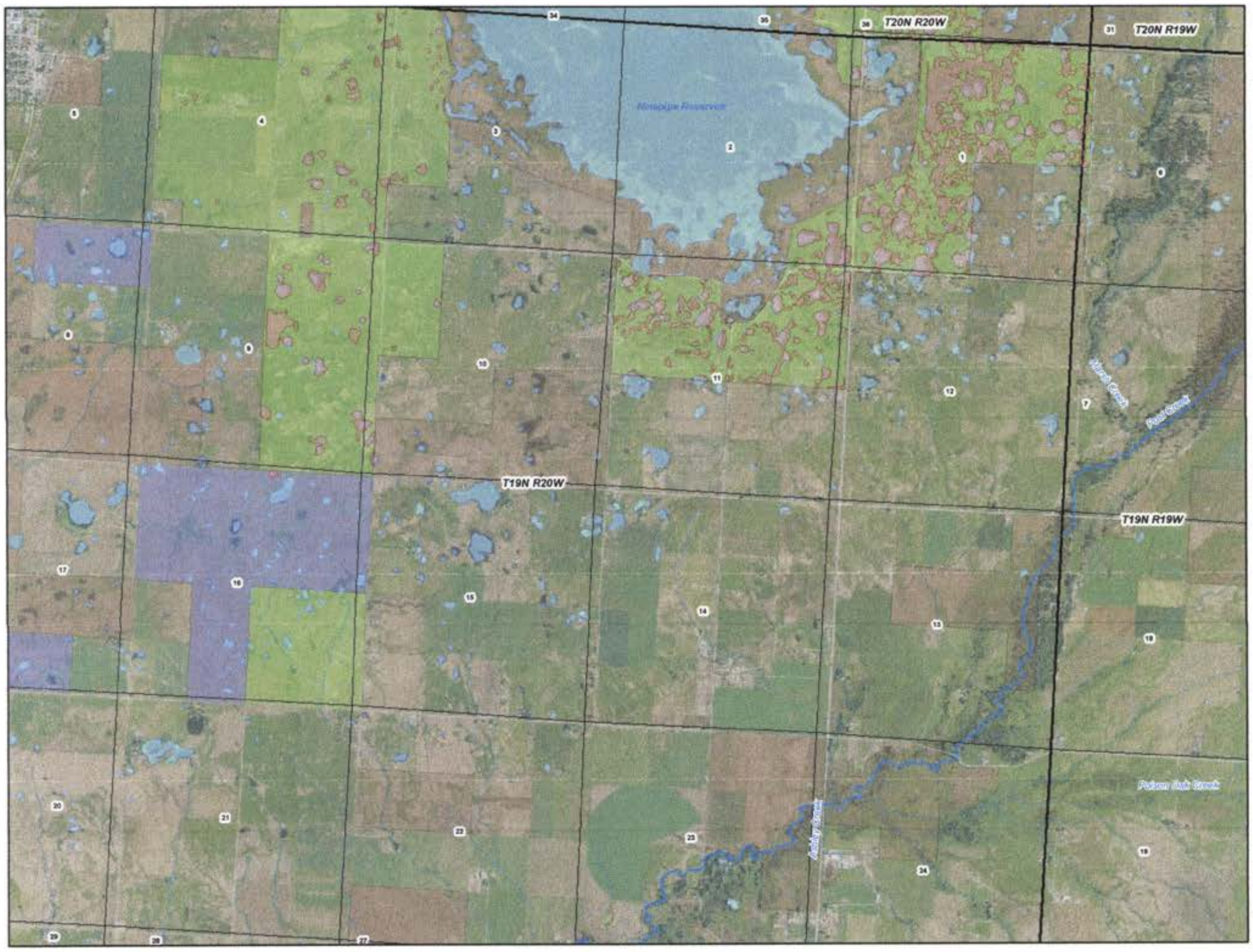
34
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T20N R20W
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T20N R19W
Ninepipe Reservoir
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Ward Creek
Post Creek
T19N R20W
T19N R19W
17
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18
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21
22
23
Ashley Creek
24
19
29
28
27

Place of Use

MFWP Wetlands

76L
30052925

Exhibit 3

Area
of
Interest
Hot
Springs
Polson
Pablo
2
3
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
USFWS WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
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(1-arc second)

Appendix 22

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 153988-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620-0701

Priority Date: MAY 4, 1962

Enforceable Priority Date: MAY 4, 1962

Type of Historical Right: USE

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

Maximum Volume: THE FLOW RATE AND VOLUME ARE LIMITED TO THE MINIMUM AMOUNT NECESSARY TO SUSTAIN THIS PURPOSE. THIS RIGHT SHALL CONTINUE TO BE UTILIZED IN ACCORDANCE WITH HISTORICAL PRACTICES.

Source Name: UNNAMED TRIBUTARY OF POST CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSESW	1	19N	20W	LAKE

Period of Diversion: MARCH 1 TO DECEMBER 31
Diversion Means: INLAKE

Period of Use: MARCH 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			SWSESW	1	19N	20W	LAKE

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THIS CLAIM IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

THE CLAIMED FLOW RATE WAS NOT EXAMINED AS NO FLOW RATE GUIDELINES FOR THIS PURPOSE HAVE BEEN ESTABLISHED BY THE CLAIM EXAMINATION RULES.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 41I, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THE CLAIMED VOLUME WAS NOT EXAMINED AS NO VOLUME GUIDELINES FOR THIS PURPOSE HAVE BEEN ESTABLISHED BY THE CLAIMS EXAMINATION RULES.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052923 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
DENVER FEDERAL CENTER
PO BOX 25486, MS #60189
DENVER, CO 80225-0486

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 317.71

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO CROW CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INWETLAND

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				13	20N	20W	LAKE
2				14	20N	20W	LAKE
3				15	20N	20W	LAKE
4				17	20N	20W	LAKE
5				18	20N	20W	LAKE
6				19	20N	20W	LAKE
7				20	20N	20W	LAKE
8				22	20N	20W	LAKE
9				23	20N	20W	LAKE
10				24	20N	20W	LAKE
11				25	20N	20W	LAKE
12				27	20N	20W	LAKE
13				30	20N	20W	LAKE
14				24	20N	21W	LAKE
15				25	20N	21W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

SEE 30052923 MAP EXHIBIT(S) 1 THROUGH 3.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052926 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
DENVER FEDERAL CENTER
PO BOX 25486, MS #60189
DENVER, CO 80225-0486

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 92.70

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO MISSION CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INWETLAND

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	19N	20W	LAKE
2				8	19N	20W	LAKE
3				9	19N	20W	LAKE
4				15	19N	20W	LAKE
5				16	19N	20W	LAKE
6				17	19N	20W	LAKE
7				19	20N	20W	LAKE
8				20	20N	20W	LAKE
9				22	20N	20W	LAKE
10				25	20N	20W	LAKE
11				30	20N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

Remarks:

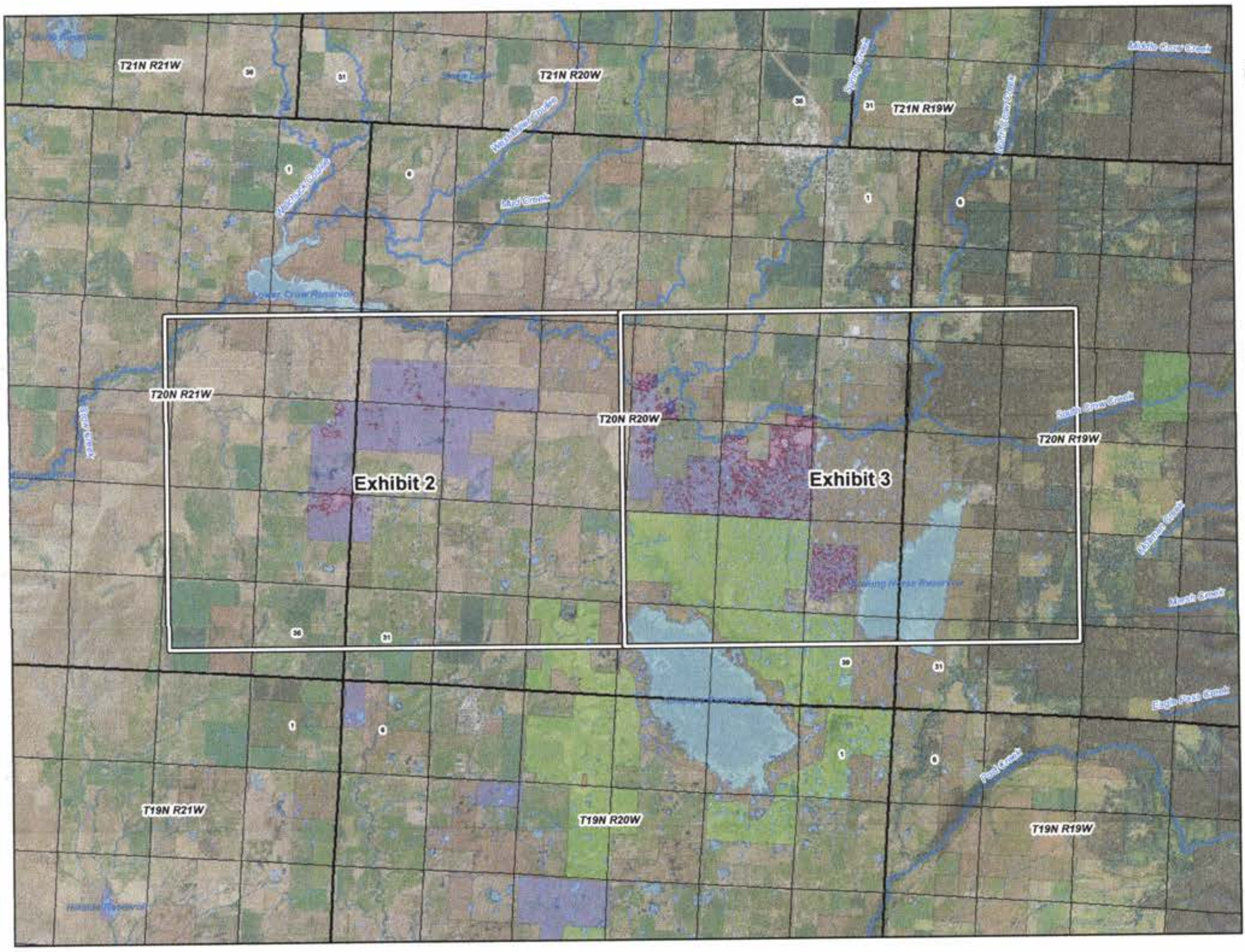
THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052926 MAP EXHIBIT(S) 1 THROUGH 4.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.


T21N R21W
36
31
T21N R20W
36
31
T21N R19W
Middle Crow Creek
Mud Creek
Lower Crow Reservoir
1
6
1
6
T20N R21W
T20N R20W
T20N R19W
South Crow Creek
Exhibit 2
Exhibit 3
Ninepipe Reservoir
Post Creek
Eagle Pass Creek
36
31
36
31
1
6
1
6
T19N R21W
T19N R20W
T19N R19W
Hillside Reservoir

Place of Use

USFWS Wetlands

76L
30052923

Exhibit 1

Area
of
Interest
Hot
Springs
Polson
Pablo
2
3
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0
0.5
1
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
USFWS WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
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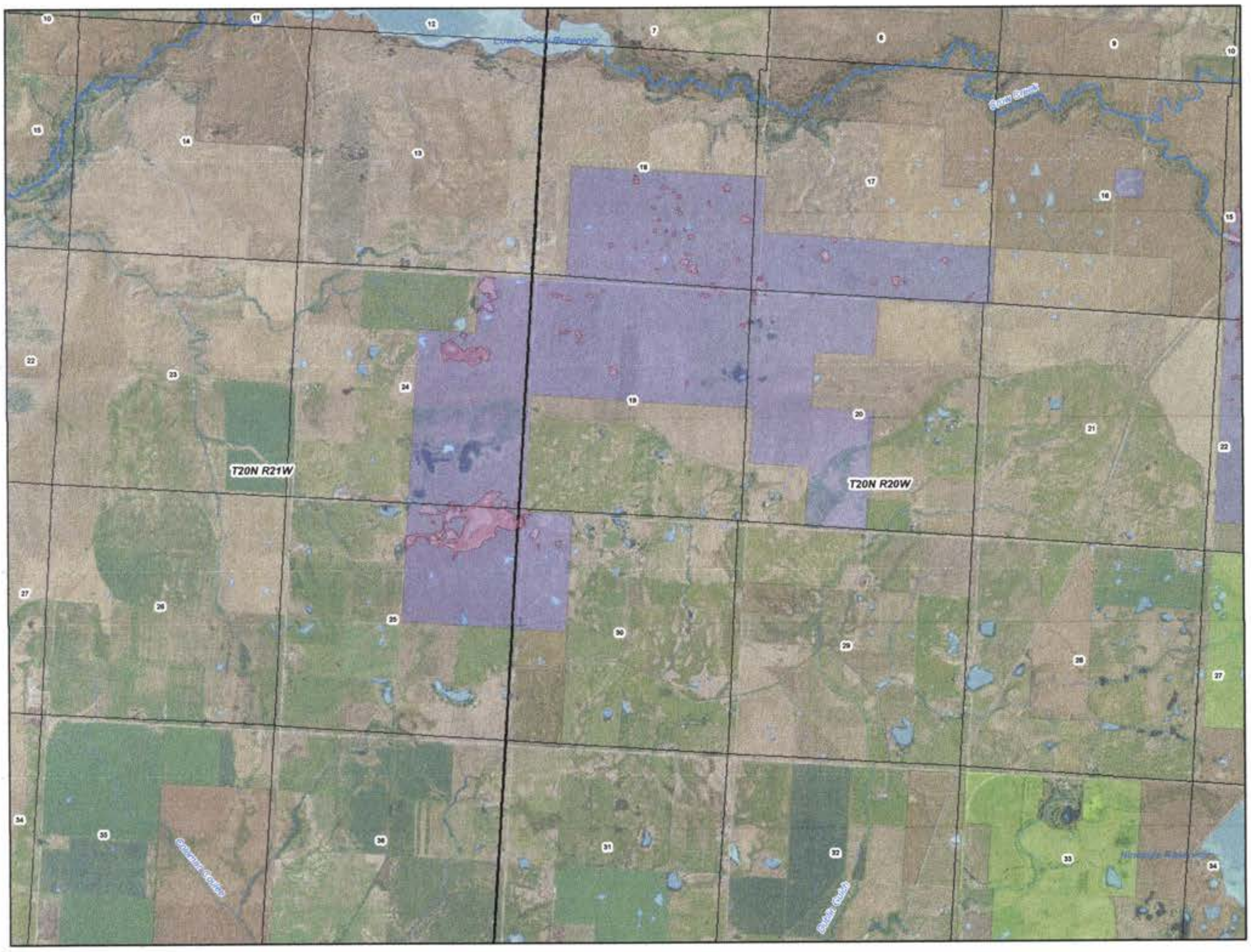
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)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Lower Crow Reservoir
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Coleman Coulee
Dublin Gulch
Ninepipe Reservoir

Place of Use
USFWS Wetlands

76L
30052923

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
2
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0
0.25
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Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
USFWS WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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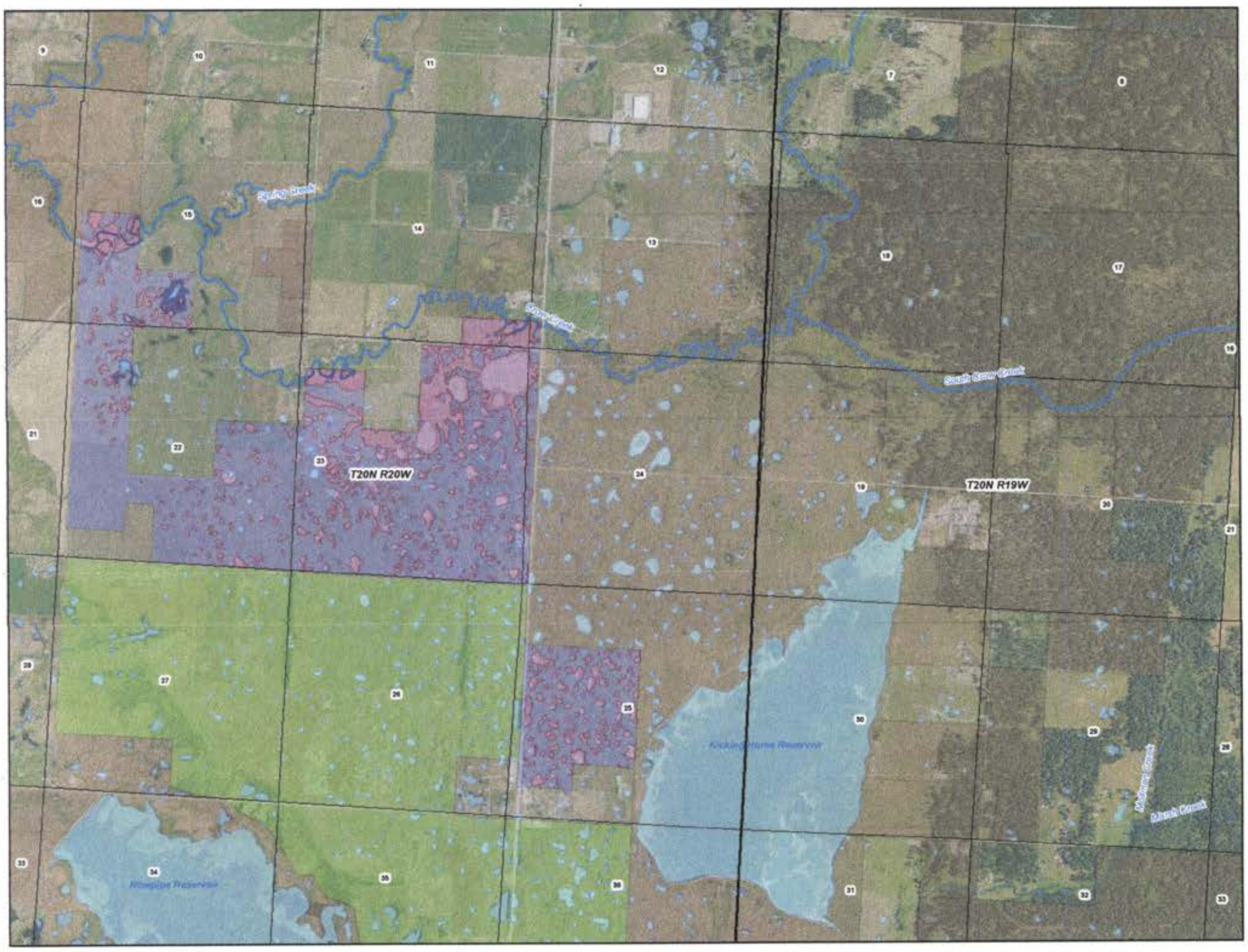
Spring Creek
Crow Creek
South Crow Creek
T20N R20W
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Kicking Horse Reservoir
Ninepipe Reservoir
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Place of Use
USFWS Wetlands

76L
30052923

Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
USFWS WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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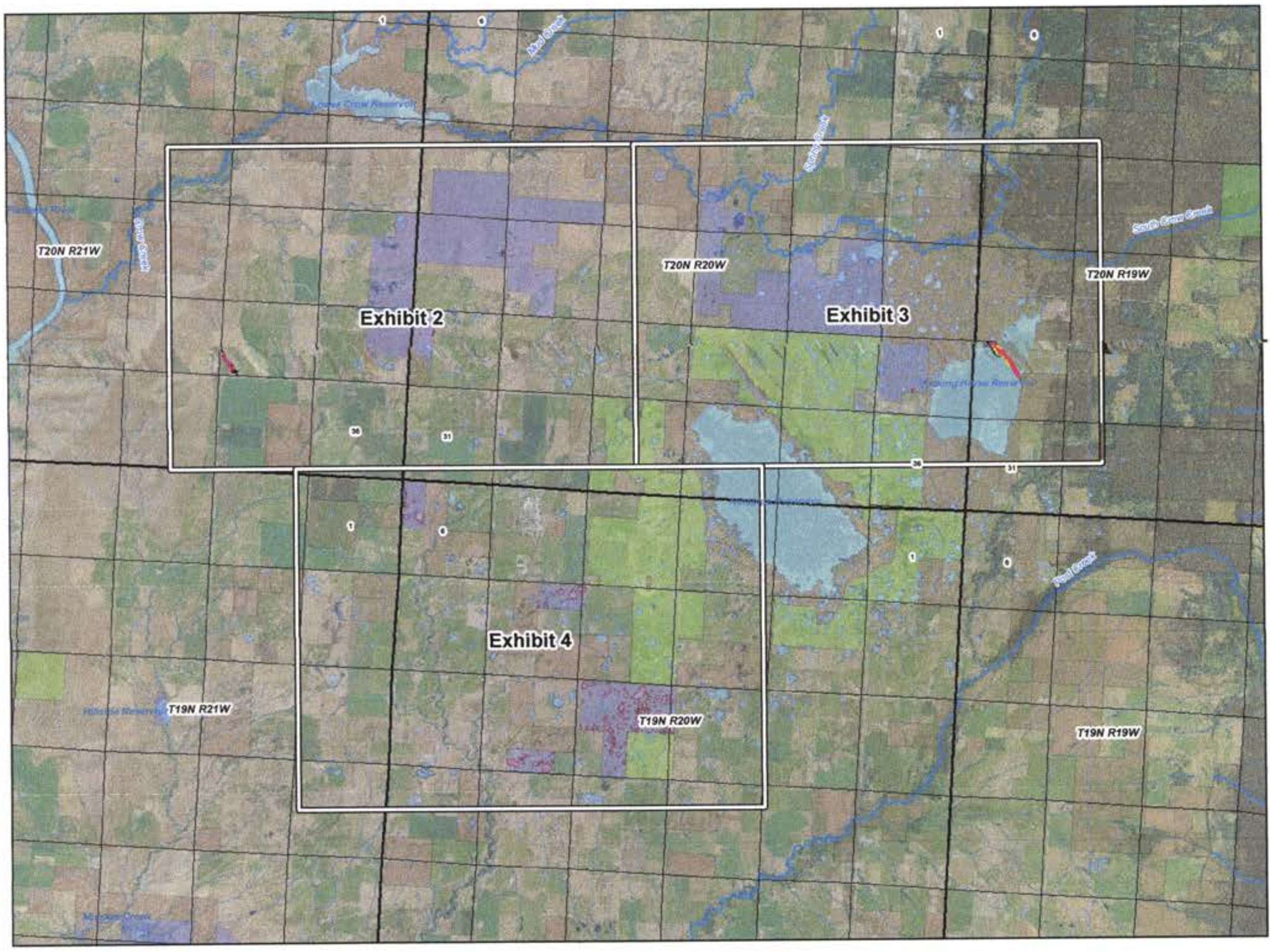
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Mud Creek
Lower Crow Reservoir
Crow Creek
T20N R21W
Exhibit 2
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Spring Creek
South Crow Creek
T20N R20W
Exhibit 3
T20N R19W
Kicking Horse Reservoir
36
31
1
6
1
6
Post Creek
Exhibit 4
Hillside Reservoir
T19N R21W
T19N R20W
T19N R19W

Place of Use

USFWS Wetlands

76L
30052926

Exhibit 1

Area
of
Interest
Springs
Polson
Pablo
2
3
4
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
MTFWP WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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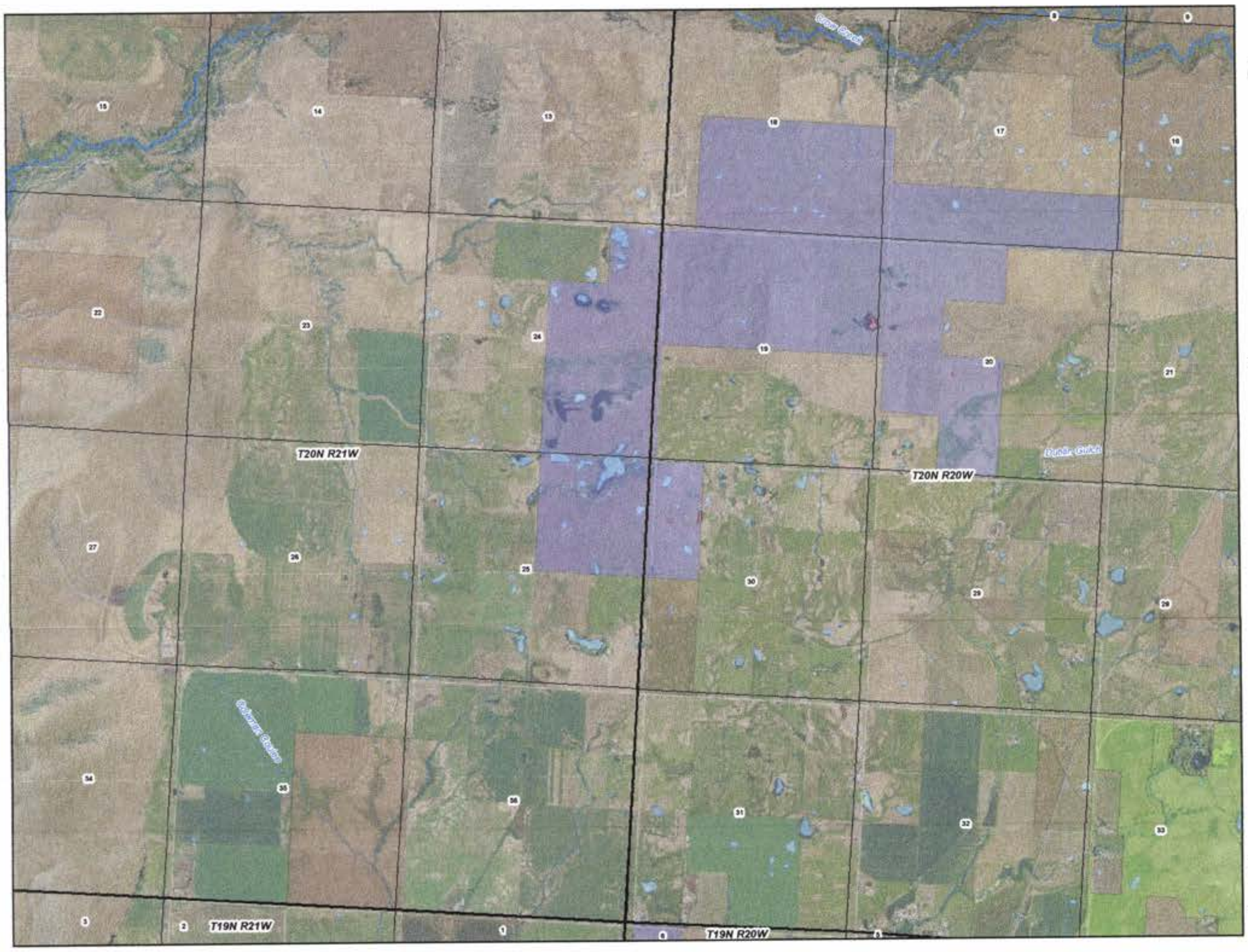
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T19N R21W
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T19N R20W
5

Place of Use
USFWS Wetlands

76L
30052926

Exhibit 2

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
MTFWP WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
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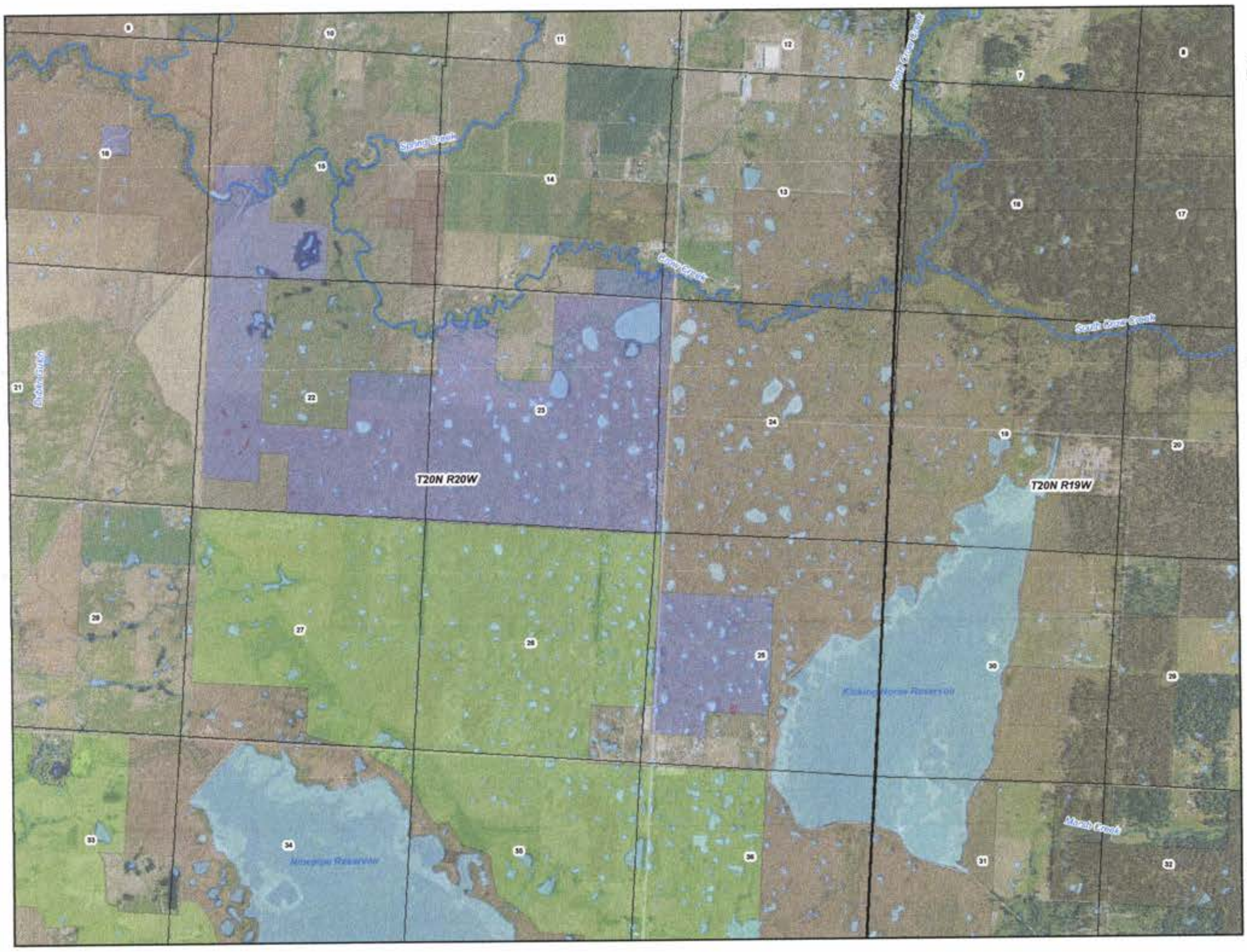
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Spring Creek
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Crow Creek
North Crow Creek
South Crow Creek
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Dublin Gulch
22
23
24
19
20
T20N R20W
T20N R19W
28
27
26
25
30
29
Kicking Horse Reservoir
33
34
Ninepipe Reservoir
35
36
31
32
Marsh Creek

Place of Use

USFWS Wetlands

76L
30052926

Exhibit 3

Area
of
Interest
Hot
Springs
Polson
Pablo
2
3
4
St
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
MTFWP WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
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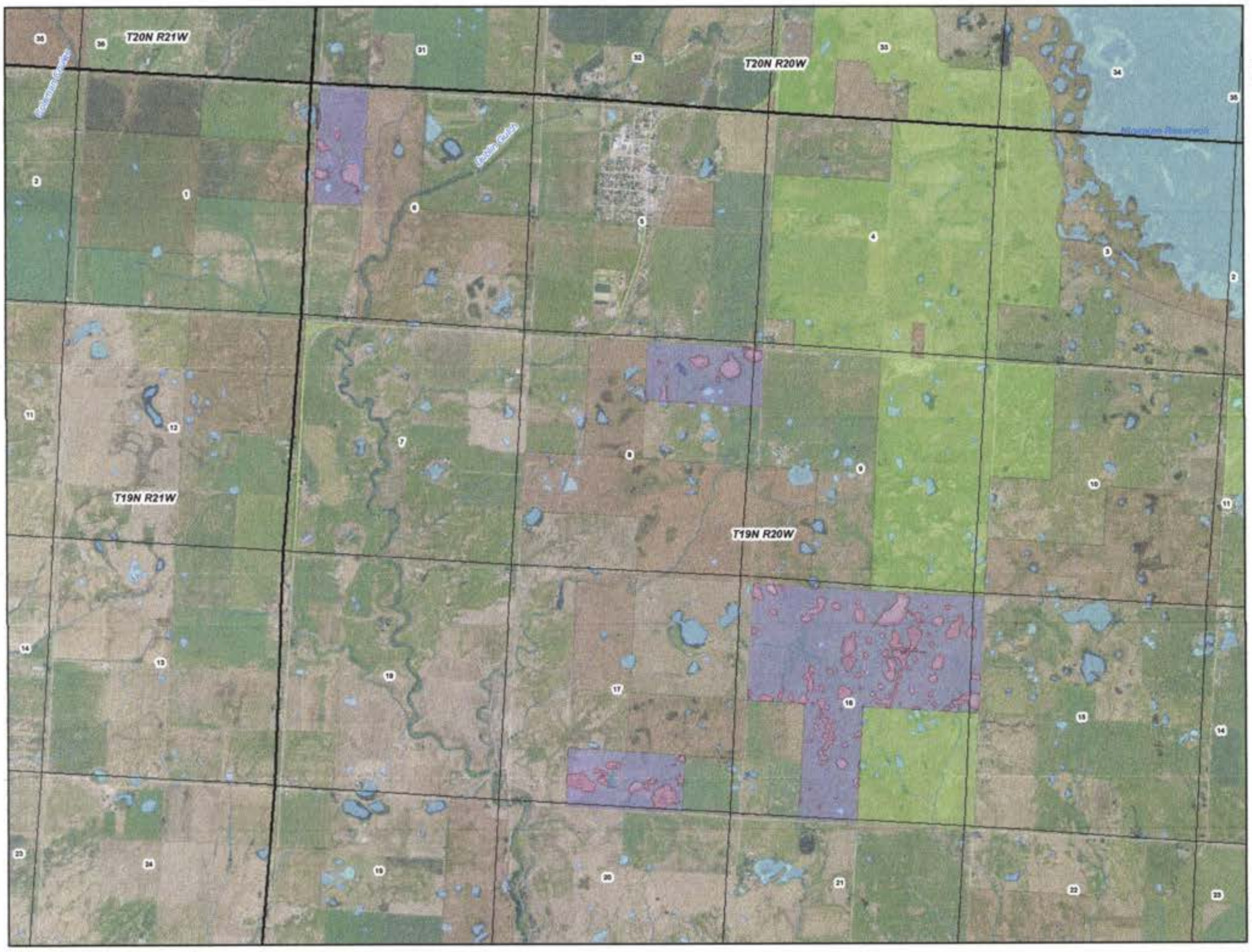
T20N R21W
T20N R20W
T19N R21W
T19N R20W
Dublin Gulch
Ninepipe Reservoir
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Place of Use
USFWS Wetlands
76L
30052926
Exhibit 4

Area
of
Interest
Hot
Springs
Polson
Pablo
2
3
4
St
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use
▭ Reservation Boundary
Land Owner
🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
MTFWP WMA (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

APPENDIX 24

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 99338-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

JAYE W JOHNSON
3368 DUCK RD
RONAN, MT 59864

USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
DENVER FEDERAL CENTER
PO BOX 25486, MS #60189
DENVER, CO 80225-0486

TRANSFER PROCESSED TO ADD NEW OWNERS. THE WATER RIGHT WILL BE SPLIT INTO SEPARATE OWNERSHIPS AFTER FINAL DECREE.

Priority Date: DECEMBER 31, 1918

Enforceable Priority Date: DECEMBER 31, 1918

Type of Historical Right: USE

Purpose (use): RECREATION

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 724.00 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: NATURAL PIT, UNNAMED TRIBUTARY OF CROW CREEK

Source Type: SURFACE WATER

SOURCE IS COMPOSED OF 3 POTHOLE / KETTLE LAKES WITHIN THE POINT OF DIVERSION LEGAL LAND DESCRIPTION.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNE	24	20N	21W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Reservoir: ON STREAM

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NENE	24	20N	20W	LAKE

Diversion to Reservoir: DIVERSION # 1

Depth: 10.00 FEET

Surface Area: 3.10 ACRES

Current Capacity: 12.40 ACRE-FEET

Reservoir: ON STREAM

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NWNE	24	20N	21W	LAKE

Diversion to Reservoir: DIVERSION # 1

Depth: 10.00 FEET

Surface Area: 1.30 ACRES

Current Capacity: 5.20 ACRE-FEET

Reservoir: ON STREAM

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NWNE	24	20N	21W	LAKE

Diversion to Reservoir: DIVERSION # 1

Depth: 10.00 FEET

Surface Area: 0.73 ACRES

Current Capacity: 2.92 ACRE-FEET

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			NE	24	20N	21W	LAKE
2			SE	13	20N	21W	LAKE

Geocodes/Valid: 15-2985-13-1-01-06-0000 - Y 15-2985-24-1-01-08-0000 - Y

Remarks:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 04/11/90: POINT OF DIVERSION.

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THIS CLAIM IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/29/90.

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 41I, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THE CLAIMED VOLUME WAS NOT EXAMINED AS NO VOLUME GUIDELINES FOR THIS PURPOSE HAVE BEEN ESTABLISHED BY THE CLAIMS EXAMINATION RULES.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 99339-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:
USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
DENVER FEDERAL CENTER
PO BOX 25486, MS #60189
DENVER, CO 80225-0486

Priority Date: MARCH 23, 1916

Enforceable Priority Date: MARCH 23, 1916

Type of Historical Right: USE

Purpose (use): RECREATION

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 360.00 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: UNNAMED TRIBUTARY OF DUBLIN GULCH

Source Type: SURFACE WATER

POTHOLE LAKE

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	5	SWNW	6	19N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INLAKE

Reservoir: ON STREAM

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SWNW	6	19N	20W	LAKE

Diversion to Reservoir: DIVERSION # 1
Depth: 10.00 FEET
Surface Area: 7.90 ACRES
Current Capacity: 31.20 ACRE-FEET

THE SURFACE AREA, DEPTH AND CAPACITY BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		5	SWNW	6	19N	20W	LAKE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IS DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

99300-00 99330-00 99339-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THIS CLAIM IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

POU IS IN GOVT. LOT # 5 SECTION 6 T19N R20W POD IS IN GOVT. LOT # 5 SECT. 6 T19N R20W

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/29/90.

Remarks:

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 41I, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THIS CLAIM APPEARS TO DIVERT WATER FROM TWO SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

THE CLAIMED VOLUME IS 11.5 TIMES THE ESTIMATED CAPACITY OF THE POTHOLE LAKE

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 99340-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:
USA (DEPT OF INTERIOR FISH & WILDLIFE SERVICE)
DENVER FEDERAL CENTER
PO BOX 25486, MS #60189
DENVER, CO 80225-0486

Priority Date: DECEMBER 31, 1952

Enforceable Priority Date: DECEMBER 31, 1952

Type of Historical Right: USE

Purpose (use): RECREATION

Maximum Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

Maximum Volume: 2,880.00 AC-FT

THE USE OF THIS WATER APPEARS TO BE LARGELY NONCONSUMPTIVE.

Source Name: UNNAMED TRIBUTARY OF CROW CREEK

Source Type: SURFACE WATER

POTHOLE LAKE

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWNENE	25	20N	21W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: HEADGATE

Reservoir: ON STREAM

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NWNENE	25	20N	21W	LAKE

Diversion to Reservoir: DIVERSION # 1

Depth: 10.00 FEET

Surface Area: 3.00 ACRES

Current Capacity: 12.00 ACRE-FEET

THE SURFACE AREA, DEPTH AND CAPACITY BEEN ESTIMATED BY DNRC.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			NWNENE	25	20N	21W	LAKE

Remarks:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IS DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

99303-00 99304-00 99332-00 99340-00

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

THIS CLAIM IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 03/29/90.

THE CLAIMED MEANS OF DIVERSION BE INCORRECT AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

Remarks:

THE WATER COURT WILL HOLD A HEARING ON THIS CLAIM TO DETERMINE ITS VALIDITY SUBJECT TO SECTION 85-2-248, MCA, AND MATTER OF THE ADJUDICATION OF EXISTING RIGHTS IN BASIN 41I, 2002 MT 216, 311 MONT. 327, 55 P.3D 396. A HEARING MAY ALSO BE HELD ON THIS CLAIM IF A VALID OBJECTION IS FILED UNDER SECTION 85-2-233, MCA, OR THE WATER COURT CALLS THE CLAIM IN ON ITS OWN MOTION UNDER RULE 8, W.R.ADJ.R.

THIS CLAIM APPEARS TO DIVERT WATER FROM SEVERAL SEPARATE SOURCES. MORE THAN ONE WATER RIGHT MAY BE INVOLVED.

THE CLAIMED VOLUME MAY BE EXCESSIVE. THE CLAIMED VOLUME IS 240 TIMES THE ESTIMATED POT HOLE LAKE CAPACITY.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76D 30063810 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): INSTREAM FISHERY

Maximum Flow Rate: 38,573.00 CFS

THE ENFORCEABLE LEVELS OF THIS WATER RIGHT ARE INDIVIDUAL FOR EACH CALENDAR DAY OF THE YEAR AND ARE IDENTIFIED IN THE TECHNICAL REPORT FILED WITH THIS WATER RIGHT (SEE APPENDIX 36 OF SCANNED FILING).

CALL MAY BE INITIATED ON THE DAY FOLLOWING A 24-HOUR PERIOD WHERE AVERAGE DAILY RIVER FLOWS FALL BELOW THEIR RESPECTIVE DAILY ENFORCEABLE VALUE.

ENFORCEABLE LEVELS OF THIS WATER RIGHT SHALL BE MEASURED AT THE USGS GAGE #12305000 LOCATION ON THE KOOTENAI RIVER AT LEONIA, IDAHO (48°37'04"N, 116°02'47"W, NAD83) (NWNWNW SEC 20 T33N R34W). IF USGS GAGE #12305000 IS DISCONTINUED OR OTHERWISE RENDERED NONFUNCTIONAL, MEASUREMENTS SHALL BE TAKEN EITHER AT THIS SAME LOCATION OR AS NEAR TO THAT POINT AS IS REASONABLY PRACTICABLE.

Maximum Volume:

Source Name: KOOTENAI RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			5	32N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

2			20	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

3			21	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

4			27	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

5			28	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
6			34	33N	34W	LINCOLN

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	**Acres**	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
1				5	32N	34W	LINCOLN
2				20	33N	34W	LINCOLN
3				21	33N	34W	LINCOLN
4				27	33N	34W	LINCOLN
5				28	33N	34W	LINCOLN
6				34	33N	34W	LINCOLN

Remarks:

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE REACH OF THE KOOTENAI RIVER STARTING AT THE POINT WHERE THE KOOTENAI RIVER CROSSES THE MONTANA IDAHO STATE BORDER (48°37'04"N, 116°02'47"W, NAD83) (NWNWNW SEC 20 T33N R34W) AND EXTENDING UPSTREAM TO THE CONFLUENCE OF THE KOOTENAI AND YAAK RIVERS (48°33'38"N, 115°58'40"W, NAD83) (SWSWSE SEC 5 T32N R34W).

THE ABILITY TO ENFORCE THIS RIGHT SHALL BE SUSPENDED SO LONG AS LIBBY DAM REMAINS IN EXISTENCE AND THE ARMY CORPS OF ENGINEERS' (ACOE) OPERATION OF THAT DAM ARE CONDUCTED CONSISTENTLY WITH THE 2008 FEDERAL COLUMBIA RIVER POWER SYSTEM BIOLOGICAL OPINION, AND THE 2010 UPDATED BIOLOGICAL OPINION, SPECIFICALLY AS DESCRIBED IN REASONABLE AND PRUDENT ALTERNATIVE ACTION (RPA) NO. 4 (STORAGE PROJECT OPERATIONS), TABLE NO. 1 (LIBBY DAM), INCLUDING THE NORTHWEST POWER AND CONSERVATION COUNCIL'S 2003 MAINSTEM AMENDMENTS TO THE COLUMBIA RIVER BASIN FISH AND WILDLIFE PROGRAM, OR ANY SUBSEQUENT BIOLOGICAL OPINION(S) GOVERNING THE SAME RPA(S) AND OPERATIONS.

IN THE EVENT OF CHANGES TO THE ACOE'S RESPONSIBILITIES UNDER THE ENDANGERED SPECIES ACT OF 1973, 16 U.S.C. 1531, ET SEQ. (ESA), SUCH AS THE DELISTING OF RESIDENT AND ANADROMOUS FISH SPECIES, THAT NO LONGER REQUIRE THE ACOE TO OPERATE LIBBY DAM PURSUANT TO ESA SECTION 7 BIOLOGICAL OPINIONS OR OTHER SUBSTANTIVE ESA REQUIREMENTS, THE UNITED STATES, ACTING THROUGH THE ACOE, THE TRIBES, AND THE STATE SHALL ESTABLISH WRITTEN PROTOCOLS AND UNDERSTANDINGS ON MEETING AND ENFORCING THE TRIBES' MAINSTEM INSTREAM FLOW RIGHT ON THE KOOTENAI RIVER WHILE ALSO ENSURING THAT THE ACOE OPERATIONS OF LIBBY DAM MEET ALL FEDERAL STATUTORY AND REGULATORY REQUIREMENTS AND OBLIGATIONS. PROVIDED HOWEVER, THAT ANY SUCH ENFORCEMENT PROTOCOL SHALL NOT ALTER THE LIMITATIONS ON CALL SET FORTH IN ARTICLE III SECTION F OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SHOULD THE SUSPENSION ON ENFORCEMENT SET FORTH PURSUANT ARTICLE III.F.1.E OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA BE LIFTED, THE OWNER OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL, IN ACCORDANCE WITH STATE LAW, TO ENFORCE THIS WATER RIGHT ONLY AGAINST JUNIOR WATER RIGHTS IN BASIN 76D (KOOTENAI DRAINAGE) WHOSE POINT OF DIVERSION IS FROM THE MAINSTEM OF THE KOOTENAI RIVER AND NOT ITS TRIBUTARIES, THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION AND WHOSE SOURCE OF SUPPLY IS SURFACE WATER, OR AGAINST JUNIOR USERS THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION, WHOSE SOURCE OF SUPPLY IS GROUNDWATER CONNECTED TO THE MAINSTEM OF THE KOOTENAI RIVER AND WHOSE FLOW RATE IS GREATER THAN 100 GALLONS PER MINUTE.

THE DESIGNATION OF A PLACE OF USE OF THIS WATER RIGHT IS A DESIGNATION FOR PURPOSES OF MEASUREMENT OF THE ENFORCEABLE LEVELS AND IS NOT A GEOGRAPHIC LIMITATION ON THE LOCATION OF JUNIOR WATER RIGHTS AGAINST WHOM THIS RIGHT MAY BE ENFORCED.

THIS IS A NONCONSUMPTIVE INSTREAM WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76K 30063809 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): INSTREAM FISHERY

Maximum Flow Rate: 2,716.00 CFS

THE ENFORCEABLE LEVELS OF THIS WATER RIGHT ARE INDIVIDUAL FOR EACH CALENDAR DAY OF THE YEAR AND ARE IDENTIFIED IN THE TECHNICAL REPORT FILED WITH THIS WATER RIGHT (SEE APPENDIX 26 OF SCANNED FILING).

CALL MAY BE INITIATED ON THE DAY FOLLOWING A 24-HOUR PERIOD WHERE AVERAGE DAILY RIVER FLOWS FALL BELOW THEIR RESPECTIVE DAILY ENFORCEABLE VALUE.

ENFORCEABLE LEVELS OF THIS WATER RIGHT SHALL BE MEASURED AT THE USGS GAGE #12370000 LOCATION ON THE SWAN RIVER NEAR BIG FORK, MONTANA (48°01'27.23"N, 113°58'43.75"W, NAD83) (NWSESW SEC 11 T26N R19W). IF USGS GAGE #12370000 IS DISCONTINUED OR OTHERWISE RENDERED NONFUNCTIONAL, MEASUREMENTS SHALL BE TAKEN EITHER AT THIS SAME LOCATION OR AS NEAR TO THAT POINT AS IS REASONABLY PRACTICABLE.

Maximum Volume:

Source Name: SWAN RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			2	26N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2			11	26N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3			14	26N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
4			35	26N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	26N	19W	LAKE
2				11	26N	19W	LAKE
3				14	26N	19W	LAKE
4				35	26N	19W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

Remarks:

THE DESIGNATION OF A PLACE OF USE OF THIS WATER RIGHT IS A DESIGNATION FOR PURPOSES OF MEASUREMENT OF THE ENFORCEABLE LEVELS AND IS NOT A GEOGRAPHIC LIMITATION ON THE LOCATION OF JUNIOR WATER RIGHTS AGAINST WHOM THIS RIGHT MAY BE ENFORCED.

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE REACH OF THE SWAN RIVER STARTING JUST ABOVE THE CONFLUENCE OF THE SWAN RIVER AND PETERSON CREEK (48°03'53"N, 113°58'29"W, NAD83) (NENENW SEC 35 T27N R19W) AND EXTENDING UPSTREAM TO THE CONFLUENCE OF THE SWAN RIVER AND JOHNSON CREEK (48°01'17"N, 113°58'46"W, NAD83) (NWNENW SEC 14 T26N R19W).

THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE OWNER OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL, IN ACCORDANCE WITH STATE LAW, TO ENFORCE THIS WATER RIGHT ONLY AGAINST JUNIOR WATER RIGHTS IN BASIN 76K (SWAN DRAINAGE) THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION AND WHOSE SOURCE OF SUPPLY IS SURFACE WATER, OR AGAINST JUNIOR USERS THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION, WHOSE SOURCE OF SUPPLY IS GROUNDWATER CONNECTED TO THE SURFACE SOURCES IN BASIN 76K (SWAN DRAINAGE) AND WHOSE FLOW RATE IS GREATER THAN 100 GALLONS PER MINUTE.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS IS A NONCONSUMPTIVE INSTREAM WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

76K 30063809 Technical Documentation

By way of the Proposed Compact, 76K 30063809 is hereby issued, creating a new water right, with a place of use along the reach of the Swan River starting just above the confluence of the Swan River and Peterson Creek and extending upstream along the Swan River to the confluence of the Swan River and Johnson Creek. The designation of a place of use of this water right is a designation for purposes of measurement of the enforceable levels and is not a geographic limitation on the location of junior water rights against whom this right may be enforced.

The enforceable levels of this water right take the form of static distributions of unique daily flow values, one each for every day of the year. Call may be initiated on the day following a 24-hour period where average daily river flows fall below their respective daily enforceable value.

Enforceable Daily Flows (CFS)
for 76K 30063809 on the Swan River near Big Fork, Montana

						Month						
Day	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	336	320	319	600	1,175	2,707	1,426	570	357	341	357	362
2	337	319	321	626	1,211	2,648	1,395	556	355	340	357	360
3	338	321	322	652	1,251	2,541	1,363	543	352	341	358	360
4	338	322	324	677	1,292	2,406	1,329	532	350	341	358	359
5	337	323	326	688	1,332	2,294	1,294	521	348	341	358	357
6	337	323	327	700	1,369	2,273	1,257	510	345	340	359	356
7	338	324	329	712	1,400	2,237	1,220	500	347	338	359	356
8	337	324	331	727	1,427	2,196	1,183	490	347	338	360	357
9	336	322	332	743	1,450	2,152	1,147	480	347	338	362	358
10	334	320	334	757	1,470	2,120	1,111	470	347	336	363	357
11	333	318	337	771	1,487	2,105	1,076	461	347	335	366	356
12	334	317	341	783	1,504	2,095	1,043	451	347	335	369	357
13	334	316	345	795	1,523	2,076	1,010	441	346	337	370	357
14	336	313	348	806	1,542	2,062	980	433	345	339	371	357
15	337	312	351	817	1,562	2,046	949	424	346	341	371	357
16	339	311	356	827	1,604	2,021	919	416	347	342	372	358
17	339	310	361	839	1,645	1,971	889	409	348	343	372	358
18	339	310	368	854	1,671	1,899	861	402	350	344	371	357
19	337	309	376	873	1,691	1,819	834	396	352	345	369	356
20	335	310	384	895	1,724	1,749	808	391	355	345	366	355
21	332	312	394	918	1,769	1,693	783	386	356	345	364	354
22	330	313	405	944	1,821	1,662	760	382	357	346	365	352
23	327	315	416	971	1,868	1,634	737	379	357	346	365	351
24	325	316	428	998	1,906	1,608	716	376	356	347	367	351
25	325	316	441	1,024	1,956	1,582	695	374	353	349	367	351
26	325	317	455	1,047	2,087	1,558	675	372	351	350	368	351
27	325	318	469	1,069	2,251	1,535	656	370	348	351	368	351
28	324	318	485	1,091	2,426	1,512	636	367	346	353	369	349
29	322	318	514	1,115	2,574	1,485	618	365	344	354	367	349
30	321		544	1,143	2,671	1,457	601	362	343	355	365	348
31	320		573		2,716		585	359		357		346

STATE OF MONTANA
OF NATURAL RESOURCES AND CONSERVATION
NUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

NERAL ABSTRACT

63808 COMPACT
n: 1 -- ORIGINAL RIGHT

Version Status:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Date: TIME IMMEMORIAL

se (use): INSTREAM FISHERY

Purpose Clarification: INSTREAM

Maximum Flow Rate: 5,000.00 CFS

THE ENFORCEABLE LEVEL OF THIS WATER RIGHT SHALL BE MEASURED AT THE USGS GAGE #12391950 LOCATION ON THE CLARK RIVER BELOW CABINET GEORGE DAM, IDAHO (48°05'17"N, 116°04'22"W, NAD83) (NWSENE SEC 27 T55N R3E). IF USGS GAGE #12391950 IS DISCONTINUED OR OTHERWISE RENDERED NONFUNCTIONAL, MEASUREMENTS SHALL BE TAKEN EITHER AT THIS SAME LOCATION OR AS NEAR TO THAT POINT AS IS REASONABLY PRACTICABLE.

CALL MAY BE INITIATED ON THE DAY FOLLOWING A 24-HOUR PERIOD WHERE AVERAGE DAILY RIVER FLOWS FALL BELOW THE ENFORCEABLE LEVEL OF THIS WATER RIGHT.

FOR SO LONG AS THE CABINET GORGE AND NOXON DAMS REMAIN IN EXISTENCE, THE ENFORCEABLE LEVEL OF THIS RIGHT IS A FLOW RATE EQUAL TO THE LESSER OF 5,000 CFS OR THE MINIMUM FLOW LEVEL ESTABLISHED BY THE FERC AS A CONDITION ON THE LICENSE FOR THE CABINET GORGE AND NOXON DAMS AS THAT LICENSE CONDITION MAY BE MODIFIED OVER TIME.

Maximum Volume:

Source Name: CLARK FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			19	27N	34W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2			24	27N	35W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 30

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				19	27N	34W	SANDERS
2				24	27N	35W	SANDERS

Remarks:

THE OWNER OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL, IN ACCORDANCE WITH STATE LAW, TO ENFORCE THIS WATER RIGHT ONLY AGAINST JUNIOR WATER RIGHTS IN BASIN 76N (LOWER CLARK FORK DRAINAGE) AND IN BASIN 76M (MIDDLE CLARK FORK DRAINAGE) WHOSE POINT OF DIVERSION IS FROM THE MAINSTEM OF THE CLARK FORK RIVER AND NOT ITS TRIBUTARIES, THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION AND WHOSE SOURCE OF SUPPLY IS SURFACE WATER, OR AGAINST JUNIOR USERS THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION, WHOSE SOURCE OF SUPPLY IS GROUNDWATER CONNECTED TO THE MAINSTEM OF THE CLARK FORK RIVER AND WHOSE FLOW RATE IS GREATER THAN 100 GALLONS PER MINUTE.

Remarks:

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE REACH OF THE CLARK FORK RIVER STARTING AT THE POINT WHERE THE CLARK FORK RIVER CROSSES THE MONTANA IDAHO STATE BORDER (48°05'21"N, 116°02'56"W, NAD83) (NWSENW SEC 24 T27N R35W) AND EXTENDING UPSTREAM TO THE CONFLUENCE OF THE CLARK FORK RIVER AND BLUE CREEK (48°05'46"N, 116°01'39"W, NAD83) (SWNWSE SEC 18 T27N R35W).

THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE DESIGNATION OF A PLACE OF USE OF THIS WATER RIGHT IS A DESIGNATION FOR PURPOSES OF MEASUREMENT OF THE ENFORCEABLE LEVELS AND IS NOT A GEOGRAPHIC LIMITATION ON THE LOCATION OF JUNIOR WATER RIGHTS AGAINST WHOM THIS RIGHT MAY BE ENFORCED.

THIS IS A NONCONSUMPTIVE INSTREAM WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.

Appendix 28 Confederated Salish and Kootenai Tribes – Montana Water Rights Compact

FWP Claims co-owned by the CSKT to be finally decreed as part of the Compact:

Flathead Basin

Middle Fork Flathead River

76I 134924 00, 76I 134925 00, 76I 134926 00, 76I 134927 00, 76I 134928 00, 76I 134929 00

South Fork Flathead River

76J 134968 00, 76J 134969 00, 76J 134970 00, 76J 134971 00, 76J 134972 00, 76J 134973 00, 76J 179244 00, 76J 179245 00

Rock Creek Basin

Rock Creek

76E 133208 00, 76E 133209 00, 76E 133210 00, 76E 133211 00, 76E 133212 00, 76E 133213 00, 76E 133214 00, 76E 133215 00, 76E 133216 00, 76E 133217 00, 76E 133218 00, 76E 133219 00

Blackfoot Basin

Ward Creek (Browns L.)	76F 167411 00
Upsata Lake	76F 167412 00
Harpers Lake	76F 149231 00
Clearwater (Salmon L.)	76F 149469 00
Owl Creek (Placid Lake)	76F 149472 00
Clearwater (Seeley Lake)	76F 149471 00
Clearwater (Lake Inez)	76F 149466 00
Clearwater (Lake Alva)	76F 149467 00
Clearwater (Rainy Lake)	76F 149468 00
Clearwater Lake	76F 149470 00

Appendix 29 Confederated Salish and Kootenai Tribes – Montana Water Rights Compact

FWP Claims co-owned by the CSKT NOT to be finally decreed as part of the Compact:

Bitterroot Basin

Bitterroot River Reach 1 (Confluence with the Clark Fork River upstream to the Stevensville Bridge)

76H 151313 00, 76H 151306 00, 76H 151311 00, 76H 151312 00

Bitterroot River Reach 2 (Stevensville Bridge up stream to confluence with Sleeping Child Creek)

76H 151316 00, 76H 151309 00, 76H 151310 00, 76H 151305 00

Bitterroot River Reach 3 (From the confluence with Sleeping Child Creek upstream to the confluence of E. & West Forks)

76H 151314 00, 76H 151307 00, 76H 151315 00, 76H 151308 00

Flathead Basin

Flathead River – Mainstem

76LJ 147029 00, 76LJ 147030 00, 76LJ 147031 00, 76LJ 147032 00, 76LJ 147033 00, 76LJ 147034 00, 76LJ 147036 00, 76LJ 147037 00, 76LJ 147038 00, 76LJ 147039 00

North Fork Flathead River

76LJ 147018, 76LJ 147019 00, 76LJ 147020 00, 76LJ 147021 00, 76LJ 147022 00, 76LJ 147023 00, 76LJ 147024 00, 76LJ 147025 00, 76LJ 147026 00, 76LJ 147027 00, 76LJ 147028 00, 76LJ 147035 00

Blackfoot River

Blackfoot River Murphy Rights

76F 98984 00, 76F 98985 00, 76F 98986 00, 76F 98987 00, 76F 98988 00, 76F 98989 00, 76F 149459 00, 76F 149460 00, 76F 149461 00, 76F 149462 00, 76F 149463 00, 76F 149464 00, 76F 149465 00

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76M 94404-01 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
CONFEDERATED SALISH & KOOTENAI TRIBES
C/O TRIBAL CHAIRMAN
PO BOX 278
PABLO, MT 59855

MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620-0701

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: DECEMBER 11, 1904

Enforceable Priority Date: DECEMBER 11, 1904

Purpose (use): INSTREAM FISHERY

Maximum Flow Rate: 833.00 CFS

FOR ANY ANALYSIS OF THE LEGAL AVAILABILITY OF WATER IN BASINS 76F (BLACKFOOT RIVER), 76G (CLARK FORK RIVER ABOVE BLACKFOOT RIVER), 76E (ROCK CREEK, TRIBUTARY OF THE CLARK FORK RIVER). AND 76GJ (FLINT CREEK), THIS RIGHT SHALL BE CONSIDERED CONJOINED TO WATER RIGHT 76M 94404-02, TO HAVE A CUMULATIVE YEAR-ROUND FLOW RATE OF 2000 CFS AS MEASURED BELOW THE CONFLUENCE OF THE CLARK FORK AND BLACKFOOT RIVERS AT THE LOCATION OF USGS GAGE #12340500 ABOVE MISSOULA (46°52'38"N, 113°55'53"W, NAD27) (NWNWNW SEC19 T13N R18W).

THE ENFORCEABLE LEVELS OF THIS WATER RIGHT ARE INDIVIDUAL FOR EACH CALENDAR DAY OF THE YEAR AND ARE IDENTIFIED IN THE TECHNICAL REPORT FILED WITH THIS WATER RIGHT (SEE APPENDIX 30). THE MINIMUM ENFORCEABLE LEVEL OF THIS RIGHT IS 500 CFS AND THE MAXIMUM ENFORCEABLE LEVEL OF THIS WATER RIGHT IS 833 CFS.

CALL MAY BE INITIATED ON THE DAY FOLLOWING A FIVE-CONSECUTIVE-DAY PERIOD WHERE FOUR OUT OF FIVE AVERAGE DAILY RIVER FLOWS FALL BELOW THEIR RESPECTIVE DAILY ENFORCEABLE VALUES; CALL MAY PERSIST UNTIL SUCH TIME AS TWO AVERAGE DAILY FLOWS OF THE PREVIOUS FIVE-CONSECUTIVE-DAY-PERIOD ARE IN EXCESS OF THEIR RESPECTIVE DAILY ENFORCEABLE VALUES.

ENFORCEABLE LEVELS OF THIS WATER RIGHT SHALL BE MEASURED AT THE USGS GAGE #12334550 LOCATION ON THE MAINSTEM OF THE CLARK FORK RIVER @ TURAH BRIDGE, MONTANA (46°49'34"N, 113°48'48",NAD27) (NWNWSW SEC 1 T12N R18W). IF USGS GAGE #12334550 IS DISCONTINUED OR OTHERWISE RENDERED NONFUNCTIONAL, MEASUREMENTS SHALL BE TAKEN EITHER AT THIS SAME LOCATION OR AT A POINT DOWNSTREAM AS NEAR AS REASONABLY PRACTICABLE TO THE CONFLUENCE OF THE CLARK FORK AND BLACKFOOT RIVERS.

Maximum Volume:

Source Name: CLARK FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			1	12N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2			2	12N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3			3	12N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

4			7	12N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

5			12	12N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

6			18	12N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

7			21	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

8			27	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

9			28	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

10			34	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

11			35	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	12N	18W	MISSOULA
2				2	12N	18W	MISSOULA
3				3	12N	18W	MISSOULA
4				7	12N	18W	MISSOULA
5				12	12N	18W	MISSOULA
6				18	12N	18W	MISSOULA
7				21	13N	18W	MISSOULA
8				27	13N	18W	MISSOULA
9				28	13N	18W	MISSOULA
10				34	13N	18W	MISSOULA
11				35	13N	18W	MISSOULA

Remarks:

Remarks:

THE OWNERS OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL, IN ACCORDANCE WITH STATE LAW, TO ENFORCE THIS WATER RIGHT ONLY AGAINST JUNIOR WATER RIGHTS IN BASINS 76G (CLARK FORK ABOVE BLACKFOOT RIVER), 76E (ROCK CREEK, TRIBUTARY TO THE CLARK FORK), AND 76GJ (FLINT CREEK), THAT:
1) HAVE A PRIORITY DATE EARLIER THAN THE DATE ON WHICH THE RATIFICATION BY THE MONTANA LEGISLATURE OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA TAKES EFFECT UNDER STATE LAW, HAVE A PURPOSE OF IRRIGATION AND WHOSE SOURCE OF SUPPLY IS SURFACE WATER;
2) HAVE A PRIORITY DATE EARLIER THAN THE DATE ON WHICH THE RATIFICATION BY THE MONTANA LEGISLATURE OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA TAKES EFFECT UNDER STATE LAW, AND HAVE A PURPOSE OF IRRIGATION, WHOSE SOURCE OF SUPPLY IS GROUNDWATER AND WHOSE FLOW RATE IS GREATER THAN 100 GALLONS PER MINUTE; OR
3) HAVE A PRIORITY DATE LATER THAN THE DATE ON WHICH THE RATIFICATION BY THE MONTANA LEGISLATURE OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA TAKES EFFECT UNDER STATE LAW.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE ABILITY TO ENFORCE THIS RIGHT SHALL BE SUSPENDED FOR A PERIOD OF 10 YEARS FROM THE DATE THE RATIFICATION OF THIS COMPACT BY THE MONTANA LEGISLATURE BECOMES EFFECTIVE UNDER STATE LAW.

THE DESIGNATION OF A PLACE OF USE OF THIS WATER RIGHT IS A DESIGNATION FOR PURPOSES OF MEASUREMENT OF THE ENFORCEABLE LEVELS AND IS NOT A GEOGRAPHIC LIMITATION ON THE LOCATION OF JUNIOR WATER RIGHTS AGAINST WHOM THIS RIGHT MAY BE ENFORCED.

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE REACH OF THE CLARK FORK RIVER STARTING JUST ABOVE THE CONFLUENCE OF THE CLARK FORK AND BLACKFOOT RIVERS (46°52'17"N, 113°53'16",NAD27) (NESWNW SEC 21 T13N R18W) AND EXTENDING UPSTREAM TO THE CONFLUENCE OF THE CLARK FORK RIVER AND ALLEN CREEK (46°47'47"N, 113°47'0",NAD27) (SENWSE SEC 18 T12N R17W).

WATER RIGHT 76M 94404-00 HAS BEEN CHANGED FROM HYDROPOWER GENERATION TO INSTREAM FISHERY AND SPLIT INTO WATER RIGHTS 76M 94404-01 AND 76M 94404-02 BY THE MONTANA LEGISLATURE'S RATIFICATION OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA. 76M 94404-00 CAN NO LONGER BE CHANGED.

76M 94404-01 & 76M 94404-02 ARE NONCONSUMPTIVE INSTREAM WATER RIGHTS AND THE PURPOSES AND INSTREAM PLACES OF USE CANNOT BE CHANGED.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76M 94404-02 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

CONFEDERATED SALISH & KOOTENAI TRIBES
C/O TRIBAL CHAIRMAN
PO BOX 278
PABLO, MT 59855

MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620-0701

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

ALL COMMUNICATION SHALL BE COPIED TO THE CS&KT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278

Priority Date: DECEMBER 11, 1904

Enforceable Priority Date: DECEMBER 11, 1904

Purpose (use): INSTREAM FISHERY

Maximum Flow Rate: 1,167.00 CFS

FOR ANY ANALYSIS OF THE LEGAL AVAILABILITY OF WATER IN BASINS 76F (BLACKFOOT RIVER), 76G (CLARK FORK RIVER ABOVE BLACKFOOT RIVER), 76E (ROCK CREEK, TRIBUTARY OF THE CLARK FORK RIVER). AND 76GJ (FLINT CREEK), THIS RIGHT SHALL BE CONSIDERED CONJOINED TO WATER RIGHT 76M 94404-01, TO HAVE A CUMULATIVE YEAR-ROUND FLOW RATE OF 2000 CFS AS MEASURED BELOW THE CONFLUENCE OF THE CLARK FORK AND BLACKFOOT RIVERS AT THE LOCATION OF USGS GAGE #12340500 ABOVE MISSOULA (46°52'38"N, 113°55'53"W, NAD27) (NWNWNW SEC19 T13N R18W).

THE ENFORCEABLE LEVELS OF THIS WATER RIGHT ARE INDIVIDUAL FOR EACH CALENDAR DAY OF THE YEAR AND ARE IDENTIFIED IN THE TECHNICAL REPORT FILED WITH THIS WATER RIGHT (SEE APPENDIX 30). THE MINIMUM ENFORCEABLE LEVEL OF THIS RIGHT IS 700 CFS AND THE MAXIMUM ENFORCEABLE LEVEL OF THIS WATER RIGHT IS 1,167 CFS.

CALL MAY BE INITIATED ON THE DAY FOLLOWING A FIVE-CONSECUTIVE-DAY-PERIOD WHERE FOUR OUT OF FIVE AVERAGE DAILY RIVER FLOWS FALL BELOW THEIR RESPECTIVE DAILY ENFORCEABLE VALUES; CALL MAY PERSIST UNTIL SUCH TIME AS TWO AVERAGE DAILY FLOWS OF THE PREVIOUS FIVE-CONSECUTIVE-DAY-PERIOD ARE IN EXCESS OF THEIR RESPECTIVE DAILY ENFORCEABLE VALUES.

ENFORCEABLE LEVELS OF THIS WATER RIGHT SHALL BE MEASURED AT THE USGS GAGE #12340000 LOCATION ON THE MAINSTEM OF THE BLACKFOOT RIVER @ BONNER, MONTANA (46°53'59"N, 113°45'20",NAD27) (SESENW SEC 9 T13N R17W). IF USGS GAGE #12340000 IS DISCONTINUED OR OTHERWISE RENDERED NONFUNCTIONAL, MEASUREMENTS SHALL BE TAKEN EITHER AT THIS SAME LOCATION OR AT A POINT DOWNSTREAM AS NEAR AS REASONABLY PRACTICABLE TO THE CONFLUENCE OF THE CLARK FORK AND BLACKFOOT RIVERS.

Maximum Volume:

Source Name: BLACKFOOT RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			2	13N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2			7	13N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

ID	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**
3			8	13N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

4			9	13N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

5			10	13N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

6			11	13N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

7			17	13N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

8			18	13N	17W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

9			12	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

10			13	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

11			14	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

12			15	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

13			16	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

14			21	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

15			22	13N	18W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INSTREAM
Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	13N	17W	MISSOULA
2				7	13N	17W	MISSOULA
3				8	13N	17W	MISSOULA
4				9	13N	17W	MISSOULA
5				10	13N	17W	MISSOULA
6				11	13N	17W	MISSOULA
7				17	13N	17W	MISSOULA
8				18	13N	17W	MISSOULA
9				12	13N	18W	MISSOULA
10				13	13N	18W	MISSOULA
11				14	13N	18W	MISSOULA
12				15	13N	18W	MISSOULA
13				16	13N	18W	MISSOULA
14				21	13N	18W	MISSOULA
15				22	13N	18W	MISSOULA

Remarks:

THE OWNERS OF THIS WATER RIGHT SHALL BE ENTITLED TO MAKE A CALL, IN ACCORDANCE WITH STATE LAW, TO ENFORCE THIS WATER RIGHT ONLY AGAINST JUNIOR WATER RIGHTS IN BASIN 76F (BLACKFOOT RIVER), THAT:

1) HAVE A PRIORITY DATE EARLIER THAN THE DATE ON WHICH THE RATIFICATION BY THE MONTANA LEGISLATURE OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA TAKES EFFECT UNDER STATE LAW, HAVE A PURPOSE OF IRRIGATION AND WHOSE SOURCE OF SUPPLY IS SURFACE WATER;

2) HAVE A PRIORITY DATE EARLIER THAN THE DATE ON WHICH THE RATIFICATION BY THE MONTANA LEGISLATURE OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA TAKES EFFECT UNDER STATE LAW, AND HAVE A PURPOSE OF IRRIGATION, WHOSE SOURCE OF SUPPLY IS GROUNDWATER AND WHOSE FLOW RATE IS GREATER THAN 100 GALLONS PER MINUTE; OR

3) HAVE A PRIORITY DATE LATER THAN THE DATE ON WHICH THE RATIFICATION BY THE MONTANA LEGISLATURE OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA TAKES EFFECT UNDER STATE LAW.

THE ABILITY TO ENFORCE THIS RIGHT SHALL BE SUSPENDED FOR A PERIOD OF 10 YEARS FROM THE DATE THE RATIFICATION OF THIS COMPACT BY THE MONTANA LEGISLATURE BECOMES EFFECTIVE UNDER STATE LAW.

THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

WATER RIGHT 76M 94404-00 HAS BEEN CHANGED FROM HYDROPOWER GENERATION TO INSTREAM FISHERY AND SPLIT INTO WATER RIGHTS 76M 94404-01 AND 76M 94404-02 BY THE MONTANA LEGISLATURE'S RATIFICATION OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA. 76M 94404-00 CAN NO LONGER BE CHANGED.

THE DESIGNATION OF A PLACE OF USE OF THIS WATER RIGHT IS A DESIGNATION FOR PURPOSES OF MEASUREMENT OF THE ENFORCEABLE LEVELS AND IS NOT A GEOGRAPHIC LIMITATION ON THE LOCATION OF JUNIOR WATER RIGHTS AGAINST WHOM THIS RIGHT MAY BE ENFORCED.

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE REACH OF THE BLACKFOOT RIVER STARTING JUST ABOVE THE CONFLUENCE OF THE CLARK FORK AND BLACKFOOT RIVERS (46°52'17"N, 113°53'16",NAD27) (NESWNW SEC 21 T13N R18W) AND EXTENDING UPSTREAM TO THE CONFLUENCE OF THE BLACKFOOT RIVER AND EAST TWIN CREEK (46°54'49"N, 113°42'35",NAD27) (SWSWNE SEC 2 T12N R17W).

76M 94404-01 & 76M 94404-02 ARE NONCONSUMPTIVE INSTREAM WATER RIGHTS AND THE PURPOSES AND INSTREAM PLACES OF USE CANNOT BE CHANGED.

APPENDIX 31

76M 94404-01 and 76M 94404-02 Technical Documentation

By way of the water rights compact entered into by the Confederated Salish & Kootenai Tribes, the State of Montana, and the United States of America, the former Milltown Dam water right, 76M 94404-00, is hereby split and changed, creating two separate active and enforceable water rights: 76M 94404-01, with a place of use along the reach of the Clark Fork River starting just above the confluence of the Clark Fork and Blackfoot Rivers extending upstream along the Clark Fork River to the confluence of the Clark Fork River and Allen Creek; and 76M 94404-02, with a place of use along the reach of the Blackfoot River starting just above the confluence of the Clark Fork and Blackfoot Rivers and extending along the Blackfoot River upstream to the confluence of the Blackfoot River and the East Fork of Twin Creek. The designation of a place of use of these water rights is a designation for purposes of measurement of the enforceable levels and is not a geographic limitation on the location of junior water rights against whom this right may be enforced.

These water rights maintain the original priority date of December 11, 1904.

The purpose of these water rights is the maintenance and enhancement of fish habitat.

For any analysis of the legal availability of water in basins 76F (Blackfoot River), 76G (Clark Fork above Blackfoot River), 76E (Rock Creek, Tributary to the Clark Fork River), and 76GJ (Flint Creek), these water rights shall be considered conjoined at a combined flow rate of 2,000 CFS for every day of the year, as measured downstream of the confluence of the Clark Fork and Blackfoot Rivers at the location of USGS Gage #12340500 above Missoula (46°52'38"N, 113°55'53"W, NAD27) (NWNWNW SEC 19 T13N R18W).

These water rights shall not be exercised in conjunction with any artificial diversion.

The ability to enforce these water rights shall be suspended for a period of 10 years from the date the ratification by the Montana legislature of the water rights compact entered into by the Confederated Salish & Kootenai Tribes, the State of Montana, and the United States of America, becomes effective under state law.

The enforceable levels of these water rights take the form of static distributions of unique daily flow values, one each for every day of the year for each water right. Call may be initiated on the day following a five-consecutive-day-period where four out of five average daily river flows fall below their respective daily enforceable flow values; call may persist until such time as two average daily flows of the previous five-consecutive-day-period are in excess of their respective daily enforceable flow values.

The details of each water right are described as follows:

Water Right 76M 94404-01: The owners of these water rights shall be entitled to make a call, in accordance with state law, to enforce water right number 94404-01 only against junior water rights in basins 76G (Clark Fork above Blackfoot River), 76E (Rock Creek, Tributary to the Clark Fork River). and 76GJ (Flint Creek), that:

1) Have a priority date earlier than the date on which the ratification by the Montana Legislature of the water rights compact entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States of America takes effect under state law, have a purpose of irrigation and whose source of supply is surface water;
2) Have a priority date earlier than the date on which the ratification by the Montanan Legislature of the water rights compact entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States of America takes effect under state law, and have a purpose of irrigation, whose source of supply is groundwater and whose flow rate is greater than 100 gallons per minute; or
3) Have a priority date later than the date on which the ratification by the Montana Legislature of the water rights compact entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States of America takes effect under state law.

Enforceable levels of water right 76M 94404-01 shall be measured at USGS gage #12334550 on the mainstem of the Clark Fork River at Turah Bridge, Montana (46°49'34"N, 113°48'48",NAD27) (NWNWSW SEC 1 T12N R18W), unless that USGS gage is discontinued or otherwise rendered nonfunctional at which point measurements shall be taken either at this same location or at a point downstream on the Clark Fork River as near as reasonably practicable to just above, but not below, the confluence of the Clark Fork and Blackfoot Rivers. The enforceable static individual daily flow values are described in Appendix UCF.

Water Right 76M 94404-02: The owners of these water rights shall be entitled to make a call, in accordance with state law, to enforce water right number 94404-02 only against junior water rights in basin 76F (Blackfoot River), that:

1) Have a priority date earlier than the date on which the ratification by the Montana Legislature of the water rights compact entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States of America takes effect under state law, have a purpose of irrigation and whose source of supply is surface water;
2) Have a priority date earlier than the date on which the ratification by the Montanan Legislature of the water rights compact entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States of America takes effect under state law, and have a purpose of irrigation, whose source of supply is groundwater and whose flow rate is greater than 100 gallons per minute; or

3) Have a priority date later than the date on which the ratification by the Montana Legislature of the water rights compact entered into by the Confederated Salish and Kootenai Tribes, the State of Montana, and the United States of America takes effect under state law.

Enforceable levels of water right 76M 94404-02 shall be measured at the USGS gage #12340000 near Bonner, Montana (46°53'59"N, 113°45'20",NAD27) (SESENW SEC 9 T13N R17W), unless that USGS gage is discontinued or otherwise rendered nonfunctional at which point measurements shall be taken either at this same location or at a point downstream on the Blackfoot River as near as reasonably practicable to just above, but not below, the confluence of the Clark Fork and Blackfoot Rivers. The enforceable static individual daily flow values are described in Appendix BF.

Appendix UCF

Enforceable Daily Flows for 76M 94404-01 on the Clark Fork @ Turah Bridge, MT

Day	Month											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	500	515	561	727	833	833	735	503	500	512	654	560
2	500	518	568	731	833	833	727	501	500	516	655	553
3	500	521	573	733	833	833	718	500	500	521	655	550
4	500	524	582	734	833	833	710	500	500	527	656	547
5	500	522	592	736	833	833	707	500	500	534	657	544
6	500	520	602	741	833	833	705	500	500	540	657	542
7	500	520	611	744	833	833	703	500	500	548	658	538
8	500	520	618	747	833	833	702	500	500	556	659	534
9	500	519	627	752	833	833	699	500	500	566	659	529
10	500	518	633	760	833	833	695	500	500	577	660	524
11	500	518	641	768	833	833	689	500	500	587	659	520
12	500	519	651	775	833	833	680	500	500	597	659	516
13	500	520	660	780	833	833	672	500	500	607	656	513
14	503	524	667	785	833	833	663	500	500	617	654	511
15	503	527	669	791	833	833	653	500	500	625	651	509
16	503	527	673	796	833	833	644	500	500	631	645	509
17	503	527	676	801	833	832	635	500	500	636	639	509
18	503	526	676	804	833	831	622	500	500	641	633	509
19	506	524	678	807	833	828	610	500	500	645	629	509
20	509	524	681	812	833	822	598	500	500	649	625	508
21	509	520	682	818	833	815	588	500	500	652	621	507
22	509	522	685	822	833	808	573	500	500	654	617	506
23	509	523	687	824	833	799	559	500	500	656	613	503
24	511	523	689	827	833	790	546	500	500	657	608	500
25	511	524	692	831	833	782	535	500	500	658	603	500
26	511	527	695	833	833	775	526	500	500	656	596	500
27	511	534	701	833	833	767	519	500	501	655	589	500
28	513	542	706	833	833	759	514	500	502	655	583	500
29	514	552	710	833	833	749	511	500	505	654	575	500
30	514		715	833	833	741	507	500	508	654	568	500
31	514		720		833		504	500		654		500

Appendix BF

Enforceable Daily Flows for 76M 94404-02 on the Blackfoot @ Bonner, MT

	Month											
Day	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	700	700	700	700	1,167	1,167	1,041	700	700	700	700	700
2	700	700	700	700	1,167	1,167	1,022	700	700	700	700	700
3	700	700	700	700	1,167	1,167	1,001	700	700	700	700	700
4	700	700	700	700	1,167	1,167	982	700	700	700	700	700
5	700	700	700	700	1,167	1,167	961	700	700	700	700	700
6	700	700	700	704	1,167	1,167	943	700	700	700	700	700
7	700	700	700	713	1,167	1,167	923	700	700	700	700	700
8	700	700	700	723	1,167	1,167	902	700	700	700	700	700
9	700	700	700	733	1,167	1,167	878	700	700	700	700	700
10	700	700	700	747	1,167	1,167	856	700	700	700	700	700
11	700	700	700	765	1,167	1,167	836	700	700	700	700	700
12	700	700	700	788	1,167	1,167	817	700	700	700	700	700
13	700	700	700	815	1,167	1,167	799	700	700	700	700	700
14	700	700	700	843	1,167	1,167	782	700	700	700	700	700
15	700	700	700	870	1,167	1,167	766	700	700	700	700	700
16	700	700	700	898	1,167	1,166	752	700	700	700	700	700
17	700	700	700	925	1,167	1,164	741	700	700	700	700	700
18	700	700	700	953	1,167	1,161	732	700	700	700	700	700
19	700	700	700	980	1,167	1,156	723	700	700	700	700	700
20	700	700	700	1,008	1,167	1,151	717	700	700	700	700	700
21	700	700	700	1,035	1,167	1,145	711	700	700	700	700	700
22	700	700	700	1,062	1,167	1,142	707	700	700	700	700	700
23	700	700	700	1,086	1,167	1,136	703	700	700	700	700	700
24	700	700	700	1,104	1,167	1,129	701	700	700	700	700	700
25	700	700	700	1,122	1,167	1,120	700	700	700	700	700	700
26	700	700	700	1,139	1,167	1,111	700	700	700	700	700	700
27	700	700	700	1,153	1,167	1,101	700	700	700	700	700	700
28	700	700	700	1,162	1,167	1,089	700	700	700	700	700	700
29	700	700	700	1,166	1,167	1,075	700	700	700	700	700	700
30	700		700	1,167	1,167	1,059	700	700	700	700	700	700
31	700		700		1,167		700	700		700		700

APPENDIX 32
Bili Schenk

FWP WATER PURCHASE CONTRACT
PAINTED ROCKS

This Contract ("Contract") is made and entered on this 12th day of July, 2004 between the Montana Department of Natural Resources and Conservation ("DNRC") and the Montana Department of Fish, Wildlife, & Parks ("FWP"), both executive branch agencies of the State of Montana.

1. Parties: The DNRC owns the Painted Rocks Water Conservation Project ("Project"), which includes a dam and reservoir on the West Fork of the Bitterroot River in Ravalli County, Montana. The DNRC also owns the underlying rights to the water diverted and stored by the Project and sells the right to use the water for irrigation and fish and wildlife. FWP is responsible for the preservation and propagation of fish in Montana.

2. Purpose: This Contract establishes the terms and conditions under which the DNRC shall sell Project water to FWP for enhancing stream flows for the preservation and propagation of fish in the West Fork and mainstem of the Bitterroot River.

3. Water Quantity: The quantity of water purchased under this Contract shall be 10,000 acre-feet annually. Depending on availability, the DNRC shall deliver this quantity of Project water to FWP, at the reservoir outlet, beginning May 1 and ending September 30. DNRC shall honor FWP's legal calls for contract water during this period. DNRC will make its best effort to respond to requested releases within five days. If, because of physical, climatic, or operating conditions, or because of repair or maintenance considerations, the DNRC is unable to fill outstanding water purchase contracts for that year, the FWP shall be entitled to its pro rata share of the water available. FWP's pro rata share under this contract shall be two-fifths as determined by the ratio of the Contract quantity (10,000 acre-feet) to the total amount of water that DNRC currently sells from the Project annually (25,000 acre-feet).

4. Right, Title and Interest in the Project: Except as provided in Section 4(a), below, all right, title, and interest in and to the Project and the associated water rights shall be and remain with DNRC. Except for the right to use water under this Contract and except as provided in Section 4(a) below, FWP shall acquire no right, title or interest in the Painted Rocks Project or the water rights. FWP shall acquire no rights or equities under this Contract that will in any manner prejudice the right of DNRC to terminate this Contract if all reasonable efforts by the parties and others cannot generate adequate funding for rehabilitation and repairs to keep the Project operational, provided that such a decision by DNRC to terminate will not preclude the water rights transfer described in subsection (a) of this section.

(a.) End of Project Life. If the Project reaches the end of its useful life as a storage reservoir, DNRC or its successor agency, if any, shall transfer the portion of DNRC's water right associated with the Project (referred to as water right #76H-W-119795, as of the date of this signing) representing the relevant flow and volume of the 10,000 acre-feet of water under this Contract to FWP ownership.

(b.) New Project. If FWP acquires the rights to 10,000 acre feet pursuant to conditions stated in Section 4(a) above, and DNRC or its successor agency, if any, constructs any other water storage facility located upstream from the United States Geological Survey gauging station on the Bitterroot River near Darby, Montana, No. 1234400, located approximately 3 miles below the confluence of the East and West Forks of the Bitterroot River, at Latitude 45° 58' 20", Longitude 114° 08' 26" in SW1/4, SE1/4, NE ¼, sec. 36, T.3 N., R. 21 W., Ravalli County, Hydrologic Unit 17010205, at approximately river mile 77.2, DNRC or its successor agency will provide FWP with the option to transfer the 10,000 acre feet of the water right described in

Section 4(a) above to a purchase of that amount of contract water in the new facility. As with Painted Rocks, this contract water shall be available for release upon call by FWP. This option shall have priority over the marketing of water in the new facility to new potential purchasers, and FWP shall have first right of refusal of contract terms for that water.

5. Deposits and Payments: Payments under this Contract are to allow the DNRC to recoup the cost of original construction, and pay DNRC for the costs of operating the Project and keeping the Project operational. FWP will share these costs with the other users of Project water at a per-acre-foot cost not exceeding that paid by other Project water purchasers. For operations and periodic repairs, FWP's cost share shall be 50%. For rehabilitation of major components (per section 5(c) of this Contract) FWP's cost share shall be 60%. Cost shares apply only to that portion of a repair or rehabilitation that is paid for by the water users. Both Parties recognize that this Project will be facing repairs and rehabilitations that will greatly exceed the amounts provided for in this Contract and the other water purchase contracts. Upon DNRC determination that rehabilitation is necessary, DNRC and FWP will work together in partnership and with others to secure the funds beyond those committed in this Contract that will be necessary to keep the Project safe and operational.

(a) Original Construction. FWP shall pay its share of the cost of original construction at a rate of $0.31 per acre-foot per year for 40 years. This payment shall be made annually, on or before April 1 of every year.

(b) Operation, Maintenance, and Periodic Repairs.

(i.) FWP shall pay DNRC a rate of $1.50 per acre-foot per year to cover FWP's share of operations and maintenance for the year. This payment will be made annually on or before April 1. If FWP's payment exceeds the proportional amount needed to cover operation and maintenance costs in any given year, DNRC shall reduce FWP's O&M obligation in the following year by the amount exceeded.

(ii.) FWP shall earmark $100,000 within its Fish and Wildlife Mitigation Trust Fund for Periodic Repairs to cover FWP's share of Painted Rocks repairs that are in excess of routine annual operation and maintenance. DNRC shall report annually before November 1 to the water users, including FWP, of any periodic repairs anticipated for the following year and shall provide the water users with an opportunity to propose mutually acceptable alternatives before issuing a final billing. Unless the water users propose mutually acceptable alternatives by January 1 following the November report, FWP shall pay the estimated repair cost share on or before April 1.

(iii.) The payment and earmark described in subsections 5b(i) and 5b(ii) shall satisfy FWP's obligation for operations, maintenance, and repair during the first ten years of this agreement.

(1) At the end of ten years, DNRC shall apply the Consumer Price Index as defined by the U.S. Bureau of Labor Statistics to the amount described in subsection 5b(i) to determine an adjustment in the amount of the O&M payment. The starting CPI value from which changes in the CPI shall be for the reference period 2004; the ending value shall be for the reference period 2113; DNRC shall use CPI-U for the West Region, for all items with an index base period of 1982-84=100. The change in the O&M payment shall be directly

proportional to the change in the CPI as calculated by the following formula:

$$\frac{(\text{CPI for 2113}) - (\text{CPI for 2004})}{(\text{CPI for 2004})} \times 100$$

At the end of each successive ten-year period, the parties shall revisit the O&M payment and adjust contributions according to this formula, adjusting the reference periods accordingly.

(2) At the end of the first ten years from the date of signature of this Contract, the parties shall assess the funding needs for periodic repairs, based on engineering projections of future repair needs, and, if necessary, negotiate a different amount for the following ten years. At the end of each successive ten-year period thereafter, the parties shall revisit the periodic repair account and adjust contributions accordingly. If the need for repairs large enough to exceed the amount described in subsection b(ii) unexpectedly arises during any ten-year period, DNRC will notify FWP and the parties will meet to discuss how to finance the repairs.

(c.) Rehabilitation of Major Project Components.

(i.) Upon FWP's receipt of a single payment of $400,000 from the Bonneville Power Administration, FWP shall deposit that payment into its Fish and Wildlife Mitigation Trust Fund and earmark $300,000 as an interest-bearing Reserve Fund, the principal and growth of which shall be available for the rehabilitation of major project components. For the purpose of this contract, rehabilitation of a major project component is defined as, any replacement or substantial modification that is intended to restore the component to like-new condition. Major project components include the embankment, stilling basin, outlet conduit, gate chamber and intake structure. Any amount remaining in the reserve account established in the water purchase contract that was executed in 1992 between the parties shall also be deposited in the reserve fund. This reserve fund with these deposits shall fulfill FWP's obligation to contribute to the reserve account for at least twenty years from the date of signature of this Contract.

(ii.) FWP shall pay for its share of rehabilitation of major project components out of this account. As feasibility studies are completed on proposed rehabilitation of major components, DNRC will share with FWP the results of the feasibility study, and if the feasibility study indicates that the cost of the rehabilitation will deplete the reserve account, DNRC and FWP shall negotiate in good faith with each other, with any other Project water purchasers, and with other beneficiaries of the Project, to develop a plan for fully funding the rehabilitation of major project components.

(iii.) One year before the twentieth anniversary of the signature of this Contract, the parties shall meet to review the extent to which the rehabilitation of major project components has depleted the reserve fund, and to project, to the extent it is possible, the future rehabilitation needs of the project Based upon the projections, if the parties determine that it will be necessary to replenish the reserve fund, they shall negotiate the amount and method by which FWP will renew contributions to the reserve fund.

(d.) Emergencies. The Project dam is a High Hazard Dam as defined by the Montana Dam Safety Act. Consequently, any repairs that might affect the integrity of the structure will have to be made or operations altered to protect life and property. Although DNRC will use its best efforts to avoid emergencies through adequate investigation and planning, emergency circumstances may arise without notice. For such emergencies, the DNRC will cause the needed repairs to be made and assess FWP for its share as soon as practical after the costs are known. The DNRC's determination of the additional costs shall be final. If emergency repair costs exceed the available repair and rehabilitation funds, the parties shall meet to discuss how to finance the repairs.

6. Safety: The DNRC, as owner of the Project, shall continue to be responsible for compliance with Montana Dam Safety Act for the Project and will conduct the necessary periodic safety inspections at no cost to FWP. However, safety shall be considered integral to operation and maintenance of the Project and a necessary cost of the water.

7. Termination: When major repair or rehabilitation to the Project is required for compliance with the Montana Dam Safety Act and the proposed repairs will deplete or exceed available repair and rehabilitation funds, DNRC and FWP will negotiate in good faith and with other water users and beneficiaries of Painted Rocks water to develop a funding plan for major repair and rehabilitation. If agreement cannot be reached, either party may terminate the Contract. Termination will not affect any past due charges or debt. Upon termination, FWP shall forward to DNRC a prorated share of the unexpended $300,000 of rehabilitation funds committed through this contract described in section 5(c)(i). FWP shall calculate the prorated amount to be forwarded by the following equation:

$[[A * (B/C)] - D] + E$; where

A = amount of reserve fund commitment

B = # of years contract in effect

C = # of years of reserve fund commitment

D = amount of rehabilitation funds expended

E = accumulated interest applicable to reserve funds as prorated above

Example:

Assuming:

1) the starting reserve amount in 2004 is $300,000
2) this contract was in effect for 5 years,
3) the rehabilitation commitment is for 20 years,
4) $50,000 of the reserve fund had been expended, and
5) [[A * (B/C)] –D] generated $2,300 in accumulated interest,

the relevant calculation would be:

[[$300,000 * (5/20)] – $50,000] + $2,300 = $27,300 due to DNRC

In addition, any amount remaining in the reserve account established in the water purchase contract that was executed in 1992 plus interest shall be forwarded to DNRC upon termination of this contract.

8. Priority: FWP shall have no preference or priority to receive water from the Project in advance of other water purchasers who have entered into water purchase contracts for water from the Project. All Project water purchasers shall have an equal and ratable right to water in accordance with respective amounts to which they are entitled under their water purchase contracts.

9. Billing procedures: DNRC will send FWP one annual bill with annual costs itemized per this Contract. Annual and periodic assessments will be sent to:

Department of Fish, Wildlife & Parks
Attn: Water Resources Program
Fisheries Division
P.O. Box 200701
Helena, MT 59620-0701

FWP payments under this contract will be sent to:

Department of Natural Resources and Conservation
Attn: Central Services Division
P.O. Box 201601
Helena, MT 59620-1601

10. Term: The term of this Contract shall be for the useful life of the Project as extended by any repairs and rehabilitation.

11. Successors and Assigns: The provisions of this Contract shall apply to and bind the successors and assigns of the respective parties.

12. Existing Contracts: This Contract supercedes and replaces a previous Water Purchase Contract between the DNRC and FWP entered on December 3, 1992 and is separate from another contract held by FWP for 5000 acre-feet of water dated March 5, 1958.

The Department of Fish, Wildlife, and Parks, the Water Purchaser, and the Department of Natural Resources and Conservation, the Water Seller, by their signatures below have caused this Water Purchase Contract for the Painted Rocks Water Conservation Project to be executed on this 12th day of July, 2004.

WATER PURCHASER

Montana Department of Fish, Wildlife and Parks

M. Jeff Hagener

(M. Jeff Hagener, Director)

Approved for Legal Content:

Robert Lane

Robert Lane, Chief Legal Counsel

WATER SELLER

Montana Department of Natural Resources and Conservation

Bud Clinch

(Bud Clinch, Director)

APPENDIX 33

WATER PURCHASE CONTRACT

This contract dated as of the 5th day of March, 1958, between the State Water Conservation Board of the State of Montana duly created, authorized and acting, under and by virtue of the Laws of Montana, hereinafter called the "Board", and the Fish and Game Commission of the State of Montana, Ravalli County Fish and Wildlife Association and Western Montana Fish and Game Association, hereinafter called the "water purchasers",

WITNESSETH

WHEREAS, the Board has constructed an irrigation and flood control project (herein called the "Project") comprising the construction of a dam and the creation of a reservoir in Ravalli County, Montana; and

WHEREAS, the Board has acquired the right to store, control and/or divert all unappropriated water of West Fork of the Bitterroot River, Ravalli County, Montana, pursuant to declaration filed in Volume 11 of Miscellaneous Records, on page 76, and amendatory declarations filed in the office of the County Clerk and Recorder of Ravalli County, Montana; and

WHEREAS, it is agreed by the parties hereto that the total waters to which the Board is entitled will be at least sufficient to permit the operation of said project at its full capacity so that 32,000 acre feet of water can be made available annually and the purchasers recognize the right of the Board to impound all of the aforesaid waters; and

WHEREAS, the water purchasers desire a continuous flow of water in the Bitterroot River in an amount sufficient to maintain fish life and it having been determined by the water purchasers that an annual release of 5,000 acre feet of storage water in quantities and at times when stream flow of the river is being depleted by irrigation diversions or during low flow periods will be sufficient to provide an adequate flow in all sections of the river to maintain fish life.

NOW, THEREFORE, in consideration of the premises and of the mutual terms, covenants and conditions hereof, it is mutually covenanted and agreed as follows:.

Section 1. The Board will furnish to the water purchasers, at the reservoir comprising the project, five thousand acre feet of water annually, provided, however, that in the event that from time to time thereafter the Board shall have an inadequate amount of water from the Project to permit the furnishing of the number of acre feet of water in any year for which there are such outstanding water purchase contracts, the water purchasers in such year shall be entitled, in lieu of each acre foot of water for which they have contracted, to a share of the total water available representing the proportion that one acre foot of water annually bears to 32,000 acre feet of water annually or (but only if there are outstanding water purchase contracts for the purchase annually of more than said amount of water) to the total number of acre feet of water agreed to be purchased annually under outstanding water purchase contracts. The distribution of such proportionate shares to the water purchasers during such year shall constitute a complete performance in said year of the obligation of the Board to deliver the number of acre feet of water for which said water purchasers have contracted. The Board agrees not to make contracts for the sale of more than 32,000 acre feet of water from the Project annually except to the extent that the storage capacity of the Project may be increased is in excess of said amount.

Section 2. The water purchasers shall pay to the Board the sum of One hundred ten thousand four hundred dollars on April 1, 1958. On April 1, 1958, and on April 1 of each and every year thereafter during the useful life of the Project, the water purchasers also shall pay to the Board Five hundred dollars ($500.00) for their proportionate share of the amount of the operating costs of the Project for the year following respectively each said April 1.

Section 3. All moneys required to be paid by the water purchasers to the Board hereunder shall be paid at Helena, Montana. Every sum of money required to be paid hereunder, which shall remain unpaid after the same becomes due, shall bear interest at the rate of six per centum per annum.

Section 4. In the event that the water purchasers shall default in the payment of any of the sums when and as same shall become due and payable hereunder or shall default in the performance of any other obligations hereunder, and such default shall continue for a period of 45 days, then and in any such event, the Board may in its discretion take any or all of the following action: (a) cease and refuse to furnish water to the water purchasers until such default and all other defaults subsequently occurring shall be cured, it being agreed that the withholding of water from the water purchasers in accordance with the provisions hereof shall not affect the obligations of the water purchasers accruing during the period when water is withheld, or the obligations of the water purchasers then due or thereafter accruing hereunder; (b) terminate the rights of the water purchasers under this water purchase contract, it being agreed that such action shall not prejudice the right of the Board to collect all moneys then owing by the water purchasers under said water purchase contract.

Section 5. It is expressly understood that all the right, title and interest in and to the Project and the water rights exercised in connection therewith shall be and remain in the Board, and that the water purchasers shall acquire no right, title or interest in the Project or such water rights. It is understood that without regard to priority in the execution of this water purchase contract, or priority in the use of water hereunder or any other reason, the water purchasers under this contract shall have no preference or priority entitling them to receive water from the Project in advance of other water purchasers who have entered into water purchase contracts for water from the Project, all such water purchasers to have an equal and ratable right to water in accordance with the respective amounts to which they are entitled under their respective water purchase contracts.

Section 6. The water purchasers agree that they will on April 1 of each year appoint and authorize one person to be their agent in handling all matters in relation to the stored water purchased hereunder, and to notify the Board in writing of such appointment. In the event a replacement of such appointee becomes necessary the water purchasers will immediately notify the Board in writing of his successor. The Board shall accept orders, (which orders shall be in writing on forms provided by the Board) only from the said appointed agent for the release of the stored water purchased hereunder in quantities and times at delivery points on the Bitterroot River designated by said agent. The Board will each year designate a person in or about Hamilton, Montana, to act as its agent for receiving such orders.

Section 7. The provisions of this contract shall apply to and bind the successors and assigns of the respective parties, but the water purchaser shall make no assignment of this contract without the written consent of the Board.

IN WITNESS WHEREOF, the State Water Conservation Board has caused this contract to be executed in its corporate name by its Vice Chairman and attested by its Secretary and Treasurer and has caused its corporate seal to be affixed hereto, and the Fish and Game Commission, State of Montana, Ravalli County Fish and Wildlife Association and Western Montana Fish and Game Association, have hereunto set their hands and seals all on the day and year first above written.

Attest:

Assistant Secretary-Treasurer

STATE WATER CONSERVATION BOARD

By

Vice-Chairman

Attest:

A.A. O'Deane

Secretary

STATE OF MONTANA, FISH AND GAME COMMISSION

By

Chairman

Attest:

Secretary

RAVALLI COUNTY FISH AND WILDLIFE ASSOCIATION

By

President

Attest:

Secretary

WESTERN MONTANA FISH AND GAME ASSOCIATION

By George

President

WATER PURCHASERS

AMENDMENT TO WATER PURCHASE AGREEMENT

THIS AMENDMENT TO CONTRACT, dated as of the 5th day of March, 1958, between the State Water Conservation Board of the State of Montana, duly created, authorized and acting, under and by virtue of the Laws of the State of Montana, hereinafter called the "Board", and the Fish and Game Commission of the State of Montana, Ravalli County Fish and Wildlife Association and Western Montana Fish and Game Association, hereinafter called the "water Purchasers",

WITNESSETH:

WHEREAS, a water purchase contract has been submitted to the parties above named, and the Ravalli County Fish and Wildlife Association and the Western Montana Fish and Game Association, parties thereto have signed the said water purchase agreement, subject, only, to the acceptance of this amendatory contract by the other parties thereto, which they understand is acceptable and which they believe will clarify the provisions thereof.

NOW THEREFORE, it is agreed that the provisions of said contract shall be in full force and effect for all purposes excepting, only, that the following amendments shall be made thereto;

1. In paragraph Four (4) thereof, immediately preceding the "NOW, THEREFORE" the word "DETERMINED" is hereby changed to "ESTIMATED".

2. Section Four (4) thereof is hereby amended by striking out paragraph "B" thereof, to make said paragraph read as follows:

In the event that the water purchasers shall default in the payment of any of the sums when and as same shall become due and payable hereunder or shall default in the performance of any other obligations hereunder, and such default shall continue for a period of 45 days, then and in any such event, the Board may in its discretion cease and refuse to furnish water to the water purchasers until such default and all other defaults subsequently occurring shall be cured, it being agreed that the withholding of water from the water purchasers in accordance with the provisions hereof shall not affect the obligations of the water purchasers accruing during the period when water is withheld, or the obligations of the water purchasers then due or thereafter accruing hereunder.

3. Section 6 thereof is hereby amended to add thereto, immediately preceding the last sentence thereof "it being understood that

the water purchasers are entitled to the delivery of 5,000 acre feet of storage water at the confluence of the Bitterroot River and the Clarks Fork River ", to make said paragraph read as follows:

"The water purchasers agree that they will on April 1 of each year appoint and authorize one person to be their agent in handling all matters in relation to the stored water purchased hereunder, and to notify the Board in writing of such appointment. In the event a replacement of such appointee becomes necessary, the water purchasers will immediately notify the Board in writing of his successors. The Board shall accept orders, (which orders shall be in writing on forms provided by the Board) only from the said appointed agent for the release of the stored water purchased hereunder, in quantities and times at deliverypoints on the Bitterroot River designated by said agent, it being understood that the water purchasers are entitled to the delivery of 5,000 acre feet of storage water at the confluence of the Bitterroot River and the Clarks Fork River. The Board will each year designate a person in or about Hamilton, Montana, to act as its agent for receiving such orders.

IN WITNESS WHEREOF, the State Water Conservation Board has caused this contract to be executed in its corporate name by its Vice Chairman and attested by its Secretary and Treasurer and has caused its corporate seal to be affixed hereto, and the Fish and Game Commission, State of Montana, Ravalli County Fish and Wildlife Association and Western Montana Fish and Game Association, have hereunto set their hands and seals all on the day and year first above written.

Attest:

Assistant Secretary-Treasurer

STATE WATER CONSERVATION BOARD

By

Vice Chairman

Attest:

A.A. O'Claire

Secretary

STATE OF MONTANA
FISH AND GAME COMMISSION

By

Chairman

Attest:

Secretary

RAVALLI COUNTY
FISH AND WILDLIFE ASSOCIATION

By

President

Attest:

Secretary

WESTERN MONTANA
FISH AND GAME ASSOCIATION

By George Scott

President

WATER PURCHASERS

APPENDIX 34

AGREEMENT BETWEEN THE
MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
AND THE
UNITED STATES DEPARTMENT OF INTERIOR, BUREAU OF RECLAMATION
FOR THE
ENLARGEMENT OF COMO DAM

Under the authority of Public Laws 95-578 and 98-404, the Reclamation Safety of Dams Act and Amendment.

Montana Department of Fish, Wildlife and Parks - under the authority of Section 87-1-201, MCA, 1993

This agreement is made and entered into by and between the Montana Department of Fish, Wildlife and Parks, acting by and through its Director, hereinafter referred to as Fish, Wildlife and Parks, and the U.S. Department of Interior, Bureau of Reclamation, acting by and through the Regional Director, Pacific Northwest Region, Boise, Idaho, hereinafter referred to as Reclamation. The purpose of this agreement is to provide for the funding, design, construction, and operation of an enlarged storage pool in Lake Como by raising the active storage level of the reservoir by 3.3 feet and to use the increased storage for instream flow purposes and recreation.

WITNESSETH THAT:

WHEREAS, Reclamation has performed major reconstruction of the embankment at Como Dam to correct serious Safety of Dams deficiencies, and

WHEREAS, Safety of Dams modifications to Como Dam spillway, outlet tower, and site features are scheduled for construction beginning in the summer of 1994, and

WHEREAS, Safety of Dams legislation (Public Laws 95-578 and 98-404) prohibits funding under the Acts of additional project benefits during modifications to resolve safety problems but directs that all alternatives, both structural and non-structural be evaluated, and

WHEREAS, a chronic shortage of instream flows exists during the summer months in the Bitterroot River downstream from Como Dam, and

WHEREAS, Como Lake is the primary motor boating site in the area and the boating season is usually cut short due to reservoir draw-down, and

WHEREAS, studies indicate that additional water supplies could be available from Rock Creek from an enlargement of Lake Como for enhancement of minimum late-season instream flows in the Bitterroot River, and

WHEREAS, extensive public involvement has identified widespread support from local and state governments, the Bitter Root Irrigation District, and the public for enlarging Lake Como, and

WHEREAS, the State of Montana legislature has authorized funding of $400,000 for an enlargement of Lake Como, and

WHEREAS, preliminary investigations indicate that a 3.3-foot raise of Como Dam is feasible and a mutual cost savings could be realized from combining the construction of Safety of Dams modifications and an enlargement of Como Dam:

NOW THEREFORE, BE IT RESOLVED, that the parties hereby enter into an agreement, the purpose of which is to provide funding for Reclamation to perform final designs and construction, including construction management, contract administration and overhead, for an enlargement of Como Dam. Como Dam is owned and operated by the Bitter Root Irrigation District.

Project Title: Como Dam Enlargement
Agreement Number: 1425-4-MA-10-00950

To implement the forgoing, the parties agree as follows:

A. OPERATIONS

1. The enlargement of Lake Como will raise the active storage pool 3.3 feet, from the current active storage level of 4242.7 feet to 4246.0 feet at the crest of the new ogee overflow spillway. The intended purpose of the additional storage in Lake Como will be to enhance instream flows in the Bitterroot River during low flow periods of the year and lengthen the recreational boating season on Como Lake.

2. The additional storage in Lake Como created by the enlargement is 3,037 acre-feet, based on active storage values found in Reclamation's September 1992 area and capacity tables. This pool will be known as the "instream flow reserved storage." (Active capacity at elevation 4246.0 feet is 38,495 acre-feet and 35,458 acre-feet at elevation 4242.7 feet.)

3. The instream flow reserved storage in Lake Como will be operated as follows:

a. All water stored in Lake Como above elevation 4242.7 feet, not to exceed 3,037 acre-feet, will be credited and dedicated on an annual basis to instream flow reserved storage.

b. Fish, Wildlife and Parks will have the right to call for releases from instream flow reserved storage from July 15 to November 1 of each year.

c. The flow to be released will be within standard release practices of the Bitter Root Irrigation District.

d. Fish, Wildlife and Parks will provide a minimum of 24 hours notice prior to the release of water from the instream flow reserved storage.

e. At the end of the flow augmentation period, July 15 through November 1, all remaining water credited to instream flow reserved storage will revert to the irrigation storage pool within Lake Como.

f. No carryover storage will be credited to instream flow reserved storage.

4. Fish, Wildlife and Parks will be notified each year by July 1 as to the amount of water available in the instream flow reserved storage at Lake Como.

5. After receiving a valid request from Fish, Wildlife and Parks, releases to the specified amount and flow will be made from Lake Como within 24 hours.

6. The point of delivery for the instream flow releases during the irrigation season will be Rock Creek at the Bitterroot Irrigation District diversion dam. During the non-irrigation season, the point of delivery will be Como Dam outlet. The instream flow releases will be passed by the diversion dam.

7. Lake Como will be operated in a prudent manner to fill the instream flow reserve storage to the extent possible, while complying fully with any

space requirements based on flood control precautions as outlined in the Standing Operating Procedures for Como Dam.

B. FISH, WILDLIFE AND PARKS WILL:

1. Provide funding up to $400,000 for the total cost of the project. Up to $300,000 will be provided to Reclamation for final designs, construction, and construction management for enlarging Como Dam as outlined in this agreement. Up to $100,000 will be provided to Reclamation or other parties in separate orders for work associated with construction or operation of the enlarged Lake Como, including mitigation for cultural and recreational resources. Availability of project funds is contingent upon the prior approval of the project by the U. S. Fish and Wildlife Service.

2. Make application to the U.S. Fish and Wildlife Service for project approval and secure all necessary environmental and cultural resources clearances associated with operation of the enlarged Lake Como.

3. Enter into an agreement with the Bitter Root Irrigation District to reimburse the district for annual operation and maintenance costs associated with the operation of instream flow reserved storage in Lake Como.

4. Will indemnify and hold harmless Reclamation and the operators of Como Dam, the Bitter Root Irrigation District, against any claim or action challenging the use of the water under the terms of this Agreement.

5. Provide for a gaging station or other measuring devices on Rock Creek downstream from the point of delivery to measure releases from the instream flow reserved storage.

C. RECLAMATION WILL:

1. Perform final designs and construction, including contract administration and construction management, for enlargement of Como Dam as outlined in this agreement.

2. Enter into an operating agreement with the Bitter Root Irrigation District for the operation of instream flow reserved storage in Lake Como under the terms of this Agreement.

3. Mediate any disputes over quantity of water available or operation of the instream flow reserved storage in Lake Como between Fish, Wildlife and Parks and the Bitter Root Irrigation District.

4. Acknowledge Fish, Wildlife and Parks financial sponsorship, including Federal Aid in Sport Fish Restoration Program funding, at the project site and in pertinent literature, both during and after construction.

5. Provide the State of Montana with designs for Safety of Dams modifications and the enlargement and permit the site to be inspected by Montana Department of Natural Resources and Conservation and Fish, Wildlife and Parks.

D. IT IS MUTUALLY AGREED:

1. That nothing in this Agreement shall be construed as placing the Fish Wildlife and Parks in the position of the guarantor to Reclamation or to any third party, other than as is expressly set out in this Agreement.

2. That no member of or delegate to Congress, or resident commissioner shall be admitted to any part of this Agreement, or to any benefit that may arise therefrom.

3. That nothing herein shall be construed as obligating Reclamation, or Fish, Wildlife and Parks to expend funds, or as involving either party in any contract or other obligation for the future payment of money, in excess of appropriations authorized by law, and approved for expenditure.

4. That all improvements at Como Dam shall remain in title to the Bitter Root Irrigation District, the current owner of the dam.

5. That this agreement may be amended at any time by mutual written agreement of the parties hereto.

6. This Agreement will be in effect through the functional life of the Como Dam enlargement unless an earlier termination is mutually agreed to by the parties and the Bitter Root Irrigation District. If an earlier termination is agreed to, the Bitter Root Irrigation District may use the water in the instream flow reserved storage for other purposes.

7. That nothing in this Agreement shall be interpreted to work as an abandonment or as evidence of an intent to abandon any water right associated with Lake Como storage.

8. That nothing in this Agreement shall be construed as to impact the original grant from the U.S. Department of Interior to the District or any existing easements or Special Use Permits between the District and the U.S. Department of Interior or U.S. Department of Agriculture related to the irrigation storage pool and the embankment and appurtenant structures at Como Dam.

9. That all written communications which are to be given to the Fish, Wildlife and Parks under this Agreement will be delivered to:

Administrator
Fisheries Division
Department of Fish,Wildlife and Parks
1420 E. 6th Ave.
Helena MT 59620-0701

All written communications which are to be given to Reclamation under this agreement will be delivered to:

Regional Director
Bureau of Reclamation
1150 N. Curtis
Boise ID 83706

The above shall be effective until written notice of a change to the other party.

E. METHOD OF PAYMENT

1. Reclamation will submit quarterly billings for expenses associated with the final designs, construction, construction management, contract administration, and overhead associated with the enlargement of Como Dam.

2. Upon receipt of quarterly billings, Fish, Wildlife and Parks will process payment within 30 days.

3. Upon completion of the construction at Como Dam, Reclamation will prepare a report on the work accomplished and include a breakdown and full and final accounting of all expenditures related to the enlargement.

4. Reclamation will retain accounting records for three fiscal years after the completion of the project, subject to provisions of the Privacy Act and other applicable federal laws, and allow Fish, Wildlife and Parks or authorized representatives to inspect and review all related records during normal office hours at the Regional Office in Boise, Idaho.

IN WITNESS THEREOF the parties hereto cause this Agreement to be properly executed by their authorized representatives.

BY Patrick J Graham 7-8-94
(signature) (date)

Director
Montana Department of Fish, Wildlife and Parks

BY Deborah L. Schwarz 7/29/94
(signature) (date)

Regional Director
Pacific Northwest Region
Bureau of Reclamation
U.S. Department of the Interior

533.90

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76F 30063811 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): INSTREAM FISHERY

Maximum Flow Rate: 10.00 CFS

THE MEASUREMENT POINT FOR THIS WATER RIGHT SHALL BE ON THE NORTH FORK OF PLACID CREEK, BELOW THE NORTH FORK PLACID CREEK FIIP DIVERSION (SENWSE SEC 29 T17N R16W) (LAT 113 39' 43.59" LONG 47 11' 53.08").

CALL MAY BE INITIATED ON THE DAY FOLLOWING A 24-HOUR PERIOD WHERE AVERAGE DAILY RIVER FLOWS FALL BELOW THEIR RESPECTIVE DAILY ENFORCEABLE VALUE.

Maximum Volume:

Source Name: PLACID CREEK, NORTH FORK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SENWSE	29	17N	16W	MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 10.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			SENWSE	29	17N	16W	MISSOULA

Remarks:

THE DESIGNATION OF A PLACE OF USE OF THIS WATER RIGHT IS A DESIGNATION FOR PURPOSES OF MEASUREMENT OF THE ENFORCEABLE LEVELS AND IS NOT A GEOGRAPHIC LIMITATION ON THE LOCATION OF JUNIOR WATER RIGHTS AGAINST WHOM THIS RIGHT MAY BE ENFORCED.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

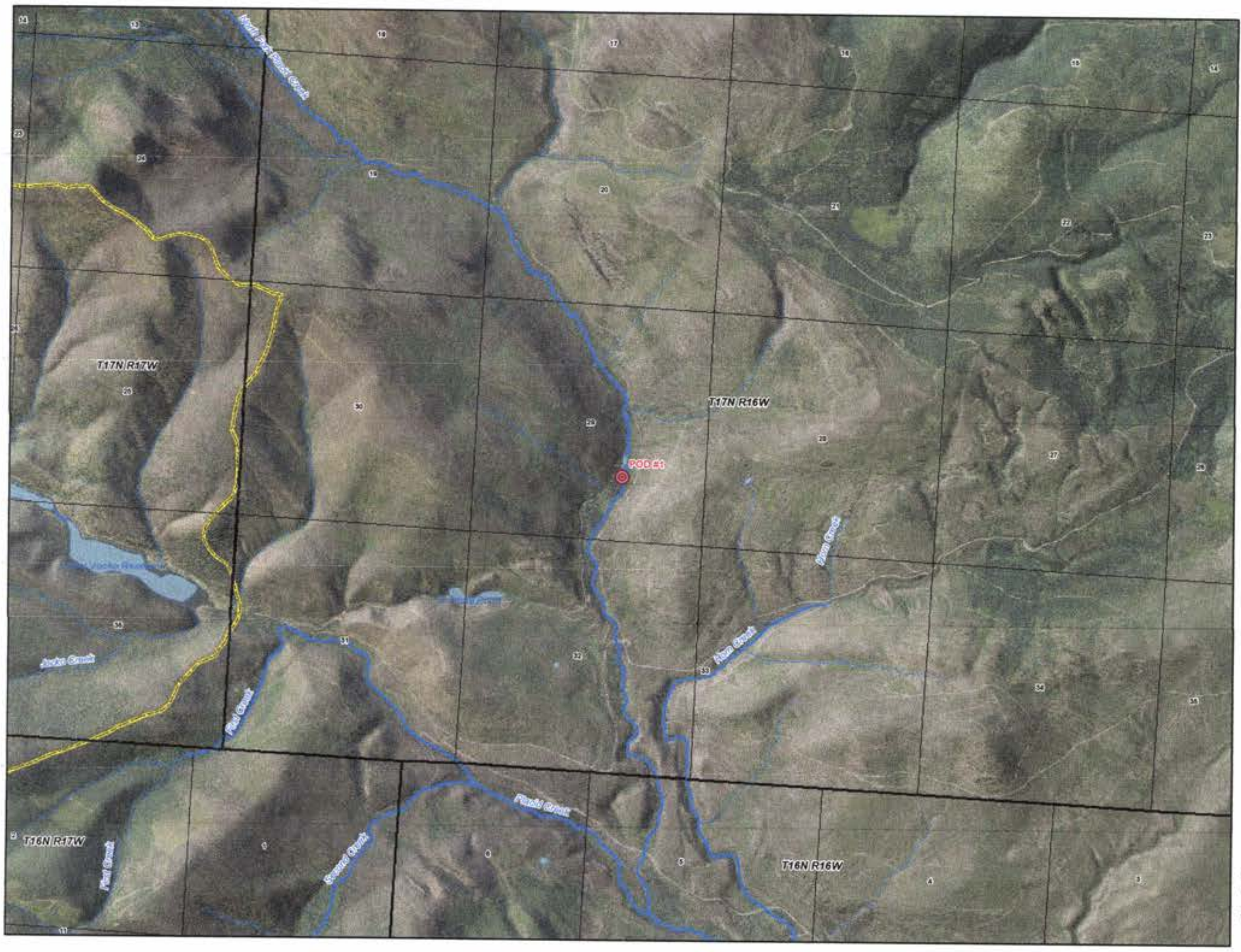
THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

REGARDING THE PLACID CANAL DIVERSION AS SET FORTH IN APPENDIX 3.2, THIS WATER RIGHT SHALL BE ADMINISTERED AS A MINIMUM ENFORCEABLE FLOW (MEF) AS DEFINED IN ARTICLE III.C.1.d.ii. AND IS SUBJECT TO THE CONDITIONS SET FORTH IN ARTICLE IV.C THROUGH F OF THE COMPACT,

THE TRIBES, AND/OR THE UNITED STATES ON BEHALF OF THE TRIBES, SHALL BE ENTITLED TO MAKE A CALL TO ENFORCE THIS WATER RIGHT ONLY AGAINST JUNIOR USERS THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION AND WHOSE SOURCE OF SUPPLY IS SURFACE WATER OF PLACID CREEK, OR AGAINST JUNIOR USERS THE PURPOSE OF WHOSE RIGHTS IS IRRIGATION, WHOSE SOURCE OF SUPPLY IS GROUNDWATER CONNECTED TO PLACID CREEK AND WHOSE FLOW RATE IS GREATER THAN 100 GALLONS PER MINUTE.

SEE 30063811 MAP EXHIBIT(S) 1.

THIS IS A NONCONSUMPTIVE INSTREAM WATER RIGHT; THE PURPOSE AND INSTREAM PLACE OF USE CANNOT BE CHANGED.


T17N R17W
T17N R16W
T16N R17W
T16N R16W
POD #1
Jocko Creek
Placid Creek
Flat Creek

Place of Use and Point of Diversion

Instream Flow

Off-Reservation

76F

30063811

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

▬	Place of Use
◎	Primary Point(s) of Diversion
▭	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Instream Flow
Off Reservation (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76D 30052868 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): INSTREAM FISHERY

Maximum Flow Rate: 446.40 CFS

Maximum Volume:

Source Name: SUTTON CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NENWNE	36	35N	29W	LINCOLN

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	26.40 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	25.10 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	28.80 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	79.00 CFS
MAY 1 TO MAY 31	**Flow Rate:**	239.10 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	226.80 CFS
JULY 1 TO JULY 31	**Flow Rate:**	118.60 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	37.30 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	27.60 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	41.10 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	38.70 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	32.70 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			NENWNE	36	35N	29W	LINCOLN

Remarks:

EXISTING WATER RIGHTS HELD BY THE UNITED STATES FOREST SERVICE PURSUANT TO THE UNITED STATES FOREST SERVICE-MONTANA WATER RIGHTS COMPACT, 85-20-1401, MCA, SHALL NOT BE SUBJECT TO CALL BY THE TRIBES AND/OR THE UNITED STATES ON BEHALF OF THE TRIBES.

THE PURPOSE OF THIS WATER RIGHT IS FOR THE MAINTENANCE AND ENHANCEMENT OF FISH HABITAT. THIS RIGHT SHALL NOT BE CHANGED TO ANY OTHER OR ADDITIONAL PURPOSE, CHANGED TO CONSUMPTIVE USE, OR TRANSFERRED TO DIFFERENT OWNERSHIP.

THE POINT OF DIVERSION AND PLACE OF USE FOR THIS WATER RIGHT IS INSTREAM. THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE ENTIRE REACH OF THE DESIGNATED SOURCE, AND ALL TRIBUTARIES TO THAT SOURCE, STARTING JUST ABOVE THE CONFLUENCE WITH THE KOOTENAI RIVER.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

Remarks:

THE RECOGNITION OF THIS INSTREAM FLOW WATER RIGHT DOES NOT CONFER ON THE TRIBES ANY AUTHORITY OVER THE MANAGEMENT OF NATIONAL FOREST SYSTEM LANDS WITHIN BASIN 76D, OR ANY CLAIM TO OWNERSHIP OR OTHER RIGHTS IN THAT LAND. WITH THE EXCEPTION OF FUTURE DIVERSIONARY USES BY THE UNITED STATES ON NATIONAL FOREST SYSTEM LANDS IN EXCESS OF THE FOREST SERVICE'S RESERVED RIGHTS SET FORTH IN TO THE UNITED STATES FOREST SERVICE-MONTANA WATER RIGHTS COMPACT, 85-20-1401, MCA, THE TRIBES HOLD THE UNITED STATES HARMLESS FOR DELIVERY OF WATER OR MAINTENANCE OF FLOWS TO MEET THIS INSTREAM FLOW RIGHT IN BASIN 76D.

THE FLOWS QUANTIFIED FOR THIS RIGHT ARE ESTIMATED 10 % MEAN DAILY MONTHLY EXCEEDANCE DISCHARGE. IF THIS BASIN IS ADMINISTERED IN THE FUTURE AND A STREAM GAGE IS INSTALLED, THE 10% MEAN DAILY MONTHLY EXCEEDANCE DISCHARGE VALUE DETERMINED FROM ACTUAL STREAM GAGE DATA WILL BE THE QUANTITY OF THE WATER RIGHT.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76D 30052869 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): INSTREAM FISHERY

Maximum Flow Rate: 259.40 CFS

Maximum Volume:

Source Name: BOULDER CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESESE	1	35N	29W	LINCOLN

Period of Diversion:		Flow Rate:
JANUARY 1 TO JANUARY 31	**Flow Rate:**	14.20 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	12.40 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	14.70 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	43.70 CFS
MAY 1 TO MAY 31	**Flow Rate:**	137.90 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	118.20 CFS
JULY 1 TO JULY 31	**Flow Rate:**	90.90 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	29.50 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	21.80 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	25.50 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	22.10 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	17.60 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			SESESE	1	35N	29W	LINCOLN

Remarks:

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE ENTIRE REACH OF THE DESIGNATED SOURCE, AND ALL TRIBUTARIES TO THAT SOURCE, STARTING JUST ABOVE THE CONFLUENCE WITH THE KOOTENAI RIVER.

EXISTING WATER RIGHTS HELD BY THE UNITED STATES FOREST SERVICE PURSUANT TO THE UNITED STATES FOREST SERVICE-MONTANA WATER RIGHTS COMPACT, 85-20-1401, MCA, SHALL NOT BE SUBJECT TO CALL BY THE TRIBES AND/OR THE UNITED STATES ON BEHALF OF THE TRIBES.

THE POINT OF DIVERSION AND PLACE OF USE FOR THIS WATER RIGHT IS INSTREAM. THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE PURPOSE OF THIS WATER RIGHT IS FOR THE MAINTENANCE AND ENHANCEMENT OF FISH HABITAT. THIS RIGHT SHALL NOT BE CHANGED TO ANY OTHER OR ADDITIONAL PURPOSE, CHANGED TO CONSUMPTIVE USE, OR TRANSFERRED TO DIFFERENT OWNERSHIP.

Remarks:

THE RECOGNITION OF THIS INSTREAM FLOW WATER RIGHT DOES NOT CONFER ON THE TRIBES ANY AUTHORITY OVER THE MANAGEMENT OF NATIONAL FOREST SYSTEM LANDS WITHIN BASIN 76D, OR ANY CLAIM TO OWNERSHIP OR OTHER RIGHTS IN THAT LAND. WITH THE EXCEPTION OF FUTURE DIVERSIONARY USES BY THE UNITED STATES ON NATIONAL FOREST SYSTEM LANDS IN EXCESS OF THE FOREST SERVICE'S RESERVED RIGHTS SET FORTH IN TO THE UNITED STATES FOREST SERVICE-MONTANA WATER RIGHTS COMPACT, 85-20-1401, MCA, THE TRIBES HOLD THE UNITED STATES HARMLESS FOR DELIVERY OF WATER OR MAINTENANCE OF FLOWS TO MEET THIS INSTREAM FLOW RIGHT IN BASIN 76D.

THE FLOWS QUANTIFIED FOR THIS RIGHT ARE ESTIMATED 10 % MEAN DAILY MONTHLY EXCEEDANCE DISCHARGE. IF THIS BASIN IS ADMINISTERED IN THE FUTURE AND A STREAM GAGE IS INSTALLED, THE 10% MEAN DAILY MONTHLY EXCEEDANCE DISCHARGE VALUE DETERMINED FROM ACTUAL STREAM GAGE DATA WILL BE THE QUANTITY OF THE WATER RIGHT.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76D 30063806 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): INSTREAM FISHERY

Maximum Flow Rate: 108.10 CFS

Maximum Volume:

Source Name: STEEP CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SESENW	31	35N	29W	LINCOLN

Period of Diversion:

Period		Flow Rate
JANUARY 1 TO JANUARY 31	**Flow Rate:**	4.40 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	4.30 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	4.30 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	17.80 CFS
MAY 1 TO MAY 31	**Flow Rate:**	57.90 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	36.40 CFS
JULY 1 TO JULY 31	**Flow Rate:**	25.40 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	8.30 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	6.60 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	11.60 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	8.40 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	6.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			SESENW	31	35N	29W	LINCOLN

Remarks:

THE PURPOSE OF THIS WATER RIGHT IS FOR THE MAINTENANCE AND ENHANCEMENT OF FISH HABITAT. THIS RIGHT SHALL NOT BE CHANGED TO ANY OTHER OR ADDITIONAL PURPOSE, CHANGED TO CONSUMPTIVE USE, OR TRANSFERRED TO DIFFERENT OWNERSHIP.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE POINT OF DIVERSION AND PLACE OF USE FOR THIS WATER RIGHT IS INSTREAM. THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE ENTIRE REACH OF THE DESIGNATED SOURCE, AND ALL TRIBUTARIES TO THAT SOURCE, STARTING JUST ABOVE THE CONFLUENCE WITH BIG CREEK.

EXISTING WATER RIGHTS HELD BY THE UNITED STATES FOREST SERVICE PURSUANT TO THE UNITED STATES FOREST SERVICE-MONTANA WATER RIGHTS COMPACT, 85-20-1401, MCA, SHALL NOT BE SUBJECT TO CALL BY THE TRIBES AND/OR THE UNITED STATES ON BEHALF OF THE TRIBES.

Remarks:

THE RECOGNITION OF THIS INSTREAM FLOW WATER RIGHT DOES NOT CONFER ON THE TRIBES ANY AUTHORITY OVER THE MANAGEMENT OF NATIONAL FOREST SYSTEM LANDS WITHIN BASIN 76D, OR ANY CLAIM TO OWNERSHIP OR OTHER RIGHTS IN THAT LAND. WITH THE EXCEPTION OF FUTURE DIVERSIONARY USES BY THE UNITED STATES ON NATIONAL FOREST SYSTEM LANDS IN EXCESS OF THE FOREST SERVICE'S RESERVED RIGHTS SET FORTH IN TO THE UNITED STATES FOREST SERVICE-MONTANA WATER RIGHTS COMPACT, 85-20-1401, MCA, THE TRIBES HOLD THE UNITED STATES HARMLESS FOR DELIVERY OF WATER OR MAINTENANCE OF FLOWS TO MEET THIS INSTREAM FLOW RIGHT IN BASIN 76D.

THE FLOWS QUANTIFIED FOR THIS RIGHT ARE ESTIMATED 10 % MEAN DAILY MONTHLY EXCEEDANCE DISCHARGE. IF THIS BASIN IS ADMINISTERED IN THE FUTURE AND A STREAM GAGE IS INSTALLED, THE 10% MEAN DAILY MONTHLY EXCEEDANCE DISCHARGE VALUE DETERMINED FROM ACTUAL STREAM GAGE DATA WILL BE THE QUANTITY OF THE WATER RIGHT.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76D 30063807 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): INSTREAM FISHERY

Maximum Flow Rate: 1,471.10 CFS

Maximum Volume:

Source Name: BIG CREEK

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		SWSENE	2	34N	29W	LINCOLN

Period of Diversion:		
JANUARY 1 TO JANUARY 31	**Flow Rate:**	81.30 CFS
FEBRUARY 1 TO FEBRUARY 28	**Flow Rate:**	94.10 CFS
MARCH 1 TO MARCH 31	**Flow Rate:**	98.80 CFS
APRIL 1 TO APRIL 30	**Flow Rate:**	294.20 CFS
MAY 1 TO MAY 31	**Flow Rate:**	784.40 CFS
JUNE 1 TO JUNE 30	**Flow Rate:**	491.40 CFS
JULY 1 TO JULY 31	**Flow Rate:**	265.00 CFS
AUGUST 1 TO AUGUST 31	**Flow Rate:**	76.00 CFS
SEPTEMBER 1 TO SEPTEMBER 30	**Flow Rate:**	54.40 CFS
OCTOBER 1 TO OCTOBER 31	**Flow Rate:**	99.80 CFS
NOVEMBER 1 TO NOVEMBER 30	**Flow Rate:**	109.00 CFS
DECEMBER 1 TO DECEMBER 31	**Flow Rate:**	102.00 CFS

Diversion Means: INSTREAM

Diversion Type: PRIMARY

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1			SWSENE	2	34N	29W	LINCOLN

Remarks:

THE PLACE OF USE OF THIS WATER RIGHT INCLUDES THE ENTIRE REACH OF THE DESIGNATED SOURCE, AND ALL TRIBUTARIES TO THAT SOURCE, STARTING JUST ABOVE THE CONFLUENCE WITH THE KOOTENAI RIVER.

THE PURPOSE OF THIS WATER RIGHT IS FOR THE MAINTENANCE AND ENHANCEMENT OF FISH HABITAT. THIS RIGHT SHALL NOT BE CHANGED TO ANY OTHER OR ADDITIONAL PURPOSE, CHANGED TO CONSUMPTIVE USE, OR TRANSFERRED TO DIFFERENT OWNERSHIP.

THE POINT OF DIVERSION AND PLACE OF USE FOR THIS WATER RIGHT IS INSTREAM. THIS WATER RIGHT SHALL NOT BE EXERCISED IN CONJUNCTION WITH ANY ARTIFICIAL DIVERSION.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH & KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

EXISTING WATER RIGHTS HELD BY THE UNITED STATES FOREST SERVICE PURSUANT TO THE UNITED STATES FOREST SERVICE-MONTANA WATER RIGHTS COMPACT, 85-20-1401, MCA, SHALL NOT BE SUBJECT TO CALL BY THE TRIBES AND/OR THE UNITED STATES ON BEHALF OF THE TRIBES.

Remarks:

THE RECOGNITION OF THIS INSTREAM FLOW WATER RIGHT DOES NOT CONFER ON THE TRIBES ANY AUTHORITY OVER THE MANAGEMENT OF NATIONAL FOREST SYSTEM LANDS WITHIN BASIN 76D, OR ANY CLAIM TO OWNERSHIP OR OTHER RIGHTS IN THAT LAND. WITH THE EXCEPTION OF FUTURE DIVERSIONARY USES BY THE UNITED STATES ON NATIONAL FOREST SYSTEM LANDS IN EXCESS OF THE FOREST SERVICE'S RESERVED RIGHTS SET FORTH IN TO THE UNITED STATES FOREST SERVICE-MONTANA WATER RIGHTS COMPACT, 85-20-1401, MCA, THE TRIBES HOLD THE UNITED STATES HARMLESS FOR DELIVERY OF WATER OR MAINTENANCE OF FLOWS TO MEET THIS INSTREAM FLOW RIGHT IN BASIN 76D.

THE FLOWS QUANTIFIED FOR THIS RIGHT ARE ESTIMATED 10 % MEAN DAILY MONTHLY EXCEEDANCE DISCHARGE. IF THIS BASIN IS ADMINISTERED IN THE FUTURE AND A STREAM GAGE IS INSTALLED, THE 10% MEAN DAILY MONTHLY EXCEEDANCE DISCHARGE VALUE DETERMINED FROM ACTUAL STREAM GAGE DATA WILL BE THE QUANTITY OF THE WATER RIGHT.

APPENDIX 37

Form "A for 2-2-117" (Pursuant to Unitary Water Code § 2-2-117)

FLATHEAD RESERVATION
REQUEST FOR
APPROVAL TO DEVELOP A DOMESTIC ALLOWANCE

Use for a new use of groundwater for domestic purposes that fits one of the categories in Section 1 below.

Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information. To avoid processing delays, submit all required information.
FILING FEE: $???

Request # ____________ Basin ______
Date Rec'd ____________
Time ____________ AM / PM
Rec'd By ____________
Fee Rec'd ________ Check # ________
Refund ________ Date ________

DRAFT

Before drilling a well or developing a spring, an appropriator must file this form and receive approval to develop a Domestic Allowance from the Water Engineer's Office of the Flathead Reservation Unitary Water Management Board. Special Identified Groundwater Management Areas may stipulate Domestic Allowance restrictions not covered in § 2-2-117; check with the Engineer's Office for specific listings and restrictions.

1. PROPOSED DEVELOPMENT

- ☐ Individual Domestic Allowance (§ 2-2-117 (6)) (1 household with up to 35 gpm and 2.4 acre-feet with no more than 0.7 acre lawn & garden)
- ☐ Shared Domestic Allowance (§ 2-2-117 (7)) (2 or 3 households with up to 35 gpm and 2.4 acre-feet with no more than 0.75 acre total lawn & garden)
  You must attach a copy of the shared well agreement.
- ☐ Developed Domestic Allowance (§ 2-2-117 (8)) (development with up to 35 gpm and 10 acre-feet with no more than 0.25 acre lawn & garden per establishment)
  You must attach a copy of the shared well agreement, a description of the measuring device to be used for annual reporting requirements, and a copy of the development plan, plat, or equivalent as required by the associated county government.

If you did not mark one of the boxes above, you cannot use this form. You will need to use Form ___ Flathead Reservation Permit Application. See UWC § 2-2-117 for full details of domestic allowances.

2. NAME OF APPLICANT ____________

Mailing Address ____________
City / Town ____________ State ________ Zip ________
Cell Phone ________ Work Phone ________ Home Phone ________

3. PROPOSED SOURCE OF WATER SUPPLY

- ☐ Well(s)
- ☐ Developed Spring(s) (must be fully enclosed)

Note: Pits, pit-dams, constructed ponds, and reservoirs are not permitted under UWC § 2-2-117.

Please describe your proposed appropriation works including anticipated Well Shaft Casing Description.

____

____

____

4. PROPOSED BENEFICIAL USE

DOMESTIC	Number of homes supplied ____________ Year round use? ☐ Yes ☐ No If no, from ________ to ________, inclusive each year
LAWN & GARDEN	Total size of lawn and/or garden—length X width or total acreage ____________ April 1—October31 ☐ Yes ☐ No If no, from ________ to ________, inclusive each year
STOCK (i.e. 2 horses)	Number and type ____________ Year round use? ☐ Yes ☐ No If no, from ________ to ________, inclusive each year
FIRE SYSTEM	Is a residential fire system required? ☐ Yes ☐ No If so, flow rate required ____________

5. PROPOSED POINT OF DIVERSION (Must include Latitude and Longitude Coordinates)

LATITUDE ____________ *LONGITUDE* ____________

_____1/4_____1/4_____1/4 Section_______ Twp_______N/S Rge_______E/W County ______________

Lot _________ Block _________ Tract No. _________ Subdivision Name ______________

Government Lot No. ______________ COS No. ______________

Street Address, including City/State/Zip Code ______________

6. COMBINATION OR SHARED DEVELOPMENT

Will this development be used in combination with another well or spring? ☐ Yes ☐ No

If yes, please attach a separate sheet listing additional Points of Diversion and explain how the development is used.

____

____

____

7. PROPOSED PLACE OF USE

Geocode of the place of use (17 digits) ______________

If there are multiple places of use, list the geocode for each parcel on an attached sheet. The geocodes can be found at the County Clerk and Recorders Office or by visiting http://gis.mt.gov/.

Is the place where water is used the same as the point of diversion? ☐ Yes ☐ No

If no, enter the place of use land description below. If more than one place of use, please attach a separate sheet with additional land descriptions.

_____1/4_____1/4_____1/4 Section_______ Twp_______N/S Rge_______E/W County ______________

Lot _________ Block _________ Tract No. _________ Subdivision Name ______________

Government Lot No. ______________ COS No. ______________

Street Address, including City/State/Zip Code ______________

8. MAP

Attach a site-map showing the location of all proposed wells including latitude and longitude in decimal degress. The map must also show a minimum of 500 feet in radius around the proposed well(s) or spring(s) and include all of the following (existing or proposed by the applicant): well(s), developed springs, sewage facilities, buildings, well connections to buildings, property lines, property ownerships, irrigated acres per lot or unit, any and all means of conveyance for all water rights in the area, all water right points of diversions, and all surface water features.

9. AFFIDAVIT OF OWNERSHIP OR WRITTEN CONSENT

I have attached proof that I have possessory interest in the property where the water is proposed to be put to beneficial use and I have the exclusive property rights in the ground water development works **OR** I have attached written consent of the person owning the ground water development works and/or the person with possessory interest in the land where the water is to be put to beneficial use. UWC § 2-2-117

The statements appearing here are to the best of my knowledge true and correct.

Appropriator's Signature ______________ Date: __________

Appropriator's Signature ______________ Date: __________

Upon receipt of this form, the Water Engineer's Office shall review the application within 45 days and may either approve the domestic allowance or return a defective application to the applicant, together with the reasons for returning it, affording the applicant the opportunity to correct deficiencies. If the Water Engineer's Office does not approve or return an application within the 45 day review period, the application shall be deemed approved.

APPROVAL TO DEVELOP A DOMESTIC ALLOWANCE

Engineer's Office Authorization ______________ Date: __________

After completion of the project, Applicant must file an acceptable Form B to obtain a Domestic Allowance Certificate. This authorization is valid for 365 days. A correct and complete Form B is not submitted within 365 days, this authorization will be deemed invalid.

DRAFT

Form "B for 2-2-117" (Pursuant to Unitary Water Code § 2-2-117)

FLATHEAD RESERVATION
NOTICE OF DOMESTIC ALLOWANCE COMPLETION

Use after the Office of the Water Engineer has approved the Request for Development (Form A)

Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information. To avoid processing delays, submit all required information.

FILING FEE: $???

Completion # ________________ Basin ______
Priority Date ________________________
Time ________________________ AM / PM
Rec'd By ________________________
Fee Rec'd ___________ Check # ___________
Refund ___________ Date ___________

DRAFT

This form must be filed within 120 days of completing the pre-approved appropriation works. The Domestic Allowance becomes valid after filing of a correct and complete Notice of Domestic Allowance Completion.

1. REQUEST NUMBER (From Approved "Request for Approval to Develop a Domestic Allowance") ______________

2. DEVELOPMENT

☐ Individual Domestic Allowance (§ 2-2-117 (6)) (1 household with up to 35 gpm and 2.4 acre-feet with no more than 0.7 acre lawn & garden)
☐ Shared Domestic Allowance (§ 2-2-117 (7)) (2 or 3 households with up to 35 gpm and 2.4 acre-feet with no more than 0.75 acre total lawn & garden)
☐ Developed Domestic Allowance (§ 2-2-117 (8)) (development with up to 35 gpm and 10 acre-feet with no more than 0.25 acre lawn & garden per establishment)

3. NAME OF APPLICANT ________________________________
Mailing Address ________________________________
City / Town ________________ State ____________ Zip ___________
Cell Phone ____________ Work Phone ____________ Home Phone ____________

4. SOURCE OF WATER SUPPLY

Well(s) A copy of your Well Log(s) must be attached.

Developed Spring(s) Please describe your appropriation works including Well Shaft Casing Description.

____
____
____
____

5. FLOW RATE / PUMP INFORMATION

FLOW RATE USED ______________GPM PUMP SIZE (If present) ______________HP
DEPTH OF PUMP INTAKE ____________FT PUMP MAKE/MODEL (If available) ______________

6. BENEFICIAL USE

DOMESTIC Number of homes supplied ____________________
Year round use? ☐ Yes ☐ No If no, from ________ to ________, inclusive each year

LAWN & GARDEN Total size of lawn and/or garden—length X width or total acreage ____________________
April 1—October31 ☐ Yes ☐ No If no, from ________ to ________, inclusive each year

STOCK (i.e. 2 horses) Number and type ____________________
Year round use? ☐ Yes ☐ No If no, from ________ to ________, inclusive each year

FIRE SYSTEM Is a residential fire system required? ☐ Yes ☐ No If so, flow rate required ______________

7. POINT OF DIVERSION (Must include Latitude and Longitude Coordinates)

LATITUDE ____________________ *LONGITUDE* ____________________

_____1/4_____1/4_____1/4 Section_______ Twp_______N/S Rge_______E/W County ____________________

Lot _________ Block _________ Tract No. _________ Subdivision Name ____________________

Government Lot No. ____________________ COS No. ____________________

Street Address, including City/State/Zip Code ____________________

8. COMBINATION OR SHARED DEVELOPMENT

Is this development being used in combination with another well or spring? ☐ Yes ☐ No

If yes, please attach a separate sheet listing additional Points of Diversion and explain how the development is used.

9. PLACE OF USE

Geocode of the place of use (17 digits) ____________________

If there are multiple places of use, list the geocode for each parcel on an attached sheet. The geocodes can be found at the County Clerk and Recorders Office or by visiting http://gis.mt.gov/.

Is the place where water is used the same as the point of diversion? ☐ Yes ☐ No

If no, enter the place of use land description below. If more than one place of use, please attach a separate sheet with additional land descriptions.

_____1/4_____1/4_____1/4 Section_______ Twp_______N/S Rge_______E/W County ____________________

Lot _________ Block _________ Tract No. _________ Subdivision Name ____________________

Government Lot No. ____________________ COS No. ____________________

Street Address, including City/State/Zip Code ____________________

10. AFFIDAVIT

I affirm the information provided for this Notice of Completion is to the best of my knowledge true and correct.

Applicant's Signature ____________________ **Date**__________

Applicant's Signature ____________________ **Date**__________

Applicant's Signature ____________________ **Date**__________

State of Montana
County of ____________________

Signed or acknowledged before me on ____________________ by ____________________

Notary's Signature ____________________

Notary's Name (Printed)____________________

Notary public for the State of ____________________

Residing at ____________________

My commission expires____________________

Affix Notarial Seal/Stamp Above

DRAFT

DRAFT

Form "A for 2-2-116" *Draft 6/21/11* (b) (Pursuant to Unitary Water Code § 2-2-116)

FLATHEAD RESERVATION
REQUEST FOR
APPROVAL TO DEVELOP A STOCK WATER ALLOWANCE

Use for a new use of groundwater or surface water for Stock Water purposes that fits one of the categories in Section 1 below.

Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information. To avoid processing delays, submit all required information.
FILING FEE: $???

Request # __________________ Basin ______
Date Rec'd ____________________________
Time ___________________________ AM / PM
Rec'd By ______________________________
Fee Rec'd ___________ Check # ___________
Refund ____________ Date ______________

DRAFT

Before drilling a well, developing a spring, digging a pit, or diverting surface water to a stock tank, an appropriator must file this form and receive approval to develop a Stock Water Allowance from the Water Engineer's Office of the Flathead Reservation Unitary Water Management Board. Special Identified Groundwater Management Areas may stipulate Stock Water Allowance restrictions not covered in § 2-2-116; check with the Engineer's Office for specific listings and restrictions.

1. PROPOSED DEVELOPMENT

_____ Stock Water Well Allowance (§ 2-2-116 (7)) (up to 35 gpm and 2.4 acre-feet per year & not connected to home or business)

_____ Stock Water Pit Allowance (§ 2-2-116 (8)) (pit capacity up to 5.0 acre-feet. Up to 10 acre- feet use per year. Source is groundwater seepage or non-perennial stream)

_____ Stock Water Tank Served by Surface Water Allowance (§ 2-2-116 (9)) (up to 10 gpm and 2.4 ac-ft per year with enclosed conveyance to Stock Water Tank)

If you did not mark one of the boxes above, you cannot use this form. You will need to use Form ___ Flathead Reservation Permit Application. See UWC § 2-2-116 for full details of stock water allowances.

2. NAME OF APPLICANT ______________________________

Mailing Address ______________________________
City / Town ____________________ State ______________ Zip __________
Cell Phone ______________ Work Phone ______________ Home Phone ______________

3. PROPOSED SOURCE OF WATER SUPPLY

____ Well
____ Developed Spring (must be fully enclosed)
____ Groundwater seepage (For Stock Water Pit only)
____ Non-perennial stream: name______________; tributary to ______________ (for Stock Water Pit or SW Tank)
____ Perennial Stream Name: ____________________ (for Stock Tank Served By Surface Water)

Please describe your proposed appropriation works, including, as appropriate: for Well- casing size, estimated well depth, flow rate, Stock Tank capacity, and specifications of the water level regulator/shutoff; For Pit –means of construction, surface area, maximum depth, and capacity of pit excavation; For Stock Water Tank Served by Surface Water – Stock Tank capacity, means of surface water diversion, flow rate, specifications of the fully contained pipe or hose, and specifications of the water level regulator/shutoff.

____
____
____
____

4. PROPOSED BENEFICIAL USE

____STOCK Number and type (*e.g.* 5 horses & 20 cattle)________________________
Year round use? ____ Yes ____ No If no, from ________ to ________, inclusive each year

5. PROPOSED POINT OF DIVERSION (Must include Latitude and Longitude Coordinates)

LATITUDE ____________________ *LONGITUDE* ____________________

_____1/4_____1/4_____1/4 Section_______ Twp_______N/S Rge_______E/W County ____________________________

Lot _________ Block _________ Tract No. _________ Subdivision Name ____________________________

Government Lot No. ____________________________ COS No. ____________________________

Street Address, including City/State/Zip Code ____

6. COMBINATION OR SHARED DEVELOPMENT

Will this development be used in combination with another Stock Water Allowance? ___Yes ____ No

If yes, please attach a separate sheet listing additional Points of Diversion and explain how the development is used.

____

____

____

7. PROPOSED PLACE OF USE

Geocode of the place of use (17 digits) ____

If there are multiple places of use, list the geocode for each parcel on an attached sheet. The geocodes can be found at the County Clerk and Recorders Office or by visiting http://gis.mt.gov/.

Is the place where water is used the same as the point of diversion? Yes No

If no, enter the place of use land description below. If more than one place of use, please attach a separate sheet with additional land descriptions.

_____1/4_____1/4_____1/4 Section_______ Twp_______N/S Rge_______E/W County ____________________________

Lot _________ Block _________ Tract No. _________ Subdivision Name ____________________________

Government Lot No. ____________________________ COS No. ____________________________

Street Address, including City/State/Zip Code ____

8. MAP

Attach a site-map showing the location of all proposed Stock Water Allowances including latitude and longitude in decimal degrees. The map must also show a minimum of 500 feet in radius around the proposed source and include all of the following (existing or proposed by the applicant): well(s), developed springs, pits, stock tanks, buildings, property lines, property ownerships, and all means of conveyance for all water rights in the area, all water right points of diversions, and all surface water features.

DRAFT

9. AFFIDAVIT OF OWNERSHIP OR WRITTEN CONSENT

I attach proof that I have possessory interest in the property where the water is proposed to be put to beneficial use and I have the exclusive property rights in the Stock Water Allowance development works **OR** I attach written consent of the person owning the Stock Water Allowance development works and/or the person with possessory interest in the land where the water is to be put to beneficial use. UWC § 2-2-116.

The statements appearing here are to the best of my knowledge true and correct.

Appropriator's Signature ______________________________ Date: ______________

Appropriator's Signature ______________________________ Date: ______________

Upon receipt of this form, the Water Engineer's Office shall review the application within 45 days and may either approve the stock water allowance or return a defective application to the applicant, together with the reasons for returning it, affording the applicant the opportunity to correct deficiencies. If the Water Engineer's Office does not approve or return an application within the 45 day review period, the application shall be deemed approved.

APPROVAL TO DEVELOP A STOCK WATER ALLOWANCE

Engineer's Office Authorization ______________________________ Date: ______________

After completion of the project, Applicant must file an acceptable Stock Water Form B to obtain a Stock Water Allowance Certificate. This authorization is valid for one year. If a correct and complete Stock Water Form B is not submitted within one year, this authorization will no longer be valid.

DRAFT

Form "B for 2-2-116" *Draft 6/30/11* (Pursuant to Unitary Water Code § 2-2-116)

FLATHEAD RESERVATION
NOTICE OF STOCK WATER ALLOWANCE COMPLETION

Use after the Office of the Water Engineer has approved the Request For Development of Stock Water Allowance (Form A) and development is complete.

Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information. To avoid processing delays, submit all required information.
FILING FEE: $???

Request # ____________________ Basin ______
Date Rec'd ______________________________
Time ____________________________ AM / PM
Rec'd By ________________________________
Fee Rec'd ____________ Check # ___________
Refund ______________ Date ______________

DRAFT

This form must be filed within 120 days of completing the pre-approved appropriation works. The Stock Water Allowance becomes valid after filing of a correct and complete Notice of Stock Water Allowance Completion

1. **REQUEST NUMBER** (From Approved "Request for Approval to Develop a Stock Water Allowance") ___________

2. **DEVELOPMENT**

_____ Stock Water Well Allowance (§ 2-2-116 (7)) (up to 35 gpm and 2.4 acre-feet per year & not connected to home or business)

_____ Stock Water Pit Allowance (§ 2-2-116 (8)) (pit capacity up to 5.0 acre-feet. Up to 10 acre- feet use per year. Source is groundwater seepage or non-perennial stream)

_____ Stock Water Tank Served by Surface Water Allowance (§ 2-2-116 (9)) (up to 10 gpm and 2.4 ac-ft per year with enclosed conveyance to Stock Water Tank)

3. **NAME OF APPLICANT** ____

Mailing Address ____
City / Town ____________________ State ______________ Zip __________
Cell Phone ______________ Work Phone ______________ Home Phone ______________

4. **SOURCE OF WATER SUPPLY**

____ Well A copy of your Well Log(s) must be attached.
____Developed Spring Please describe your appropriation works including Well Shaft Casing Description.
____Groundwater seepage (For Stock Water Pit only)
____Non-perennial stream: name______________; tributary to ______________ (for Stock Water Pit or SW Tank)
____Perennial Stream Name: ____________________ (for Stock Tank Served By Surface Water)

____
____
____

5. APPROPRIATION DETAILS

Please describe your appropriation works, including, as appropriate: for Well- casing size, well depth, pump size, make & model, depth of pump intake, flow rate, Stock Tank capacity, and specifications of the water level regulator/shutoff; For Pit – means of construction, surface area, maximum depth, and capacity of pit; For Stock Water Tank Served by Surface Water – Stock Tank capacity, means of surface water diversion, flow rate, specifications of the fully contained pipe or hose, and specifications of the water level regulator/shutoff. Attach drawings, specification information, receipts, etc.

____
____

6. BENEFICIAL USE

____STOCK Number and type (e.g. 5 horses & 20 cattle)____________________

Year round use? ____ Yes ____ No If no, from ________ to ________, inclusive each year

7. POINT OF DIVERSION (Must include Latitude and Longitude Coordinates)

LATITUDE ____________________ *LONGITUDE* ____________________

_____1/4_____1/4_____1/4 Section_______ Twp_______N/S Rge_______E/W County ____________________

Lot _________ Block _________ Tract No. _________ Subdivision Name ____________________

Government Lot No. ____________________ COS No. ____________________

Street Address, including City/State/Zip Code ____________________

8. COMBINATION OR SHARED DEVELOPMENT

Is this development being in combination with another Stock Water Allowance? ___Yes ____ No

If yes, please attach a separate sheet listing additional Points of Diversion and explain how the development is used.

9. PLACE OF USE

Geocode of the place of use (17 digits) ____________________

If there are multiple places of use, list the geocode for each parcel on an attached sheet. The geocodes can be found at the County Clerk and Recorders Office or by visiting http://gis.mt.gov/.

Is the place where water is used the same as the point of diversion? Yes No

If no, enter the place of use land description below. If more than one place of use, please attach a separate sheet with additional land descriptions.

_____1/4_____1/4_____1/4 Section_______ Twp_______N/S Rge_______E/W County ____________________

Lot _________ Block _________ Tract No. _________ Subdivision Name ____________________

Government Lot No. ____________________ COS No. ____________________

Street Address, including City/State/Zip Code ____________________

10. MAP

Attach a site-map showing the location of the Stock Water Allowance including latitude and longitude in decimal degrees of the point of diversion and place of use. The map must also show a minimum of 500 feet in radius around the source and note the new stock water development and all of the following existing developments: well(s), developed springs, pits, stock tanks, buildings, property lines, property ownerships, and all means of conveyance for all water rights in the area, all water right points of diversions, and all surface water features.

DRAFT

11. AFFIDAVIT

I affirm the information provided for this Notice of Completion is to the best of my knowledge true and correct.

Applicant's Signature ______________________ **Date**______________

Applicant's Signature ______________________ **Date**______________

Applicant's Signature ______________________ **Date**______________

State of Montana
County of ______________

Signed or acknowledged before me on ______________ by ______________________

Notary's Signature ______________________

Notary's Name (Printed)______________________

Notary public for the State of ______________________

Residing at ______________________

Affix Notarial Seal/Stamp Above

My commission expires______________________

DRAFT

Form No.

FLATHEAD RESERVATION APPLICATION TO CHANGE A WATER RIGHT

EXHIBIT C

To apply to change the point of diversion, place of use, purpose of use, or place of storage of a water right.

FILING FEE: ________

Application No. ________ Basin ________
Date Received ________
Time ________ AM / PM
Rec'd by ________
Fee Rec'd $ ________ Check #
Check No. ________
Refund $ ________ Date ________

1. Applicant Name: ________
   Mailing Address: ________ City ________ State ____ Zip ________
   Phone Numbers: Home ________ Work ________ Cell ________
   Email Address: ________
2. Contact Person: ☐ Check, if same as applicant ☐ Check, if contact is an attorney
   Contact Name: ________
   Mailing Address: ________ City ________ State ____ Zip ________
   Phone Numbers: Home ________ Work ________ Cell ________
   Email Address: ________

NOTE: If a contact person is identified as an attorney, all communication will be sent only to the attorney unless the attorney provides written instruction to the contrary. If a contact person is identified as a consultant, employee, or lessee, the individual filing the water right form or objection form will receive all correspondence and a copy may be sent to the contact person.

3. Project Completion: ________ Years - Estimate how long it will take to complete the change, if the application is granted, to the point that water can be used according to the change. Information must be included in the application materials that justify the requested time. The justification must include information that would lead a person unfamiliar with the project to conclude the period requested is reasonable and needed to complete the change and put the changed water right(s) to use.

4. Affidavit – All undivided interest owners must sign as applicants.

I affirm the information provided for this application is to the best of my knowledge true and correct. I also affirm I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use.

☐ Attach a copy of written consent from the person with possessory interest.

Applicant Signature: ________ Date ________
________ Date ________

State of Montana
County of ________

Signed or acknowledged before me on ________ by ________

Notary's Signature ________
Notary's Name (Printed) ________
Notary public for the State of ________
Residing at ________
My commission expires ________

Affix Notarial Seal/Stamp Above

TYPE OF PROPOSED CHANGE – Complete only the section for the type of change being proposed.

5. ☐ **Change in Point of Diversion**

☐ Yes ☐ No Will the existing point of diversion still be used?

☐ Yes ☐ No Is there a source change? If yes, new source ____________

☐ Yes ☐ No Is there a means of diversion change? If yes, new diversion means ____________

☐ Yes ☐ No Is this is a change for a replacement well? Old well depth _______ New well depth ______
The new well is located approximately ________ (feet) _________(direction) of the new well.

A. Location of the proposed point(s) of diversion.

_____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W County ____________

Lot _______ Block_______ Tract No. _____________ Subdivision Name ____________

Government Lot No. ____________ COS No. ____________

Street or Road Address, including City, State & Zip Code of the Development ____________

B. _____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W County ____________

Lot _______ Block_______ Tract No. _____________ Subdivision Name ____________

Government Lot No. ____________ COS No. ____________

Street or Road Address, including City, State & Zip Code of the Development ____________

6. ☐ **Change in Place of Use**

Geocode: The geocode is a 17 digit number. If there are multiple places of use, list the geocode for each parcel. The geocodes can be found at the County Clerk and Recorders Office or by visiting http://gis.mt.gov/.

A. Describe the proposed place of use. For irrigation, identify those acres below.

_____ Acres _____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W Geocode____________
Lot _______ Block_______ Tract No. _____________ Subdivision Name ____________

_____ Acres _____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W Geocode____________
Lot _______ Block_______ Tract No. _____________ Subdivision Name ____________

_____Acres _____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W Geocode____________
Lot _______ Block_______ Tract No. _____________ Subdivision Name ____________

B. Will acres be taken out of irrigation? If yes, identify those acres below. ☐ Yes ☐ No

_____Acres _____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W Geocode____________
_____Acres _____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W Geocode____________
_____Acres _____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W Geocode____________
_____Acres _____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W Geocode____________

7. ☐ **Change in Purpose of Use**

A. ☐ Yes ☐ No Is this a temporary change? If yes, complete and attach the *Temporary Change Addendum*

B. Proposed New Purpose

☐ ____________ Flow Rate ______GPM/CFS Volume _____ Period of Use ____________

☐ ____________ Flow Rate ______GPM/CFS Volume _____ Period of Use ____________

8. ☐ **Change in Place of Storage**

A. ☐ Yes ☐ No Is this change to add a storage reservoir? If yes, identify the reservoir location.

_____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W County ____________

B. Identify the capacity

DAM: surface area ________ acres X maximum depth ________ feet X 0.4 = ________ capacity in ac-ft
PIT: surface area ________ acres X maximum depth ________ feet X 0.5 = ________ capacity in ac-ft

ADDITIONAL INFORMATION

9. Supplemental Water Rights

When two or more water rights have overlapping places of use, the water rights are considered supplemental. If a water right to be changed has supplemental water rights, an applicant must include those water rights in the change application or must explain how each of the supplemental water rights have been used historically and how each one of the supplemental water rights will be used if the proposed change application is granted.

Provide the following information for supplemental water rights that are not being included in this change application.

a. Explain how all of the supplemental water rights, those being proposed for change and those not being proposed for change have been collectively operated historically.
b. Explain why all of the supplemental water rights are not being changed in this application.
c. Attach documentation that provides the following information for each supplemental water right.
   1. Identify the historic flow rate diverted from each point of diversion and explain how the amount was determined.
   2. Identify the historic diverted volume from each point of diversion and explain how the amount was determined.
   3. Explain how each water right has been diverted and historically operated.
   4. Explain how these water rights will be used if the change application is granted.
d. If water will continue to be used at the historic place of use, the applicant must explain how the continued use will not increase the combined maximum diverted flow rate, the diverted volume, and the historic consumptive volume.

10. Historic Use

Attach a current abstract of each water right proposed to be changed. For each water right proposed for change, attach a document which provides the following information.

a. Identify the maximum volume of water stored in a reservoir and the number of times the reservoir fills during most years.
b. Identify the historic flow rate diverted from each point of diversion and explain how the amount was determined.
c. Describe the flow rate capacity of the historic diversion means and explain how the capacity was determined.
d. Identify the combined total flow rate of water diverted into a ditch and the combined flow rate of the water rights using the ditch.
e. Describe the historic diverted volume and explain how that amount was determined.
f. Describe the historic diversion schedule and operation pattern and document how this information was obtained. What was the historic type of crop irrigated? How long was water typically available during the season? How was the diversion operated (i.e. was the headgate opened in the spring & flow diverted until a certain time; was diversion onto the crop a certain number of days on & a certain number of days off etc.)?
g. Provide information describing the overall system efficiencies.

Form (FSCW) (Pursuant to Unitary Water Code § 2-2-118)

APPLICATION FOR A NEW USE OF FLATHEAD SYSTEM COMPACT WATER

Use for requesting water for a beneficial use with the Reservation or for leasing in basins outside the Reservation.

Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information. To avoid processing delays, submit all required information.

Application No. ______________ Basin ______

Priority Date ____________ Time ________ AM - PM

Rec'd By ______________

Fee Rec'd $ __________ Check No. ________

Deposit Receipt # ______________

Payor (if different from name(s) listed in item 1 below)

____

Refund $ __________ Date ________

1. **NAME OF APPLICANT** ______________________________

Mailing address ______________________________

City or Town ______________ State ______ Zip ________

Phone ______________ Email Address ______________

2. **POINT OF DIVERSION** Describe the location to the nearest 10 acres.

(a) _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ Twp _____ N/S Rge _____ E/W County ________

Lot ________ Block ________ Tract No. ________ Subdivision Name ______________

Government Lot ______________ Latitude ______________ Longitude ______________

3. **MEANS OF DIVERSION**

☐ Headgate

☐ Pump

☐ Dam area ____ ac X max depth ___ ft X .4 = _____ capacity (AF)

☐ Pit area ____ ac X max depth ___ ft X .5 = _____ capacity (AF)

☐ Other ______________________________

4. **MEANS OF CONVEYANCE**

Describe in detail how you will convey water from the point of diversion to the place of use (pipelines, ditches, etc.)

____

____

____

____

5. **PERIOD OF DIVERSION** The period during the year when the water will be diverted, impounded, or withdrawn from the source.

(month/day) ____________ to (month/day) ____________

6. **PERIOD OF USE** The period during the year when the water will be put to use.

(month/day) ____________ to (month/day) ____________

For how many years/seasons do you intend on using this water? ☐ Indefinitely ☐ ________ years

7. **PROPOSED BENEFICIAL USE** Check the boxes that pertain to your development.

☐ Domestic Number of Homes to be Supplied ____________

☐ Lawn & Garden Maximum size in acres ____________

☐ Stock Maximum Number and Type ____________

☐ Irrigation

○ Sprinkler (type) ____________

○ Flood ____________

○ Other____

○ Crop to be grown:____

☐ Other Purpose ____

9. PLACE OF USE

(a) Geocode of the place of use (17 digits) ____
If there are multiple places of use, list the geocode for each parcel on an attached sheet. The geocodes can be found at the County Clerk and Recorders Office or by visiting http://gis.mt.gov/.

(b) Irrigation / Lawn & Garden

County ____________________ Subdivision Name ____________________

____ Acres ____ Lot ____ Block _____1/4 _____1/4 _____1/4 Sec _____ Twp ______ N/S Rge ______ E/W

____ Acres ____ Lot ____ Block _____1/4 _____1/4 _____1/4 Sec _____ Twp ______ N/S Rge ______ E/W

____ Acres ____ Lot ____ Block _____1/4 _____1/4 _____1/4 Sec _____ Twp ______ N/S Rge ______ E/W

____ Acres ____ Lot ____ Block _____1/4 _____1/4 _____1/4 Sec _____ Twp ______ N/S Rge ______ E/W

____ Acres ____ Lot ____ Block _____1/4 _____1/4 _____1/4 Sec _____ Twp ______ N/S Rge ______ E/W

_____ Total Acres

(c) Non-Irrigation

(i) Purpose of Use ____________________ Place of use same as Point of Diversion, **CHECK** ☐

_____1/4 _____1/4 _____1/4 Sec _____ Twp ______ N/S Rge ______ E/W County ____________________

Lot_________ Block _________ Tract # _________ Government Lot ____________________

(ii) Purpose of Use ____________________ Place of use same as Point of Diversion, **CHECK** ☐

_____1/4 _____1/4 _____1/4 Sec _____ Twp ______ N/S Rge ______ E/W County ____________________

Lot_________ Block _________ Tract # _________ Government Lot ____________________

10. FLOW RATE, DIVERTED VOLUME, CONSUMED VOLUME PER PURPOSE

____ (cfs/gpm) up to ____ acre-feet (diverted) and ____ acre feet (consumed) for ______________ purpose (month/day)

____ (cfs/gpm) up to ____ acre-feet (diverted) and ____ acre feet (consumed) for ______________ purpose (month/day)

____ (cfs/gpm) up to ____ acre-feet (diverted) and ____ acre feet (consumed) for ______________ purpose (month/day)

Total amount requested ______ (cfs/gpm) up to _____ acre-feet / year (diverted) and ______ acre-feet / year (consumed)

11. SUPPLEMENTAL WATER RIGHTS Select one of the following and explain if applicable

☐ The proposed use will not be used in conjunction with any other water rights.

☐ The proposed use will replace water right number(s): ____________________

☐ The proposed use will be used in conjunction with the following water rights: ____________________
____

Discuss why supplemental water is needed and how the water rights will be collectively operated: ______________
____
____
____
____

12. PROJECT COMPLETION PLAN

What year will the project completed and all of the water put to beneficial use? ______________

Explain why this amount of time is requested. Include information about the cost, magnitude, complexity, or any other reason for the time period requested. ____________________
____

Generally identify what will be completed and how much water will be put to use during each year until the project is completed.

13. MAP

Provide a map showing all features listed on this form.

14. WRITTEN AUTHORIZATION

Attach written authorization from the Tribal Council or its delegate (if applicable).

15. AFFIDAVIT

I affirm the information provided for this Application is to the best of my knowledge true and correct.

Applicant's Signature ______________________ **Date**__________

Applicant's Signature ______________________ **Date**__________

Applicant's Signature ______________________ **Date**__________

State of Montana
County of ______________

Signed or acknowledged before me on __________ by ______________

Notary's Signature ______________

Notary's Name (Printed)______________

Notary public for the State of ______________

Residing at ______________

Affix Notarial Seal/Stamp Above

My commission expires______________

Flathead Reservation Unitary Administration and Management Ordinance
Forms Required for Implementation with Ordinance Reference Listed
B.Schultz 8/21/12

Forms that have been drafted (available on RWRCC webpage):

- Flathead Reservation Water Permit Application - Section 2-2-104
- Addendum B – Flathead Reservation Groundwater Minimum Aquifer Testing Requirements – Section 2-2-104(b)(iii)
- Flathead Reservation Application To Change A Water Right – Section 2-2-104
- Flathead Reservation Request For Approval To Develop A Domestic Allowance (Form A) - Section 2-2-117(8)
- Flathead Reservation Notice of Domestic Allowance Completion (Form B) - Section 2-2-117(9)
- Flathead Reservation Request For Approval To Develop A Stock Water Allowance (Form A) - Section 2-2-116
- Flathead Reservation Notice of Stock Water Allowance Completion (Form B) – Section 2-2-116(13)

Forms remaining to be drafted (All to be prefaced with 'Flathead Reservation')

Priority Group 1

- Registration of Existing Uses of Tribal Water Right Application – Section 2-1-102(1)
- Registration of Other Previously Unrecorded Existing Uses Application - Section 2-1-108(1)
- Registration Certificate for Other Previously Unrecorded Existing Uses Application – Section 2-1-108(3)
- Development of New Uses of Flathead System Compact Water Application – Section 2-2-118(2)

Priority Group 2

- Petition for Ground Water Management Area - Section 1-1-109(3)
- Water Use Complaint Form - Section 3-1-102(1)
- Notice of Appeal to the Board on Abandonment Decision - Section 2-1-113(8)

  State & Tribes reviewing need for specific wetlands application or addendum forms:
- Wetland Quantified Appropriation Right Application Addendum ?(Section 2-2-124(3)
- Wetland Protective Appropriation Right Application Addendum? (Section 2-2-123)

Priority Group 3

- Notice of Substitute Well Application – Section 2-2-115(1)(c)
- Notice of Redundant Well Application - Section 2-2-115(7)
- Non-Consumptive Geothermal Heating or Cooling Exchange Well Application– Section 2-2-119(2)
- Completion of Non-Consumptive Geothermal Heating or Cooling Exchange Well Notice - Section 2-2-119(7)

Tribes will develop Trust Status Conversion form (Section 2-2-125) following the format provided in other forms.

Form (REU) (Pursuant to Unitary Water Code §§ 2-1-107 &108(1))

REGISTRATION OF EXISTING USES OF NON-TRIBAL WATER RIGHTS

Use for filing existing uses of water of the Reservation which are not part of the Tribal Water Right.

Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information. To avoid processing delays, submit all required information.

Completion # ______________ Basin _____

Date Received ______________________

Priority Date ______________________

Time ______________________ AM / PM

Rec'd By ______________________

File this form within 180 days of the Effective Date of the Administrative Ordinance (XXXXXXX).

PLEASE MARK THE STATEMENT THAT IS APPICABLE TO YOUR USAGE. IF NONE OF THE STATEMENTS ARE APPLICABLE, YOU CANNOT USE THIS FORM.

☐ The use began on or before June 30, 1973 and was exempt from the claim filing requirements pursuant to § 85-2-222, MCA. A Statement of Claim was not filed with the State of Montana.

☐ The use began on or after July 1, 1973 and qualified as an exception to the permit requirements set out in § 85-2-306, MCA. A notice (Form 602 or 605) was filed with DNRC. DNRC Water Right Number: ______________________

☐ The use began on or after July 1, 1973 and qualified as an exception to the permit requirements set out in § 85-2-306, MCA. A notice (Form 602 or 605) was not filed with DNRC.

---

1. NAME OF APPLICANT ______________________________________

Mailing Address ______________________________________

City / Town ______________________ State ______________ Zip __________

Cell Phone ______________ Work Phone ______________ Home Phone ______________

2. DATE OF FIRST USE OF WATER ______________________

3. SOURCE OF WATER SUPPLY

GROUNDWATER

☐ Well (attach well log) ☐ Developed Spring ☐ Pit/Pond

If Pit/Pond selected complete the following:

PIT: surface area _____ acres X maximum depth _____ feet X 0.5 = _____ capacity in acre-feet

DAM: surface area _____ acres X maximum depth _____ feet X 0.4 = _____ capacity in acre-feet

SURFACE WATER

☐ Stream ☐ Undeveloped Spring

Source Name ______________________________________

Unnamed Source Tributary to ______________________________________

4. POINT OF DIVERSION Describe the location to the nearest 10 acres.

(a) _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ Twp _____ N/S Rge _____ E/W County ______________

Lot _________ Block _________ Tract No. _________ Subdivision Name ______________

Government Lot ______________ Latitude ______________ Longitude ______________

(b) _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ Twp _____ N/S Rge _____ E/W County ______________

Lot _________ Block _________ Tract No. _________ Subdivision Name ______________

Government Lot ______________ Latitude ______________ Longitude ______________

5. PURPOSE OF USE Check the boxes that pertain to your development.

☐ Domestic Number of Homes Supplied ______________

☐ Lawn & Garden Maximum size: acres _______ -or- length _____ft width _____ft

☐ Stock Maximum Number and Type ____________________

☐ Irrigation

☐ Other Purpose ____________________

6. FLOW RATE, VOLUME, PURPOSE OF USE, AND PERIOD OF USE

_____(cfs/gpm) up to _____acre-feet for ____________ purpose (month/day) ________ to (month/day) ________

_____(cfs/gpm) up to _____acre-feet for ____________ purpose (month/day) ________ to (month/day) ________

_____(cfs/gpm) up to _____acre-feet for ____________ purpose (month/day) ________ to (month/day) ________

Total Amount Requested ____________(cfs/gpm) up to ______________acre-feet per year

7. PLACE OF USE

Geocode of the place of use (17 digits) ____________________

If there are multiple places of use, list the geocode for each parcel on an attached sheet. The geocodes can be found at the County Clerk and Recorders Office or by visiting http://gis.mt.gov/.

☐ Same as Point of Diversion **-or-**

_____1/4 _____1/4 _____1/4 Sec_____ Twp_____N/S Rge_____E/W County ____________

Lot__________ Block ________ Tract No. ________Subdivision Name ____________

Government Lot ____________ Latitude ____________Longitude ____________

_____1/4 _____1/4 _____1/4 Sec_____ Twp_____N/S Rge_____E/W County ____________

Lot__________ Block ________ Tract No. ________ Subdivision Name ____________

Government Lot ____________ Latitude ____________Longitude

8. AFFIDAVIT

I affirm the information provided for this Notice of Completion is to the best of my knowledge true and correct.

Applicant's Signature ______________________ **Date**__________

Applicant's Signature ______________________ **Date**__________

Applicant's Signature ______________________ **Date**__________

State of Montana
County of ____________________

Signed or acknowledged before me on ____________ by ____________________

Notary's Signature ____________________

Notary's Name (Printed)____________________

Notary public for the State of ____________________

Residing at ____________________

Affix Notarial Seal/Stamp Above

My commission expires____________________

Form (REU) (Pursuant to Unitary Water Code § 2-1-102(1))

REGISTRATION OF EXISTING USES OF TRIBAL WATER RIGHT APPLICATION

Use for filing existing uses of water of the Reservation which are part of the Tribal Water Right.

Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information. To avoid processing delays, submit all required information.

Completion # ________________ Basin _____

Priority Date ________________________

Time ________________________ AM / PM

Rec'd By ________________________

Fee Rec'd __________ Check # __________

Refund ____________ Date ____________

File this form within 3 years of the Effective Date of the Administrative Ordinance (XXXXXXX).

1. NAME OF APPLICANT ________________________________

Mailing Address ________________________________

City / Town ____________________ State __________ Zip __________

Cell Phone __________ Work Phone __________ Home Phone __________

2. SOURCE OF WATER SUPPLY

GROUNDWATER

☐ Well (attach well log) ☐ Developed Spring ☐ Pit/Pond

SURFACE WATER

☐ Stream ☐ Undeveloped Spring ☐ Lake/Reservoir

Source Name ________________________________

Unnamed Source Tributary to ________________________________

OTHER SOURCE ________________________________

3. POINT OF DIVERSION Describe the location to the nearest 10 acres.

(a) _____1/4 _____1/4 _____1/4 Sec_____ Twp_____N/S Rge_____E/W County __________

Lot__________ Block __________ Tract No. __________ Subdivision Name __________

Government Lot __________________ Latitude __________________Longitude __________

(b) _____1/4 _____1/4 _____1/4 Sec_____ Twp_____N/S Rge_____E/W County __________

Lot__________ Block __________ Tract No. __________ Subdivision Name __________

Government Lot __________________ Latitude __________________Longitude __________

4. MEANS OF DIVERSION

☐ Headgate

☐ Pipeline

☐ Dam / Pit

☐ Other ________________________________

☐ Pump

__________ Rated Capacity (GPM or CFS)

__________ Horsepower

__________ Lift in Feet

5. RESERVOIR INFORMATION ☐ Not Applicable

Name (if any) ____________________

☐ On-stream -or- ☐ Off-stream

Location of impoundment structure (dam or pit): Describe the location where the pit or dam crosses the source.

_____1/4 _____1/4 _____1/4 Sec. _____ Twp _____ N/S Rge _____ E/W County __________

PIT: surface area ________ acres X maximum depth ________ feet X 0.5 = ________ capacity in acre-feet

DAM: surface area ________ acres X maximum depth ________ feet X 0.4 = ________ capacity in acre-feet

6. **PERIOD OF DIVERSION** The period during the year when the water will be diverted, impounded, or withdrawn from the source.

(month/day) ____________________ to (month/day) ____________________

7. **PURPOSE OF USE** Check the boxes that pertain to your development.

☐ Domestic Number of Homes Supplied ____________________
☐ Lawn & Garden Maximum size: acres ________ **-or-** length _____ft width _____ft
☐ Stock Maximum Number and Type ____
☐ Irrigation
  ○ Sprinkler (type) ____
  ○ Flood (explanation) ____
  ○ Other ____
☐ Other Purpose ____

8. **FLOW RATE, VOLUME, PURPOSE OF USE, AND PERIOD OF USE**

_____(cfs/gpm) up to _____acre-feet for ________________ purpose (month/day) _________ to (month/day) _________
_____(cfs/gpm) up to _____acre-feet for ________________ purpose (month/day) _________ to (month/day) _________
_____(cfs/gpm) up to _____acre-feet for ________________ purpose (month/day) _________ to (month/day) _________

Total Amount Requested _____________(cfs/gpm) up to __________________acre-feet per year

9. **PLACE OF USE**

(a) **Geocode** of the place of use (17 digits) ____
If there are multiple places of use, list the geocode for each parcel on an attached sheet. The geocodes can be found at the County Clerk and Recorders Office or by visiting http://gis.mt.gov/.

(b) **Irrigation / Lawn & Garden**

Total Acres _________ County ____________________ Subdivision Name ____________________
____ Acres ____ Lot ____ Block _____1/4 _____1/4 _____1/4 Sec______ Twp ______ N/S Rge ______ E/W
____ Acres ____ Lot ____ Block _____1/4 _____1/4 _____1/4 Sec______ Twp ______ N/S Rge ______ E/W
____ Acres ____ Lot ____ Block _____1/4 _____1/4 _____1/4 Sec______ Twp ______ N/S Rge ______ E/W
____ Acres ____ Lot ____ Block _____1/4 _____1/4 _____1/4 Sec______ Twp ______ N/S Rge ______ E/W

(c) **Non-Irrigation**

(i) Purpose of Use ______________________________ Place of use same as Point of Diversion, **CHECK** ☐
_____1/4 _____1/4 _____1/4 Sec______ Twp ______ N/S Rge ______ E/W County ____________________
Lot__________ Block __________ Tract # _________ Government Lot ____________________

(ii) Purpose of Use ______________________________ Place of use same as Point of Diversion, **CHECK** ☐
_____1/4 _____1/4 _____1/4 Sec______ Twp ______ N/S Rge ______ E/W County ____________________
Lot__________ Block __________ Tract # _________ Government Lot ____________________

10. **AFFIDAVIT**

I affirm the information provided for this Notice of Completion is to the best of my knowledge true and correct.

Applicant's Signature ____ **Date**____________________

Applicant's Signature ____ **Date**____________________

Applicant's Signature ______________________________ **Date**______________

State of Montana
County of ____________________

Signed or acknowledged before me on ______________ by ______________________

Notary's Signature ______________________

Notary's Name (Printed)______________________

Notary public for the State of ______________________

Residing at ______________________

Affix Notarial Seal/Stamp Above

My commission expires______________________

Form No.

FLATHEAD RESERVATION
WATER PERMIT APPLICATION

Use for any new proposed use of ground or surface water.

Use one application for each source of supply or each development. Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information. To avoid processing delays, submit all required information.

FILING FEE: __________

EXHIBIT A

Application # ______________ Basin _____

Priority Date ______________

Time ______________ AM / PM

Rec'd By ______________

Fee Rec'd $ __________ Check # ________

Refund __________ Date ________

1. NAME OF APPLICANT ______________________

Mailing address ______________________

City or Town ______________________ State ________ Zip ____________

Phone ______________________ Email Address ______________________

2. SOURCE OF WATER SUPPLY

☐ Well Estimated Depth in Feet______ ☐ Developed Spring Name ______________________

☐ Lake Name ______________________ Tributary to ______________________

☐ Stream Name ______________________

☐ Unnamed Source - Tributary to ______________________

☐ Closed Basin (A closed basin results when water drains into a depression, lake, etc. from which water escapes only by evaporation.)

☐ Other ______________________

3. GROUNDWATER WELL

If the source of water will be a well, an aquifer test is required. For the minimum requirements for conducting an aquifer test see the Aquifer Testing Addendum. Indicated that the following are attached.

☐ Well Log ☐ Aquifer Test data

4. POINT OF DIVERSION

Describe the location to the nearest 10 acres.

(a) _____1/4 _____1/4 _____1/4 Sec______ Twp______N/S Rge______E/W County ______________

Lot________ Block __________ Tract No. __________ Subdivision Name ______________

Government Lot ______________ Latitude ______________Longitude ______________

(b) _____1/4 _____1/4 _____1/4 Sec______ Twp______N/S Rge______E/W County ______________

Lot________ Block __________ Tract No. __________ Subdivision Name ______________

Government Lot ______________ Latitude ______________Longitude ______________

5. MEANS OF DIVERSION

☐ Headgate

☐ Pipeline (description) ______________________

☐ Dam (Complete item 5)

☐ Pit (Complete item 5)

☐ Other ______________________

☐ Pump

__________ Rated Capacity (GPM or CFS)

__________ Horsepower

__________ Lift in Feet

Describe your plans for measuring your water use: ____________________

____

6. **RESERVOIR** Check the boxes that pertain to reservoirs greater than 0.10 acre-feet. See formulas below for computing capacity.

☐ Proposed New Capacity ______ acre-feet, Name (if any) ____________________

☐ Existing Reservoir Water Right # ____________________

Existing Reservoir Capacity ______ acre-feet, Name (if any) ____________________

Proposed Enlarged Reservoir Capacity ______ acre-feet

☐ Annual volume of water that will evaporate from the reservoir surface. __________ Acre-feet. Deviations from the acceptable standards in ARM 36.12.116(1) require supporting information.

☐ Drainage device will be installed

☐ Reservoir located on the source

☐ Reservoir located away from the source

Location of impoundment structure (dam or pit): Describe the location where the pit or dam crosses the source.

______1/4 ______1/4 ______1/4 Sec.______ Twp ______ N/S Rge ______ E/W County ______________

PIT: surface area ________ acres X maximum depth ________ feet X 0.5 = ________ capacity in acre-feet

DAM: surface area ________ acres X maximum depth ________ feet X 0.4 = ________ capacity in acre-feet

Explain the conveyance means to and from the reservoir and any losses that may occur with that conveyance.

____

____

7. **PERIOD OF DIVERSION** The period during the year when the water will be diverted, impounded, or withdrawn from the source.

(month/day) ________________ to (month/day) ________________

8. **PROPOSED BENEFICIAL USE** Check the boxes that pertain to your development.

☐ Domestic Number of Homes to be Supplied ________________

☐ Lawn & Garden Maximum size in acres ________________

☐ Stock Maximum Number and Type ________________

☐ Industrial ☐ Mining ☐ Municipal ☐ Power

☐ Wetland ☐ Fish ☐ Wildlife ☐ Recreation

☐ Irrigation

○ Sprinkler (type) ____________________ ○ Contour Ditch ○ Border Dike

○ Waterspreading / Spreader Dike

○ Other____________________

○ Crop to be grown:____________________

☐ Other Purpose ____________________

9. **SUPPLEMENTAL WATER RIGHTS**

☐ If this application is to provide supplemental water to another water right, provide the number of the water right that is being supplemented.

____

☐ Explain why supplemental water is needed and how the water rights will be collectively operated. ______________

____

____

10a. PLACE OF USE

(a) Geocode of the place of use (17 digits) ____________________

If there are multiple places of use, list the geocode for each parcel on an attached sheet. The geocodes can be found at the County Clerk and Recorders Office or by visiting http://gis.mt.gov/.

(b) Irrigation / Lawn & Garden

County ____________________ Subdivision Name ____________________

____ Acres ____ Lot ____ Block ____ 1/4 ____ 1/4 ____ 1/4 Sec ____ Twp ____ N/S Rge ____ E/W

____ Acres ____ Lot ____ Block ____ 1/4 ____ 1/4 ____ 1/4 Sec ____ Twp ____ N/S Rge ____ E/W

____ Acres ____ Lot ____ Block ____ 1/4 ____ 1/4 ____ 1/4 Sec ____ Twp ____ N/S Rge ____ E/W

____ Acres ____ Lot ____ Block ____ 1/4 ____ 1/4 ____ 1/4 Sec ____ Twp ____ N/S Rge ____ E/W

____ Acres ____ Lot ____ Block ____ 1/4 ____ 1/4 ____ 1/4 Sec ____ Twp ____ N/S Rge ____ E/W

____ Total Acres

10b. PLACE OF USE

(c) Non-Irrigation

(i) Purpose of Use ____________________ Place of use same as Point of Diversion, **CHECK** ☐

____ 1/4 ____ 1/4 ____ 1/4 Sec ____ Twp ____ N/S Rge ____ E/W County ____________

Lot ________ Block ________ Tract # ________ Government Lot ____________

(ii) Purpose of Use ____________________ Place of use same as Point of Diversion, **CHECK** ☐

____ 1/4 ____ 1/4 ____ 1/4 Sec ____ Twp ____ N/S Rge ____ E/W County ____________

Lot ________ Block ________ Tract # ________ Government Lot ____________

11. FLOW RATE, VOLUME, CONSUMPTIVE VOLUME, PURPOSE OF USE, AND PERIOD OF USE

____ (cfs/gpm) up to ____ acre-feet (diverted) and ____ acre-feet (consumed) for ____________ purpose

Period of use: (month/day) ________ to (month/day) ______

____ (cfs/gpm) up to ____ acre-feet (diverted) and ____ acre-feet (consumed) for ____________ purpose

Period of use: (month/day) ________ to (month/day) ______

____ (cfs/gpm) up to ____ acre-feet (diverted) and ____ acre-feet (consumed) for ____________ purpose

Period of use: (month/day) ________ to (month/day)

Total Amount Requested ____ (cfs/gpm) up to ______ acre-feet per year (diverted) and ______ acre feet per year (consumed)

12. GENERAL PROJECT PLAN & PROPOSED COMPLETION PERIOD

What year will the project completed and all of the water put to beneficial use? ________

Explain why this amount of time is requested. Include information about the cost, magnitude, complexity, or any other reason for the time period requested. ____________________

Generally identify what will be completed and how much water will be put to use during each year until the project is completed.

13. LOCATION MAP Must be included

A map showing the following items must accompany this application. A USDA aerial photo or USGS topographic map must be used.

a) Section Corners and Numbers
b) Township and Range Numbers
c) Point of Diversion
d) Place of Use (Subdivision, Irrigated Acres, Stock Tanks, etc.)
e) Location of Ditch, Pipeline, etc.

14. REMARKS (Provide any additional information to explain the proposed appropriation.)

____

____

____

15. CONTACT PERSON Who should we contact with questions about this application?

☐ Check, if same as applicant ☐ Check, if contact is an attorney

Name of Contact ____________________ Title ________

Mailing address ____________________________

City or Town ________________ State _____ Zip ________

Phone ________________ Email address ________________

NOTE: If a contact person is identified as an attorney, all communication will be sent only to the attorney unless the attorney provides written instruction to the contrary. If a contact person is identified as a consultant, employee, or lessee, the individual filing the water right form or objection form will receive all correspondence and a copy may be sent to the contact person.

16. AFFIDAVIT

I affirm the information provided for this application is to the best of my knowledge true and correct. I also affirm I have possessory interest or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use and if applicable, exclusive property rights in the groundwater development or the written consent of the person with those rights.

☐ Attach a copy of written consent from the person with possessory interest.

Applicant's Signature ________________________ Date __________

________________________ Date __________

State of Montana
County of ________________

Signed or acknowledged before me on ____________ by ____________________

Notary's Signature ____________________

Notary's Name (Printed) ____________________

Notary public for the State of ________________

Residing at ____________________

Affix Notarial Seal/Stamp Above

My commission expires ____________________

EXHIBIT B

ADDENDUM B
FLATHEAD RESERVATION GROUNDWATER
MINIMUM AQUIFER TESTING REQUIREMENTS

Use the information below to guide the required aquifer test and reporting requirements if proposing to appropriate from a ground water well. Variation from these requirements must be approved by the Water Engineer.

On a separate attachment, provide the information requested below.

1) Constant pumping rate greater than or equal to the requested pumping rate
    a. Duration according to requested rate and/or volume:
        i. 24 hours for up to 150 gpm up to 50 acre-feet annually
        ii. 72 hours for over 150 gpm or over 50 acre-feet annually

2) Report data on electronic spreadsheet form

3) Recorded data from one or more observation wells in source aquifer located close enough to the production well so that drawdown is measurable and can be analyzed

4) Record water levels with 0.01-foot precision

5) Record water levels 48 hours prior to test start and correct for trend if present

6) Record discharge measurements and pumping and recovery water levels at intervals specified on electronic spreadsheet form

7) Discharged water must be conveyed a sufficient distance from the production and observation wells to prevent recharge to the aquifer during the test

8) Aquifer tests in more complex settings such as fractured rock will need to be of longer duration (7 days) and include additional observation wells as agreed upon between applicant and Water Engineer

9) Location Map of production well(s) and all observation wells

IN THE WATER COURT OF THE STATE OF MONTANA
CONFEDERATED SALISH AND KOOTENAI TRIBES COMPACT

IN THE MATTER OF THE ADJUDICATION)
OF EXISTING AND RESERVED RIGHTS)
TO THE USE OF WATER, BOTH SURFACE) **CASE NO. WC-201_-_**
AND UNDERGROUND, OF THE)
CONFEDERATED SALISH AND KOOTENAI)
TRIBE OF INDIANS OF THE STATE OF)
MONTANA)

PRELIMINARY DECREE

THIS MATTER is before the Court on the joint motion of the State of Montana ("State"), the Confederated Salish and Kootenai Tribes ("Tribes"), and the United States of America on behalf of the Tribe ("United States") for the entry of a Preliminary Decree confirming the water rights of the Tribes as recognized in the State of Montana – Confederated Salish and Kootenai Tribes Water Rights Compact of 2015 ("Compact"). The Compact is found at Mont. Code Ann. 85-20-___. The Montana legislature approved the Compact in 2015; the United States Congress approved the Compact in 20__and the Tribes ratified the Compact in 20__.

The Court has jurisdiction over this matter and enters this Preliminary Decree pursuant to Mont. Code Ann. 3-7-224, 85-2-231, and 85-2-702(3). Article VII.B.2 of the Compact provides that the Preliminary Decree shall include the entire Compact for purposes of notice and it is attached hereto as Decree Appendix 1. The Compact further provides that the Water Court's review of the Compact is limited to the parts of the Compact that determine the Tribes' water rights and their administration. See Compact, Article VII.B.2 in Decree Appendix 1. The Tribes, the State and the United States have in furtherance of Article VII.B.2 extracted the relevant provisions of Articles III and IV of the Compact that, along with the abstracts of water rights attached hereto as Decree Appendix 2[1] and Decree Appendix 3[2], would comprise the Final Decree of the Tribes' water rights. These provisions of Articles III and IV of the Compact are reproduced below in Parts I through III of this Preliminary Decree. These provisions, along with the abstracts of water rights that are attached hereto as Decree Appendix 2 and Decree Appendix 3 specifically delineate the elements of the rights set forth in Article III of the Compact, that will be reviewed by the Court in this proceeding and that shall constitute the Tribes' water rights in a Final Decree.

Upon hearing the motion, the evidence presented, arguments of counsel, and being otherwise fully advised in the premises, the Court has determined that the motion should be GRANTED and it is hereby ORDERED, ADJUDGED AND PRELIMINARILY DECREED that the water rights quantified in the Compact are as follows:

Part I. Definitions.

Unless otherwise defined herein, capitalized terms used in this Preliminary Decree shall have the meaning set forth in the Compact.

Part II. Holders and Use of the Water Rights of the Tribes.

A. Holders of the Water Rights of the Tribes.

1. The Tribal Water Right shall be held in trust by the United States for the benefit of the Tribes, their members and Allottees.[3] The name and mailing address of the holders of these rights are: The United States of America in trust for the Confederated Salish and Kootenai Tribes of Indians, c/o Regional Director, Bureau of Indian Affairs, Pacific Northwest Regional Office, 911 N.E. 11th Avenue, Portland,

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[1] Decree Appendix 2 is comprised of the Compact appendices for the Tribal Water Right.

[2] Decree Appendix 3 is comprised of Compact appendices for those Water Rights Arising Under State Law owned by the Tribes in whole or in part that are set forth in Article III.D.4.a.i and III.D.5 of the Compact.

[3] This sentence is copied from Article IV.A of the Compact. The other ownership information in this Part II.A is taken from the relevant abstracts of the rights that are included in Decree Appendices 2 and 3.

Oregon, 97232-4169; Tribal Chairman, Confederated Salish and Kootenai Tribes of Indians, P.O. Box 278, Pablo, Montana 59855-0278.

2. For those Water Rights Arising Under State Law owned exclusively by the Tribes, the name and mailing address of the holder of the rights is: Tribal Chairman, Confederated Salish and Kootenai Tribes of Indians, P.O. Box 278, Pablo, Montana 59855-0278.

3. For those water rights co-owned by the Tribes and the Montana Fish Wildlife and Parks, the name and mailing address of the holders of the rights are: Tribal Chairman, Confederated Salish and Kootenai Tribes of Indians, P.O. Box 278, Pablo, Montana 59855-0278; Montana, State Dept of Fish Wildlife & Parks, P.O. Box 200701, Helena, Montana 59620-0701.

4. For those Water Rights Arising Under State Law co-owned by the Tribes and the United States Fish and Wildlife Service as part of the Tribal Water Right, the name and mailing address of the holders of the rights are: Tribal Chairman, Confederated Salish and Kootenai Tribes of Indians, P.O. Box 278, Pablo, Montana 59855-0278; USA (Department of the Interior Fish & Wildlife Service), Denver Federal Center, P.O. Box 25486, MS #60189, Denver, Colorado 80225-0486.

B. Use of the Water Rights of the Tribes.

1. Persons Entitled to Use the Water Rights of the Tribes.
    a. The Tribal Water Right may be used by the Tribes, their Members, Allottees, or their lessees or assigns. FIIP customers who have assessed land within the FIIP who are in compliance with the applicable BIA rules and guidelines are

entitled to have delivered an equitable share of the FIIP Water Use Right as provided by Article IV.D.2.

b. The Water Rights Arising Under State Law of the Tribes set forth in Article III of the Compact that are owned exclusively by the Tribes may be used by the Tribes, or their lessees or assigns.

c. The Water Rights Arising Under State Law of the Tribes set forth in Article III of the Compact that are co-owned by the Tribes and Montana Fish Wildlife and Parks, or co-owned by the Tribes and the United States Fish and Wildlife Service, may be used by their owners.

2. Effect of Non-Use of the Tribal Water Right. Non-use of all or any portion of the Tribal Water Right described in Article III shall not constitute a relinquishment, forfeiture, or abandonment of such right.[4]

Part III. Water Rights of the Tribes.

The following provisions, except where noted in brackets, are as set forth in Article III.A through III.H of the Compact.

A. Religious and Cultural Uses. The Tribal Water Right described in this [Part] III [of this Decree] includes all traditional, religious, or cultural uses of water by members of the Confederated Salish and Kootenai Tribes within Montana. Individual exercises of traditional cultural or religious uses are exempt from the Registration process contained in the Law of Administration. [As these uses are non-administrable, these rights do not have abstracts of water right associated with them.]

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[4] Parts II.B.1.a and B.2 are copied from Article IV.B.1 and B.2 of the Compact. Parts II.B.1.b-c are based on relevant parts of Article III of the Compact and the associated abstracts.

B. Abstracts of Water Right. Abstracts of water right appended to this [Decree] are a substantive element of this [Decree]. [Second and third sentences omitted as unnecessary for this Decree.]

C. Basins 76L and 76 LJ and Flathead Indian Irrigation Project Irrigation Water Diversions from Basins 76F and 76N.

1. Quantification.

a. Flathead Indian Irrigation Project. The Tribes have the right to water that is supplied to the Flathead Indian Irrigation Project to be used for such purposes in such volumes and flow rates and from such sources of supply as identified in abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 5. The FIIP will serve up to, but not more than 135,000 acres. The exercise of this portion of the Tribal Water Right is subject to [Part] IV.D through IV.F [of this Decree].

The priority date for the portion of the Tribal Water Right used by the FIIP is July 16, 1855.

b. Existing Uses by the Tribes, their Members and Allottees.

i. The Tribal Water Right includes all existing uses by the Tribes, their members and Allottees that are not Water Rights Arising Under State Law and are not otherwise specifically quantified in other sections of this [Part] III [of this Decree].

ii. Water Rights Arising Under State Law held by the Tribes, their Members and Allottees will be satisfied pursuant to their own terms as finally decreed by the Montana Water Court or permitted by the DNRC.

iii. For each existing use identified in [Part] III.C.1.b.i [of this Decree] to be valid and enforceable, the Tribes, or each Tribal member or Allottee claiming such an existing use shall complete the process for the registration of uses of the Tribal Water Right set forth in the Law of Administration. Such uses include but are not limited to irrigation, Stock Water, domestic, commercial, municipal and industrial, as well as those historically irrigated allotments that are held by individuals in trust by the United States that are not served by the FIIP that are identified on the map and table attached to [the Compact] as Appendix 6.

iv. Uses of the Tribal Water Right for which abstracts are appended to this [Decree], including uses on the FIIP, are exempt from the registration requirement set forth in [Part] III.C.1.b.iii [of this Decree].

v. The priority date for water uses registered pursuant to [Part] III.C.1.b.iii [of this Decree] and the Law of Administration is July 16, 1855.

c. Flathead System Compact Water. The Tribes have a direct flow water right from the Flathead River with the following elements:

Source of Water: Flathead River

Point of Diversion: From Flathead Lake or the Flathead River, either on or off of the Reservation

Purpose: Any beneficial use

Diversion Volume: 229,383 Acre-feet per year

Depletion Volume: 128,158 Acre-feet per year

Period of Diversion and Depletion: January 1 through December 31

i. [As provided for in the Federal legislation ratifying the Compact and as] part of the Tribal Water Right quantified in [Part] III.C.1.c [of this Decree], the Tribes [have] an allocation of 90,000 Acre-feet per year, as measured at the Hungry Horse Dam, of storage water in Hungry Horse Reservoir.

ii. This water right shall be used in a manner that ensures impacts associated with the exercise of this water right are such that those impacts are no greater than those identified in model run: Natural Q + 90K of the United States Bureau of Reclamation's Final Flathead Basin Depletions Study (USBR, October 2012), appended [to the Compact] as Appendix 7. In the event that the impacts exceed those identified in model run: Natural Q + 90K of the United States Bureau of Reclamation's Final Flathead Basin Depletions Study, the use of the water right set forth in this [Part] III.C.1.c [of this Decree] shall be reduced in such amounts as are necessary to immediately achieve impacts that are no greater than those identified in model run: Natural Q + 90K of the United States Bureau of Reclamation's Final Flathead Basin Depletions Study.

iii. The releases of the stored water identified in [Part] III.C.1.c.i [of this Decree] shall be limited in accordance with the "Biological Impact Evaluation and Operational Constraints for a proposed 90,000 Acre-foot withdrawal" (State of Montana, September 14, 2011) appended [to the Compact] as Appendix 8. The Parties upon mutual written agreement, and in conformance with other applicable provisions of law including but not limited to the Endangered Species Act of 1973, 16 U.S.C. 1531, *et seq.*, may amend the Biological Impact Evaluation Constraints identified in the September 14, 2011 report. Such amendments are pursuant to, and shall not be deemed a modification or amendment of, [the] Compact.

iv. The exercise of this water right shall conform with the minimum instream flow schedules, as measured at the USGS gaging station on the Flathead River at Columbia Falls (12363000) and the USGS gaging station on the Flathead River at Polson (12372000) as identified in Tables 3 through 6 of the United States Bureau of Reclamation's Final Flathead Basin Depletions Study, as well as the minimum flow requirements set forth in Table 5 must also be met downstream at USGS gaging station on the Flathead River at Perma (123887000). The exercise of this water right shall also conform to the ramping rates, as measured below Kerr and Hungry Horse Dams, and identified in Tables 3 through 6 of the United States Bureau of Reclamation's Final Flathead Basin Depletions Study. In the event that the minimum instream flow schedules or ramping rates are not met, the use of the water right set forth in [Part] III.C.1.c [of this Decree] shall be suspended until such time as those minimum instream flow schedules and ramping rates are achieved. The Parties upon mutual written agreement, and in conformance with applicable Endangered Species Act and Federal Energy Regulatory Commission licensing requirements for the three previously identified sites, may amend the limitations for releases from Hungry Horse Reservoir that are required to conform with minimum instream flow and ramping rate schedules at these sites. Such amendments are pursuant to, and shall not be deemed a modification or amendment of, [the] Compact.

v. The exercise of this water right shall also conform with the Flathead Lake filling criteria identified on page 12 of the United States Bureau of Reclamation's Final Flathead Basin Depletions Study.

vi. The Tribes may use any amount of the stored water identified in [Part] III.C.1.c.i [of this Decree] that is not necessary to be released each year pursuant to the provisions of [Parts] III.C.1.c.ii-v [of this Decree], for any beneficial purpose, subject to the terms and conditions of this Compact, including the total diversion and depletion volumes associated with the water right set forth in [Part] III.C.1.c [of this Decree].

vii. Use of the 90,000 Acre-feet of water from Hungry Horse Reservoir is subject to the approval of, and any terms and conditions specified by, Congress.

viii. The priority date for Flathead System Compact Water is July 16, 1855.

ix. Any development by the Tribes of this Flathead System Compact Water Right outside the boundaries of the Reservation shall be pursuant to [Part] IV.B.[3 of this Decree].

x. The abstract of water right for this Flathead System Compact Water Right is attached hereto as [Decree Appendix 2 and Compact] Appendix 9.

d. Instream Flow Rights on Reservation.

i. **Natural Instream Flows.** The Tribes have Instream Flow rights in the quantities and locations identified in the abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 10.

ii. **FIIP Instream Flows.** The Tribes have Instream Flow rights in the quantities and locations identified in the abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 11. The exercise of these rights is subject to [Part] IV.C [of this Decree].

iii. **Other Instream Flows.** The Tribes have Instream Flow rights in the quantities and locations identified in the abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 12. The Tribes shall defer the enforcement of each of these rights until an enforceable flow schedule for that right has been established pursuant to the process set forth in the Law of Administration for the development of such enforceable schedules.

iv. **Interim Instream Flows.** Until such time as the Instream Flow water rights set forth in [Part] III.C.1.d.ii [of this Decree] become enforceable, the Tribes shall be entitled to enforce those interim instream flows established pursuant to *Joint Board of Control v. United States*, 832 F.2d 1127, *cert. denied,* 486 U.S. 1007 (1988), in any stream subject to those interim instream flows. These interim instream flows are identified in the document attached [to Compact] Appendix 13. The Tribes and the United States shall enforce these interim instream flows only pursuant to existing practice as of December 31, 2014, as described in the protocols attached [to the Compact] as Appendix 14. If operational or other improvements agreed to by the Tribes and Project Operator lead to greater interim instream flows, then those instream flows will also be enforceable only pursuant to existing practice as December 31, 2014, as described in the protocols attached [to the Compact] as Appendix 14. Once the Instream Flow water rights set forth in [Part III.C.1.d.ii of this Decree] become enforceable for any stream identified in this [Part III.C.1.d.iv of this Decree], the interim instream flow for that stream shall cease to be effective in the relationship identified in [Compact] Appendix 13.

v. The priority date for the Instream Flow water rights set forth in this [Part] III.C.1.d [of this Decree] is time immemorial.

e. Minimum Reservoir Pool Elevations in Flathead Indian Irrigation Project Reservoirs.

i. The Tribes have the right to water necessary to maintain minimum pool water levels for FIIP reservoirs in the quantities and locations set forth in the table and abstracts of water right appended hereto as [part of Decree Appendix 2 and Compact] Appendix 15. The exercise of this portion of the Tribal Water Right is subject to [Part] IV.C. and E. and superseding federal law allowing for regulation of reservoir elevations.

ii. The Minimum Reservoir Pool Elevations will become enforceable on the schedule according to the schedule attached [to the Compact] as Appendix 3.4.

iii. The priority date for the water rights set forth in [Part] III.C.1.e [of this Decree] is July 16, 1855.

iv. Until such time as the minimum pool water elevations set forth in [Part] III.C.1.e. become enforceable, the Tribes shall be entitled to enforce those interim reservoir pool elevations identified [Compact]Appendix 13. The Tribes and the United States shall enforce these interim reservoir pool elevations only pursuant to [Compact] Appendix 13 or existing practice as of December 31, 2014, and subject to superseding federal law allowing for regulation of reservoir elevations.

f. Wetland Water Right. The Tribes have the right to all naturally occurring water necessary to maintain the Wetlands identified in the abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 16.

The priority date for the Wetlands water rights set forth in [Part] III.C.1.f [of this Decree] is time immemorial.

g. High Mountain Lakes Water Right. The Tribes have the right to all naturally occurring water necessary to maintain the High Mountain Lakes identified in the abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 17.

The priority date for the High Mountain Lakes water rights set forth in [Part] III.C.1.g [of this Decree] is time immemorial.

h. Flathead Lake. The Tribes have the right to all naturally occurring water necessary to maintain the level of the entirety of Flathead Lake at an elevation of 2883 feet above mean sea level as described in the abstract of water rights attached hereto as [part of Decree Appendix 2 and Compact] Appendix 18.

The priority date for the water right set forth in [Part] III.C.1.h [of this Decree] is time immemorial.

i. **Boulder Creek Hydroelectric Project.** The Tribes have the right to water necessary to operate the Boulder Creek Hydroelectric Project as identified in the abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 19.

The priority date for the Boulder Creek Hydroelectric Project water right set forth in [Part] III.C.1.i [of this Decree] is July 16, 1855.

j. **Hellroaring Hydroelectric Project.** The Tribes have the water right to water necessary to operate the Hellroaring Hydroelectric Project as identified in the abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 20.

The priority date for the Hellroaring Hydroelectric Project water right set forth in [Part] III.C.1.j [of this Decree] is July 16, 1855.

k. **Wetlands Appurtenant to Lands Owned by Montana Fish Wildlife and Parks.** The Tribes and MFWP have the right to all naturally occurring water necessary to maintain the Wetlands identified in the abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 21.

The priority date for Wetland water rights appurtenant to lands owned by MFWP is time immemorial. [The remainder of the provisions of Compact Article III.C.1.k omitted as unnecessary for this Decree.]

l. **Wetlands Appurtenant to Lands Owned by Department of Interior Fish and Wildlife Service.** The Tribes and DOI FWS have the right to all naturally occurring water necessary to maintain the Wetlands identified in the abstracts of water right attached as [part of Decree Appendix 2 and Compact] Appendix 23.

The priority date for Wetland water rights appurtenant to lands owned by DOI FWS is time immemorial. [The remainder of the provisions of Compact Article III.C.1.l omitted as unnecessary for this Decree.]

D. Instream Flow Water Rights Off of the Reservation.

1. **Mainstem Instream Flow Right in the Kootenai River (Basin 76D).** The Tribes have an Instream Flow water right for the mainstem of the Kootenai River for the reach and with the associated flow rates set forth in the abstract of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 25. The measurement point for this water right is USGS streamflow gage #12305000 located at Leonia, Idaho.

    a. The priority date for this water right is time immemorial.

    b. The period of use of this water right is January 1 to December 31 of each year.

    c. The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

    d. The point of diversion and place of use for this water is instream. This water right shall not be exercised in conjunction with any artificial diversion.

    e. The ability to enforce this right shall be suspended so long as Libby Dam remains in existence and the Army Corps of Engineers' operations of that dam are conducted consistently with the 2008 Federal Columbia River Power System Biological Opinion, and the 2010 updated Biological Opinion, specifically as described in Reasonable and Prudent Alternative Action (RPA) No. 4 (Storage Project Operations), Table No. 1 (Libby Dam), including the Northwest Power and Conservation Council's 2003 mainstem amendments to the Columbia River Basin Fish and Wildlife Program, or any subsequent Biological Opinion(s) governing the same RPAs and Operations.

f. In the event of changes to the U.S. Army Corps of Engineers' (Corps) responsibilities under the Endangered Species Act of 1973, 16 U.S.C. 1531, *et seq.* (ESA), such as the delisting of resident and anadromous fish species, that no longer require the Corps to operate Libby Dam pursuant to ESA section 7 biological opinions or other substantive ESA requirements, the United States, acting through the Corps, the Tribes, and the State shall establish written protocols and understandings on meeting and enforcing the Tribes' mainstem Instream Flow right in the Kootenai River while also ensuring that the Corps' operations of Libby Dam meet all Federal statutory and regulatory requirements and obligations. Provided however, that any such enforcement protocol shall not alter the limitations on Call set forth in [Part] III.D.1.g. [of this Decree].

g. Should the suspension on enforcement set forth in [Part] III.D.1.e [of this Decree] be lifted due to the removal of Libby Dam, this water right may be exercised to make a Call only against junior users whose point of diversion is from the mainstem of the Kootenai River and not its tributaries, the purpose of whose rights is irrigation and whose source of supply is surface water, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater that is connected to the mainstem of the Kootenai River, and whose flow rate is greater than 100 gallons per minute.

h. Call may be made only when the average daily flow drops below the enforceable level for the previous 24-hour period.

2. Mainstem Instream Flow Right in the Swan River (Basin 76K). The Tribes have an Instream Flow water right for the reach of the mainstem of the Swan River with the associated flow rates set forth in the abstract of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 26. The measurement point for this water right is USGS streamflow gage #12370000 located immediately below Swan Lake near Big Fork, Montana.

a. The priority date for this water right is time immemorial.

b. The period of use of this water right is January 1 to December 31 of each year.

c. The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

d. The point of diversion and place of use for this water right is instream. This water right shall not be exercised in conjunction with any artificial diversion.

e. The Tribes, and/or the United States on behalf of the Tribes, shall be entitled to make a Call to enforce this water right only against junior users the purpose of whose rights is irrigation and whose source of supply is surface water, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater connected to surface sources in Basin 76K and whose flow rate is greater than 100 gallons per minute.

f. Call may be made only when the average daily flow drops below the enforceable level for the previous 24-hour period.

3. **Mainstem Instream Flow Right in the Lower Clark Fork River (Basin 76M and 76N).** The Tribes have a 5000 cfs Instream Flow water right for the reach of the mainstem of the Clark Fork River as set forth in the abstract of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 27. The measurement point for this water right is USGS streamflow gage #12391950 located immediately below Cabinet Gorge Dam in Idaho.

   a. The priority date for this water right is time immemorial.

   b. The period of use of this water right is January 1 to December 31 of each year.

   c. The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

   d. The point of diversion and place of use for this water right is instream. This water right shall not be exercised in conjunction with any artificial diversion.

   e. The Tribes, and/or the United States on behalf of the Tribes, shall be entitled to make a Call to enforce this water right only against junior users whose point of diversion is from the mainstem of the Clark Fork River and not its tributaries, the purpose of whose rights is irrigation and whose source of supply is surface water, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater connected to the mainstem of the Clark Fork River and whose flow rate is greater than 100 gallons per minute.

f. Call may be made only when the average daily flow drops below the enforceable level for the previous 24-hour period.

g. For so long as the Cabinet Gorge and Noxon Dams remain in existence, the enforceable level of this right is a flow rate equal to the lesser of 5000 cfs or the minimum flow level established by the FERC as a condition on the license for the Cabinet Gorge and Noxon Dams as that license condition may be modified over time.

4. Co-ownership of Instream and Public Recreation Water Rights Held by MFWP.

a. Upon the Effective Date, the Tribes shall be added as a co-owner with MFWP of the Water Rights Arising Under State Law held by MFWP for Instream Flow and recreation purposes that are identified on the tables attached [to the Compact] as Appendix 28 and Appendix 29. Nothing in this co-ownership changes any of the other elements of these Water Rights Arising Under State Law, including their priority dates or flow rates.

i. The Water Rights Arising Under State Law identified in Appendix 28 [to the Compact and the abstracts of which are attached hereto as Decree Appendix 3] shall be included as part of the proposed decree to be filed with the Montana Water Court pursuant to Article VII.B.1 [of the Compact].

ii. The Water Rights Arising Under State Law identified in Appendix 29 [to the Compact] shall proceed through the Montana General Stream Adjudication as though they were not included in this Compact. [Two sentences omitted as unnecessary for this Decree.]

b. [Omitted as unnecessary for this Decree]

5. Co-ownership of Water Right Number 76M 94404-00 (Milltown Dam) in Basin 76G (Upper Clark Fork).

a. Upon the date the ratification of this Compact by the Montana legislature becomes effective under State law, Water Right Arising Under State Law number 76M 94404-00 is changed as follows: the right is split into two separate active and enforceable Water Rights Arising Under State Law, 76M 94404-01 and 76M 94404-02, and the original water right elements shall be changed to support the maintenance and enhancement of fish habitat and shall take the form of two enforceable hydrographs. The elements of the changed and split water right are set forth in the two water rights abstracts attached hereto as [part of Decree Appendix 3 and Compact] Appendix 30. The measurement point for 76M 94404-01 is the USGS gage #12334550 at Turah, Montana, and the measurement point for 76M 94404-02 is the USGS gage #1234000 at Bonner, Montana.

i. The period of use of these water rights is January 1 to December 31 of each year.

ii. The point of diversion and place of use for these water rights is instream.

iii. These water rights shall not be exercised in conjunction with any artificial diversion.

iv. MFWP, and the Tribes after they become co-owners, and subject to the limitation on enforcement set forth in [Part III.D.5.c, of this Decree] shall be entitled to make a Call to enforce these water rights only against junior users the purpose of whose rights is irrigation and whose source of supply is surface water, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater and whose flow rate is greater than 100 gallons per minute.

v. The enforceable levels of these water rights are identified in the table attached hereto as [part of Decree Appendix 3 and Compact] Appendix 31. The minimum enforceable level of this right is 700 cfs at the location of USGS gage #1234000 at Bonner, and 500 cfs at the location of USGS gage #12334550 at Turah.

vi. Call may be initiated on the day following a five-consecutive-day-period where four out of five average daily river flows fall below their respective daily enforceable hydrograph values; Call may persist until such time as two average daily flows of the previous five-consecutive-day-period are in excess of their respective enforceable hydrograph's values.

b. Upon the Effective Date, the Tribes shall be a co-owner with MFWP of these water rights. As co-owners, the Tribes and MFWP shall meet and confer on a biennial basis, or on such other timeframe as the Tribes and MFWP may mutually agree to, regarding the exercise of these rights, with a goal of establishing a joint plan for the exercise of this right. The establishment of such a plan is pursuant to, and shall not be deemed an amendment of, this Compact. Notwithstanding this planning process, the Tribes and MFWP each retains the unilateral right to exercise these water rights as each deems appropriate, but neither the Tribes nor MFWP has any affirmative duty to take any particular action in regard to the exercise of this right.

c. The ability to enforce these rights shall be suspended for a period of 10 years from the date the ratification of [the] Compact by the Montana legislature becomes effective under State law. During and after this period, the Tribes and MFWP shall engage with other stakeholders in the Upper Clark Fork Basin on water management subjects including, but not limited to, drought planning and the exercise of this water right in conjunction with the other water rights in the Basin.

d. For any analysis of the legal availability of water in the Upper Clark Fork Basin, these rights shall be considered to have a year-round flow rate of 2000 cfs as measured at the location of USGS gauge #12340500 below the confluence of the Blackfoot and Clark Fork Rivers.

e. No owner of these water rights, acting independently or jointly, shall be entitled to lease, sell or change the purpose of these water rights.

f. The Water Rights Arising Under State Law identified in [Part III.D.5 of this Decree] shall be finally decreed as part of the decree of this Compact that will be proposed to the Montana Water Court pursuant to Article VII.B [of the Compact].

6. **Contract Rights to Stored Water Held by MFWP in Basin 76H (Bitterroot).** [Omitted as unnecessary for this Decree.]

7. **Instream Flow Right on the North Fork of Placid Creek (Basin 76 F).** The Tribes have the Instream Flow water right for the upper reach of the North Fork of Placid Creek with the associated flow rates set forth in the abstract of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 35. The measurement point for this water right shall be within the main channel of the North Fork of Placid Creek, below the North Fork Placid Creek FIIP Diversion as located within the SE ¼ of the NW ¼ of the SE ¼ of Section 29 in Township 17 North Range 16 West.

   a. The priority date for this water right is time immemorial.

   b. The period of use of this water right is January 1 to December 31 of each year.

   c. The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

   d. The point of diversion and place of use for this water right is instream. This water right shall not be exercised in conjunction with any artificial diversion.

   e. The Tribes, and/or the United States on behalf of the Tribes, shall be entitled to make a Call to enforce this water right only against junior users the purpose of whose rights is irrigation and whose source of supply is surface water of Placid Creek, or against junior users the purpose of whose rights is irrigation, whose source of supply is Groundwater connected to Placid Creek and whose flow rate is greater than 100 gallons per minute.

f. Call may be made only when the average daily flow drops below the enforceable level for the previous 24-hour period.

8. **Instream Flow Rights on Kootenai River Tributaries (Basin 76D).** The Tribes have Instream Flow water rights for the reaches of the Kootenai River tributaries Big Creek, Boulder Creek, Steep Creek and Sutton Creek, with the associated flow rates set forth in the abstracts of water right attached hereto as [part of Decree Appendix 2 and Compact] Appendix 36.

a. The priority date for this water right is time immemorial.

b. The period of use of this water right is January 1 to December 31 of each year.

c. The purpose of this water right is for the maintenance and enhancement of fish habitat to benefit the instream fishery. This right shall not be changed to any other or additional purpose, changed to consumptive use, or transferred to different ownership.

d. The point of diversion and place of use for this water right is instream. This water right shall not be exercised in conjunction with any artificial diversion.

e. Existing water rights held by the United States Forest Service pursuant to the United States Forest Service-Montana Water Rights Compact 85-20-1401, MCA shall not be subject to Call by the Tribes and/or the United States on behalf of the Tribes.

f. The recognition of the Instream Flow water rights in this Article III.D.8 does not confer on the Tribes any authority over the management of National Forest System lands within Basin 76D, or any claim to ownership or other rights in that land. With the exception of future diversionary uses by the

United States on National Forest System lands in excess of the Forest Service's existing or future reserved rights identified in Article III.D.8.e above, the Tribes hold the United States harmless for delivery of water or maintenance of flows to meet this instream flow right in Basin 76D.

E. **Period of Use.** The period of use of the Tribal Water Right set forth in [Part] III [of this Decree] shall be January 1 to December 31 of each year, provided however, that any portion of that water right that is dedicated to seasonal use, including irrigation use, shall have a period of use as set forth in the abstracts attached [to the Compact] as Appendix 5 or as set forth in the registration of such right pursuant to the Law of Administration, as applicable. . [The period of use of any Water Right Arising Under State Law owned exclusively by the Tribes or by the Tribes jointly with Montana Fish Wildlife and Parks or with the United States Fish and Wildlife Service shall be the period identified on the abstract of water right for that particular right as set forth in Appendix 3 of this Decree.]

F. **Points and Means of Diversion.** The points and means of diversion for use of the Tribal Water Right [or any Water Right Arising Under State Law owned exclusively by the Tribes or by the Tribes jointly with Montana Fish Wildlife and Parks or with the United States Fish and Wildlife Service] set forth in this [Part]III [of this Decree] are as set forth in the abstracts of water rights attached to this [Decree as part of either Decree Appendix 2 or Decree Appendix 3] or as may be provided for under the Law of Administration.

G. **Call Protection.**

1. **Non-Irrigators.** The Tribes, on behalf of themselves and the users of any portion of the Tribal Water Right set forth in this [Decree], and the United States agree to relinquish their right to exercise the Tribal Water Right to make a Call against any

Water Right Arising Under State Law whose purpose(s) do(es) not include irrigation.

2. **Groundwater Irrigators with Flow Rates Less Than 100 Gallons Per Minute.** The Tribes, on behalf of themselves and the users of any portion of the Tribal Water Right set forth in this [Decree] and the United States agree to relinquish their right to exercise the Tribal Water Right to make a Call against any Water Right Arising Under State Law whose purpose is irrigation and whose source of supply is Groundwater and whose flow rate is less than or equal to 100 gallons per minute.

3. **Irrigators Within the FIIP Influence Area.**

    a. The Tribes, the United States, and the Project Operator agree to relinquish their right to exercise the Tribal Water Right to make a Call against that portion of any Water Right Arising Under State Law identified in [Part] III.G.3.b [of this Decree] that is equal to the quantity of water established as the annual FIIP quota for the current irrigation season, or an equivalent farm delivery amount within the FIIP as implemented by the Project Operator within the applicable RDA Area, or the quantity allowed under a claim decreed by the Montana Water Court or water right granted by the DNRC (an Alternate Value), whose owner enters into a consensual agreement as described in this [Part] III.G.3 [of this Decree].

    b. Water Rights Arising Under State Law whose owners are eligible to enter into consensual agreements as described in this [Part] III.G.3 [of this Decree] are those rights:

        i. whose purpose is irrigation;

ii. whose point(s) of diversion or place(s) of use are within the FIIP Influence Area; and

iii. whose source of supply is surface water; or

iv. whose source of supply is Groundwater and whose flow rate is greater than 100 gallons per minute.

c. The Tribes, the United States, and the Project Operator, agree to enter into the consensual agreement described in this [Part] III.G.3 [of this Decree] with every owner of a Water Right Arising Under State Law described in [Part] III.G.3.b [of this Decree] who wishes to enter into such an agreement. The following conditions shall apply to any such consensual agreement:

i. the owner of a Water Right Arising Under State Law that meets the criteria described in [Part] III.G.3.b [of this Decree] shall measure all diversions, report the measured amount of those diversions to the Project Operator, agree to divert no more water each year than the lesser of the quantity established as the annual FIIP quota or an Alternate Value, and shall not expand water use beyond the terms of the agreement;

ii. the owner of a Water Right Arising Under State Law does not acquire any entitlement to any delivery or diversion of water from the FIIP, whether the water is stored or run of the river, by entering into a consensual agreement as described in this [Part] III.G.3 [of this Decree];

iii. irrigation use pursuant to any Water Right Arising Under State Law whose owner enters into a consensual agreement as set forth in this [Part] III.G.3 [of this Decree] shall be limited to the irrigation season identified annually by the FIIP and to such period of use limitation as may apply to FIIP irrigators;

iv. the method and frequency of measurement of the diversion must be described and occur at a reasonable level of accuracy and frequency to demonstrate that the diversion does not exceed the lesser of the annual FIIP quota for a given irrigation season or an Alternate Value, and;

v. the agreement is permanent and is binding on the heirs and assigns of the owner of each Water Right Arising Under State Law who enters into such agreement.

vi. the agreement is permanent and is binding on the heirs and assigns of the owner of each Water Right Arising Under State Law who enters into such agreement

d. The entering into a consensual agreement as set forth in this [Part] III.G.3 [of this Decree] does not relieve the owner of any claim to a Water Right Arising Under State Law that is at issue in the Montana General Stream Adjudication from the obligation of prosecuting that water right claim through the Montana General Stream Adjudication.

e. If a consensual agreement is entered into among the Tribes, United States, the Project Operator and the owner of a Water Right Arising Under State Law described in this [Part] III.G.3.b [of this Decree] prior to the issuance of the final decree for Water Court Basin 76L and 76 LJ, as applicable, that agreement shall terminate as a matter of law if the claimed Water Right is terminated as a result of proceedings conducted in the Montana General

Stream Adjudication.

f. If a consensual agreement is entered into among the Tribes, the United States, the Project Operator, and the owner of a Water Right Arising Under State Law described in this [Part] III.G.3.b [of this Decree] prior to the issuance of the final decree for Water Court Basin 76L and 76 LJ, as applicable, and such owner has a claim in the Montana General Stream Adjudication that is ultimately decreed a quantity of water for that claim less than the quantity established in the agreement, the consensual agreement shall protect only the lesser amount of water.

g. If the owner of a Water Right Arising Under State Law described in this [Part] III.G.3.b [of this Decree] ceases to use that portion of that water right in excess of the lesser of the annual FIIP quota for a given irrigation season, or an Alternate Value, pursuant to a consensual agreement as set forth in [Part] III.G.3 [of this Decree], pursuant to a consensual agreement as set forth in this [Part] III.G.3.b [of this Decree]:

- **i.** that nonuse does not represent an intent by the owner of that water right to wholly or partially abandon that water right or to not comply with the terms and conditions of that right; and
- **ii.** the period of nonuse may not create or may not be added to any previous period of nonuse to create a presumption of abandonment.

h. Any use of a Water Right Arising Under State Law subject to a consensual agreement described in this [Part] III.G.3 [of this Decree] exceeding the volume of water specified in the consensual agreement shall be subject to Call by the Tribes, the United States, or the Project Operator for that amount of water in excess of the terms of the consensual agreement.

i. A Person who has both an entitlement to the delivery of water from the FIIP and a Water Right Arising Under State Law to serve the same acreage may only protect from Call, by entering into a consensual agreement pursuant to this [Part] III.G.3 [of this Decree], a total quantity of water equal to the lesser of the annual FIIP quota for a given irrigation season, or an Alternate Value, for each irrigation season for each acre served, irrespective of whether the water applied to each acre is pursuant to that Person's FIIP delivery right or that Person's Water Right Arising Under State Law.

4. Water Rights Upstream of the Reservation (Basins 76I, 76J, and 76LJ). The Tribes, on behalf of themselves and the users of any portion of the Tribal Water Right set forth in this [Decree], and the United States agree to relinquish their right to exercise the Tribal Water Right to make a Call against any water right located upstream of the Flathead Reservation in Basins 76I, 76J, and 76LJ, except for those Water Rights Arising Under State Law:

a. whose purpose is irrigation and whose source of supply is surface water, and whose point of diversion is:

i. the mainstem of the Flathead River, including Flathead Lake;

ii. the North Fork of the Flathead River;

iii. the Middle Fork of the Flathead River; or

iv. the South Fork of the Flathead River.

b. Whose purpose is irrigation, whose source of supply is Groundwater connected to one of the sources identified in [Part] III.G.4.a [of this Decree], and whose flow rate is 100 gallons per minute or greater.

- **c.** The Tribes and the United States agree that the Tribal Water Right recognized in the [Decree] may not be exercised to make Call against any Water Right Arising Under State Law upstream of the Flathead Reservation and located on a tributary to the Flathead River not identified in [Part] III.G.4.a [of this Decree].

5. **Water Rights on the Little Bitterroot River Outside the Reservation (Basin 76L).** The Tribes, on behalf of themselves and the users of any portion of the Tribal Water Right set forth in this [Decree], and the United States agree to relinquish their right to exercise the Tribal Water Right to make a Call against any Water Right Arising Under State Law whose point of diversion is outside the Flathead Reservation and whose source of supply is the Little Bitterroot River or its tributaries.

6. Any Water Right Arising Under State Law the purpose of which is irrigation and that is susceptible to Call by the Tribes pursuant to [Parts] III.D.1.g, III.D.2.e, III.D.3.e, III.D.5.a.iv, III.D.7.e, III.G.4.a, or III.G.4.b [of this Decree] whose purpose is changed after the Effective Date to something other than irrigation shall remain susceptible to Call pursuant to the terms and conditions of this [Decree] as though the purpose of the Water Right Arising Under State Law was still irrigation.

H. Water Rights Arising Under State Law Appurtenant to Lands Acquired by the Tribes. For lands acquired by the Tribes within the Reservation, the Tribes have the right to any Water Right Arising Under State Law acquired as an appurtenance to the land. At such time as the acquired land is transferred to trust title status or at the conclusion of the adjudication of the Water Rights Arising Under State Law that are held by the Tribes, whichever is later, the Tribes shall file a Trust Transfer form with the Water Management Board, as provided in the Law of Administration and the water right appurtenant to the land shall be transferred to the Tribal Water Right quantified in this [Decree] with a priority date of July 16, 1855, provided that the Tribes shall continue to use the acquired water right as historically used or may change the use of the acquired water right pursuant to the provisions for change of use set forth in [Part] IV.[A of this Decree] and the Law of Administration.

Part IV. Conditions on Changes and New Development of the Tribal Water Right.[5]

A. Change in Uses of the Tribal Water Right.

Except for those portions of the Tribal Water Right that are not eligible to be changed to another purpose [as set forth in the abstracts of water right for those rights], any user of a portion of the Tribal Water Right who proposes to change such use must seek authorization to change the use of that right. Such applications for authorizations to change use shall be heard and decided by the [Water Management] Board pursuant to Article IV.C.4.b of the Compact and the Law of Administration, provided that the [Water Management] Board may not consider any change application of Flathead System Compact Water unless the applicant has secured the written consent of the Tribal Council to apply for a Change in Use authorization.

B. New Development of the Tribal Water Right.

1. The Tribes, or any Person with authorization from the Tribes, may develop a new use of the Tribal Water Right on the Reservation after the Effective Date. Such development may only proceed upon the issuance of an Appropriation Right for the

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[5] These provisions are copied, except where noted in brackets, from Articles IV.B.4 and 5 of the Compact.

New Development by the [Water Management] Board pursuant to Article IV.C.4.a [of the Compact] and the Law of Administration.

2. The Tribes, or any Person with authorization from the Tribes, may develop a new use of the Flathead System Compact Water Right set forth in [Part] III.C.1.c [of this Decree] off the Reservation after the Effective Date, but only after complying with the provisions of [Part] IV.B.[3 of this Decree].

3. Any new development by the Tribes of a portion of the Tribes' Flathead System Compact Water Right off the Reservation shall be treated as a change in use. The DNRC shall process each change application pursuant to the provisions of 85-2-302, 307-310 and 314, MCA. Prior to developing Flathead System Compact Water for beneficial use off the Reservation, the Tribes must comply with the provisions of subsections (1)-(3) and (8)-(17) of 85-2-402, MCA, as those provisions read on December 31, 2012;

4. In the event that, after the Effective Date, the Montana legislature substantively amends or repeals any of the sections identified in [Part] IV.B.[3 of this Decree], the Tribes and the DNRC shall meet no later than 60 days after the effective date of the State legislative action amending or repealing to determine whether the provisions of State law set forth in [Part] IV.B.[3 of this Decree] or the new provisions of State law shall govern the process for off-Reservation development of new uses of the Flathead System Compact Water Right set forth in [Part] III.C.1.c [of this Decree]. In the event that the Tribes and the DNRC are unable to agree, the provisions of State law indentified in [Part] IV.B.[3 of this Decree] shall remain in effect. Any modification to the provisions of [Part] IV.B.[3 of this Decree] agreed to by the Tribes and the

DNRC in response to future State legislative action shall be pursuant to and not a modification or amendment to [the] Compact.

5. If the Tribes' use of Flathead System Compact Water off the Reservation involves diversion or transportation facilities located off the Reservation, the Tribes shall apply for and obtain all permits, certificates, variances and other authorizations required by State laws regulating, conditioning or permitting the siting, construction, operation, alteration or use of any equipment, device, facility or associated facility proposed to use or transport water, prior to exercising a use of the Flathead System Compact Water Right off the Reservation.

C. Exercise of Certain Portions of the Tribal Water Right Related to the FIIP.

1. **Priority for the Exercise of the FIIP Instream Flow and FIIP Water Use Rights.** Once the water rights described in [Part] III.C [of this Decree] become enforceable, the following relative priorities among those rights shall apply:
   - **a.** Minimum Enforceable Instream Flows.
   - **b.** Minimum Reservoir Pool Elevations.
   - **c.** River Diversion Allowances.
   - **d.** Target Instream Flows.
2. Reallocated Water in excess of Target Instream Flows will be split as equally as hydrologically practicable between the Instream Flow water rights set forth in [Part] III.C.1.d.ii and the FIIP Water Use Right set forth in [Part] III.C.1.a [of this Decree].
3. **MEF and TIF implementation and schedule**. Exercise of FIIP Instream Flow Rights set forth in [Part] III.C.1.d.ii [of this Decree] shall be accomplished through the implementation and enforcement of MEFs and TIFs and is subject to the Shared

Shortage and Adaptive Management provisions set forth in [Part] IV.E and F [of this Decree] and Appendix 3.5 [to the Compact].

a. MEFs and TIFs shall be enforceable at the values set forth in Appendix 3.1 [to the Compact].

b. Implementation and enforceability of MEFs and TIFs.

  i. Incremental implementation of Operational Improvements will result in additional FIIP Instream Flow.

  ii. MEFs and TIFs shall be enforceable following the completion of Operational Improvements according to the schedule attached [to the Compact] as Appendix 3.4.

  iii. Reallocated Water from Rehabilitation and Betterment Projects shall be used to incrementally achieve FIIP Instream Flows set forth in [Part] III.C.1.d.ii [of this Decree].

  iv. If the schedule attached [to the Compact] as Appendix 3.4 cannot be met due to lack of available funding or other circumstances outside of the control of the Parties or Project Operator, the Parties may agree to adjust the schedule as necessary to allow for timely implementation of MEFs and TIFs. [last sentence omitted as unnecessary for this Decree].

  v. If the Project Operator fails to implement the schedule attached [to the Compact] as Appendix 3.4 due to acts, errors, or omissions of the Project Operator, MEFs and TIFs will be enforceable as though the schedule had been implemented.

c. Until an MEF has become enforceable, the interim Instream Flow, where applicable, for that location shall be the enforceable Instream Flow. Where the Instream Flow has been incrementally increased above the interim Instream Flow level as a result of the partial completion of actions listed in the Implementation Schedule attached [to the Compact] as Appendix 3.4, the incrementally achieved level may be maintained until the MEF is achieved.

d. Until a Minimum Reservoir Pool Elevation has become enforceable, the interim reservoir pool elevation, where applicable, for that location shall be enforced.

e. TIFs shall be determined seasonally according to [Compact] Appendix 3.5, and will vary between the wet and normal year levels attached [to the Compact] as Appendix 3.1.

4. **Minimum Reservoir Pool Elevations**. Minimum Reservoir Pool Elevations attached hereto as Appendix 3.1 shall be enforceable according to the schedule specified in Appendix 3.4 [to the Compact]. Enforceability of Minimum Reservoir Pool Elevations is subject to [Part] IV.E [of this Decree], Appendix 3.5 [to the Compact], and superseding Federal law allowing for regulation of reservoir elevations.

D. Exercise of the FIIP Water Use Right.

1. FIIP Water Use Right.

a. The FIIP Water Use Right shall be satisfied by meeting the RDA values for each RDA Area attached [to the Compact] as Appendix 3.2 and as evaluated pursuant to [part] IV.D.1.e [of this Decree].

b. RDAs shall be enforceable according to the schedule attached [to the Compact] as Appendix 3.4, subject to evaluation pursuant to [Part] IV.D.1.e [of this Decree].

c. Headworks diversion amounts shall be progressively adjusted to achieve the RDAs as Operational Improvements are completed pursuant to Appendix 3.4 [to the Compact].

d. Once RDAs are achieved through completion of Operational Improvements, headworks diversion amounts shall be progressively adjusted as Rehabilitation and Betterment is completed pursuant to Appendix 3.6 [to the Compact]. The enforceable RDA for the location in which a particular Rehabilitation and Betterment project has been completed is the amount defined in [Compact] Appendix 3.2, reduced by the volume of Reallocated Water made available by that Rehabilitation and Betterment project. The amount actually diverted may be adjusted pursuant to the evaluation process described in [Part] IV.D.1.e [of this Decree].

e. RDA values shall be evaluated to ensure their adequacy to meet Historic Farm Deliveries. Initial evaluation of RDAs shall occur once the Parties and Project Operator have completed all Operational Improvements in a given RDA Area according to the schedule attached [to the Compact] as Appendix 3.4. Evaluation of RDAs will continue as part of the responsibilities of the CITT described in [Compact] Appendix 3.5 as follows:

i. The Project Operator must measure and record farm turnout deliveries within a given RDA Area.

ii. If the aggregate measured deliveries to farm turnouts do not meet Historic Farm Deliveries for a given RDA Area, actual diversions shall be adjusted to assure that Historic Farm Deliveries are met for wet, normal and dry water years. If water in excess of the RDA is needed to meet Historic Farm Deliveries, it will be provided through an increase of the Flathead River pumping plant diversion allowed by the Flathead Pumping Station RDA attached [to the Compact] as Appendix 3.2. If the aggregate measured deliveries to farm turnouts exceed Historic Farm Deliveries within an RDA Area, the actual diversions shall be reduced accordingly.

iii. Any adjustment of actual diversions pursuant to this section shall not result in decrease of the MEFs, TIFs, or Minimum Reservoir Pool Elevations.

f. RDAs are quantified for wet, normal, and dry Natural Flow years, attached [to the Compact] as Appendix 3.2, and shall be set each year according to the process specified in Appendix 3.5 [to the Compact].

2. FIIP Delivery Entitlement Statement. Assessed land within the FIIP is entitled to have water delivered by the Project Operator if the FIIP customer is in compliance with the applicable BIA rules and guidelines for FIIP. Beginning on the Effective Date, an owner of assessed land within the FIIP may request of the Project Operator a delivery entitlement statement, which must be tendered within 90 days of the request or denied for cause. Beginning on the date one year after the Effective Date, the delivery entitlement statement must be tendered or denied within 30 days. The delivery entitlement runs with the land and is valid so long as the land remains assessed and the FIIP customer is in compliance with the applicable BIA rules and guidelines for FIIP.

E. Shared Shortages Provision.

1. In the event that water supplies are inadequate to simultaneously satisfy an enforceable Instream Flow water right and a corresponding RDA, the provisions of [Part] IV.E [of this Decree] govern the exercise of the water rights set forth in [Parts] III.C.1.a and III.C.1.d.ii and iv [of this Decree] at that location. The CITT shall determine when Shared Shortages conditions begin and end as specified in Appendix 3.5 [to the Compact].
2. For purposes of [Part] IV.E [of this Decree], once MEFs and RDAs have become enforceable, they shall be maintained at the levels set forth in [Compact] Appendices 3.1 and 3.2, as adjusted pursuant to [Part] IV.D.1.e [of this Decree]. Prior to enforceability of the MEF and RDA levels attached hereto as [Compact] Appendices 3.1 and 3.2, Instream Flows will be maintained as provided by [Part] IV.C.3.c and RDAs will be maintained as provided by [Parts] IV.D.1.b and c [of this Decree].
3. Subject to the priority system set forth in [Part] IV.C.1 [of this Decree], RDAs shall be maintained by implementing the following measures in the order of priority set forth below:
    - **a.** Available Natural Flow or regulated streamflow shall be diverted by the Project Operator to satisfy RDAs.
    - **b.** If the application of [Part] IV.E.3.a [of this Decree] does not satisfy RDAs, Flathead River pumping plant diversions shall be increased as allowed by the Flathead Pumping Station RDA attached [to the Compact] as Appendix 3.2.
    - **c.** If the application of [Parts] IV.E.3.a and b [of this Decree] does not satisfy RDAs, FIIP reservoirs may be reduced below the Minimum Reservoir Pool

Elevations specified in [Compact] Appendix 3.1 to supply RDAs, subject to [Part] IV.E.5 [of this Decree].

d. If the application of [Parts] IV.E.3.a through c [of this Decree] does not satisfy RDAs, the Tribes shall make available for short-term lease Flathead System Compact Water for use within the FIIP as provided by Article IV.B.6.c.ii [of the Compact].

4. Within the Basin 76LJ portion of the Little Bitterroot Valley, RDAs shall be maintained by sequentially applying the procedures in [Parts] IV.E.3.a through c [of this Decree], where applicable.

5. As set forth in [Part] IV.E.3.c [of this Decree], FIIP reservoirs may be reduced below the Minimum Reservoir Pool Elevations set forth in [Part] III.C.1.e [of this Decree] to support RDAs as follows:

a. FIIP reservoirs may be reduced pursuant to this section for no more than four consecutive years.

b. [Part] IV.E.3.c [of this Decree] does not apply to Mission Reservoir.

c. FIIP reservoirs may not be reduced below the interim reservoir pool elevations set forth in [Part] III.C.1.e.iv [of this Decree] and attached [to the Compact] as Appendix 13.

d. RDAs may be met from carryover reservoir storage, at the discretion of the Project Operator.

F. Requirement to Implement Adaptive Management and Water Measurement.

1. The Parties agree that Adaptive Management and a comprehensive water measurement program, as described in [Compact] Appendix 3.5, are essential to the successful implementation of this Compact.

2. The Parties, upon mutual written agreement, and in conformance with the Compact and other applicable provisions of law, may amend [Compact] Appendix 3.5. Such modifications are pursuant to, and shall not be deemed an amendment of, this [Decree].

V. Relationship with Compact and Other Water Rights Claims.

This Decree is based upon the Compact. The water rights of the Tribes confirmed in this Decree are subject to all conditions upon use and administration set forth in the Compact. The water rights of the Tribes confirmed in this Decree are in full and final satisfaction of and are intended to be in replacement of and substitution for all claims to water or the use of water by the Tribes, Tribal members, and Allottees and the United States on behalf of the Tribes, Tribal members, and Allottees except for any Appropriation Rights or Water Rights Arising Under State Law held by the Tribes, their members, or Allottees. Upon entry of this Decree and the occurrence of the other events described in Compact Article VII.D.2, the Tribes and United States shall waive and dismiss all such claims as provided by Compact Article VII.C and D. Nothing in this Decree is intended to modify, alter, or amend the terms and provisions of the Compact.

VI. Jurisdiction of Court.

Nothing in this Decree or the Compact shall expand the subject matter jurisdiction of the Water Court of the State of Montana.

RESPECTFULLY SUBMITTED for approval this ___________ day of

______________________, 201_, by:

THE UNITED STATE OF AMERICA	THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF MONTANA

By: ______________________________

[FILL IN NAME]
United States Dept. of Justice
Environment & Natural Resources Div.
Indian Resources Section
999 18th Street
South Terrace #370
Denver, CO 80202

[FILL IN NAME]
United States Attorney
District of Montana

By: ______________________________

[FILL IN NAME]
Chief Legal Counsel
Legal Department
PO Box 278
Pablo, MT 59855

THE STATE OF MONTANA

By: ______________________________

[FILL IN NAME]
Assistant Attorney General
State of Montana
Justice Building
215 North Sanders
Helena, MT 59620-1401

APPROVED this _____ day of __________________________, 201_.

____
CHIEF WATER JUDGE

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

****** THIS IS AN INTERBASIN TRANSFER ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE FLATHEAD RIVER, BELOW FLATHEAD LAKE (BASIN 76L) AND TRIBUTARIES TO THE CLARK FORK RIVER BELOW THE FLATHEAD RIVER (BASIN 76N), AND USED THE WATER IN THE FLATHEAD RIVER DRAINAGE, BELOW FLATHEAD LAKE (BASIN 76L).

Water Right Number: 76L 30052927 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: JULY 16, 1855 at 12:00 A.M.

Enforceable Priority Date: JULY 16, 1855 at 12:00 A.M.

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

THE MAXIMUM FLOW RATE IS SUBJECT TO ARTICLE IV.C THROUGH F OF THE COMPACT.

Maximum Volume: 1,335.00 AC-FT

Source Name: UNNAMED TRIBUTARY OF ALDER CREEK
Source Type: SURFACE WATER

Source Name: REDMOND CREEK
Source Type: SURFACE WATER

Source Name: DRY FORK CREEK
Source Type: SURFACE WATER

Source Name: ALDER CREEK
Source Type: SURFACE WATER

Source Name: LITTLE BITTERROOT RIVER
Source Type: SURFACE WATER

Source Name: MILL CREEK
Source Type: SURFACE WATER

Source Name: BRIGGS CREEK
Source Type: SURFACE WATER

Source Name: MILL POCKET CREEK
Source Type: SURFACE WATER

MILL CREEK IS A TRIBUTARY OF LITTLE BITTERROOT RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1	4		3	22N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 55.00 CFS
Source Name: DRY FORK CREEK
Diversion Means: DAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2		SESW	16	23N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: DRY FORK CREEK
Diversion Means: DAM
Diversion Type: PRIMARY
Ditch Name: DRY FORK FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3		NWSW	15	23N	25W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 25.00 CFS
Source Name: UNNAMED TRIBUTARY OF ALDER CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: ALDER DITCH

4		NWSW	15	23N	25W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 25.00 CFS
Source Name: UNNAMED TRIBUTARY OF ALDER CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: ALDER DITCH

5		NESW	16	23N	25W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 25.00 CFS
Source Name: ALDER CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: ALDER DITCH

6		NWSE	16	24N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 89.00 CFS
Source Name: LITTLE BITTERROOT RIVER
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: CAMAS A CANAL

7		NENW	21	24N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 89.00 CFS
Source Name: MILL CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: CAMAS A CANAL

8		NWNW	34	24N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 89.00 CFS
Source Name: MILL POCKET CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: CAMAS A CANAL

9		SENE	18	25N	24W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name:
Diversion Means: DAM
Diversion Type: PRIMARY

10		NESW	24	25N	25W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 15
Source Name: REDMOND CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: BRIGGS-REDMOND DITCH

11		SESW	13	25N	25W	SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: BRIGGS CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: BRIGGS-REDMOND DITCH

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

WATER DIVERTED AT #6 (LITTLE BITTERROOT RIVER), #7 (MILL CR), AND #8 (MILL POCKET CR) IS CONVEYED THROUGH CAMAS A CANAL TO DRY FORK CREEK WHICH IS USED AS A NATURAL CARRIER TO THE PLACE OF USE AT DIVERSION #1 (LOWER DRY FORK RESERVOIR). WATER DIVERTED AT #5 (ALDER CR), #4 (ALDER CR TRIB), & #3 (ALDER CR TRIB) IS CONVEYED THROUGH ALDER DITCH TO DRY FORK CREEK WHICH IS USED AS A NATURAL CARRIER TO THE PLACE OF USE AT DIVERSIONS #2 (UPPER DRY FORK RESERVOIR) AND #1 (LOWER DRY FORK RESERVOIR). WATER IN DRY FORK CREEK IS IMPOUNDED IN THE PLACE OF USE AT DIVERSIONS #2 (UPPER DRY FORK RESERVOIR) AND #1 (LOWER DRY FORK RESERVOIR). WATER DIVERTED AT #10 (REDMOND CR) & #11 (BRIGGS CR) IS CONVEYED THROUGH BRIGGS-REDMOND DITCH TO THE PLACE OF USE AT DIVERSION #9 (HUBBART RESERVOIR). WATER IN LITTLE BITTERROOT RIVER IS IMPOUNDED AT THE PLACE OF USE AT DIVERSION #9 (HUBBART RESERVOIR).

LOWER DRY FORK RESERVOIR IS ALSO SUPPLIED BY DIVERSION(S) #3 (ALDER CR TRIB), #4 (ALDER CR TRIB), #5 (ALDER CR), #6 (CAMAS A AT LITTLE BITTERROOT R), #7 (CAMAS A AT MILL CR), AND #8 (CAMAS A AT MILL POCKET CR).

UPPER DRY FORK RESERVOIR IS ALSO SUPPLIED BY DIVERSION(S) #3 (ALDER CR TRIB), #4 (ALDER CR TRIB), AND #5 (ALDER CR).

HUBBART RESERVOIR IS ALSO SUPPLIED BY DIVERSION(S) #10 (REDMOND CR) AND 11 (BRIGGS CR).

Reservoir: ON STREAM **Reservoir Name** LOWER DRY FORK RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
4		3	22N	24W	SANDERS

Diversion to Reservoir: DIVERSION # 1

Dam Height: 29.50 FEET
Surface Area: 370.00 ACRES
Current Capacity: 3,860.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** UPPER DRY FORK RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SESW	16	23N	24W	SANDERS

Diversion to Reservoir: DIVERSION # 2

Dam Height: 40.00 FEET
Surface Area: 320.00 ACRES
Current Capacity: 2,800.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** HUBBART RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	SENE	18	25N	24W	FLATHEAD

Diversion to Reservoir: DIVERSION # 39

Dam Height: 130.00 FEET
Surface Area: 1,450.00 ACRES
Current Capacity: 12,000.00 ACRE-FEET

SEE THE ATTACHED RESERVOIR DIAGRAMS.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				3	22N	24W	SANDERS
2				4	22N	24W	SANDERS
3				16	23N	24W	SANDERS
4				17	23N	24W	SANDERS
5				33	23N	24W	SANDERS
6				34	23N	24W	SANDERS
7				5	25N	24W	FLATHEAD
8				6	25N	24W	FLATHEAD
9				7	25N	24W	FLATHEAD
10				8	25N	24W	FLATHEAD
11				18	25N	24W	FLATHEAD
12				31	26N	24W	FLATHEAD
13				32	26N	24W	FLATHEAD

Remarks:

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION AND RESERVOIR.

30052927 30052930

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE MAXIMUM CONSUMPTIVE VOLUME FOR THIS WATER RIGHT SHALL BE LIMITED TO THE MAXIMUM ANNUAL VOLUME LOST TO EVAPORATION FROM THE TOTAL RESERVOIR SURFACE AREAS .

SEE 30052927 MAP EXHIBIT(S) 1 THROUGH 5.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE MINIMUM POOL LEVEL FOR LOWER DRY FORK RESERVOIR SHALL BE MAINTAINED AT 2,842 FEET ELEVATION, EQUALING 636 ACRE-FEET OF STORAGE.

THE MINIMUM POOL LEVEL FOR UPPER DRY FORK RESERVOIR SHALL BE MAINTAINED AT 2,915 FEET ELEVATION, EQUALING 413 ACRE-FEET OF STORAGE.

THE FOLLOWING ADMINISTRATIVE AREA, AS DEFINED IN APPENDIX 3.2 TO THE COMPACT, IS PERTINENT TO THIS WATER RIGHT: LITTLE BITTERROOT RIVER, ALDER DIVERSION.

THE MINIMUM POOL LEVEL FOR HUBBART RESERVOIR SHALL BE MAINTAINED AT 27 FEET ELEVATION, EQUALING 3,150.4 ACRE-FEET OF STORAGE.

ELEVATIONS ARE IN FEET ABOVE MEAN SEA LEVEL AS DETERMINED BY REFERENCE TO A CERTAIN US GEOLOGICAL SURVEY BENCH MARK, ELEVATION 2,910.882 FEET, STAMPED "2,900 N", AS NOW LOCATED AND ESTABLISHED AT SOMERS, FLATHEAD COUNTY, OR TO SUCH OTHER BENCH MARKS AS MAY BE ESTABLISHED BY THE US GEOLOGICAL SURVEY HAVING THE SAME DATUM.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

****** THIS IS AN INTERBASIN TRANSFER ******

THIS APPROPRIATION OF WATER TAKES WATER FROM THE FLATHEAD RIVER, BELOW AND INCLUDING FLATHEAD LAKE (BASINS 76L AND 76LJ) AND FROM TRIBUTARIES TO THE BLACKFOOT RIVER (BASIN 76F) AND USES THE WATER IN THE FLATHEAD RIVER, BELOW AND INCLUDING FLATHEAD LAKE (BASINS 76L AND 76LJ).

Water Right Number: 76L 30052929 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: JULY 16, 1855 at 12:00 A.M.

Enforceable Priority Date: JULY 16, 1855 at 12:00 A.M.

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

THE MAXIMUM FLOW RATE IS SUBJECT TO ARTICLE IV.C THROUGH F OF THE COMPACT.

Maximum Volume: 28,248.00 AC-FT

Source Name: LOST CREEK
Source Type: SURFACE WATER

Source Name: SOUTH CROW CREEK
Source Type: SURFACE WATER

Source Name: POIRIER CREEK
Source Type: SURFACE WATER

Source Name: FLATHEAD RIVER (IMPOUNDMENTS BEHIND KERR DAM)
Source Type: SURFACE WATER

Source Name: JOCKO RIVER, NORTH FORK
Source Type: SURFACE WATER

Source Name: MIKES CREEK
Source Type: SURFACE WATER

Source Name: MOLLMAN CREEK
Source Type: SURFACE WATER

Source Name: MARSH CREEK
Source Type: SURFACE WATER

Source Name: EAGLE PASS CREEK
Source Type: SURFACE WATER

Source Name: PLACID CREEK, NORTH FORK
Source Type: SURFACE WATER

Source Name: DRY CREEK
Source Type: SURFACE WATER

Source Name: BISSON CREEK
Source Type: SURFACE WATER

Source Name: ASHLEY CREEK
Source Type: SURFACE WATER

Source Name: MISSION CREEK
Source Type: SURFACE WATER

Source Name: VALENTINE CREEK
Source Type: SURFACE WATER

Source Name: CENTIPEDE CREEK
Source Type: SURFACE WATER
Source Name: GRIZZLY CREEK
Source Type: SURFACE WATER
Source Name: POST CREEK
Source Type: SURFACE WATER
Source Name: HELLROARING CREEK
Source Type: SURFACE WATER
Source Name: MUD CREEK
Source Type: SURFACE WATER
Source Name: S-14 CREEK
Source Type: SURFACE WATER
Source Name: NORTH CROW CREEK
Source Type: SURFACE WATER
Source Name: MIDDLE CROW CREEK
Source Type: SURFACE WATER
Source Name: FLATHEAD RIVER
Source Type: SURFACE WATER
Source Name: JOCKO RIVER, MIDDLE FORK
Source Type: SURFACE WATER
Source Name: POISON OAK CREEK
Source Type: SURFACE WATER
Source Name: CROW CREEK
Source Type: SURFACE WATER
Source Name: ROCK CREEK
Source Type: SURFACE WATER
Source Name: COURVILLE CREEK
Source Type: SURFACE WATER
Source Name: FALLS CREEK
Source Type: SURFACE WATER

DRY CREEK IS A TRIBUTARY OF MISSION CREEK.

DRY CREEK, A TRIBUTARY OF ASHLEY CREEK, IS ALSO KNOWN AS NORTH DRY CREEK.

ASHLEY CREEK IS A TRIBUTARY OF POST CREEK

ASHLEY CREEK, A TRIBUTARY OF MUD CREEK, IS ALSO KNOWN AS NORTH ASHLEY CREEK.

WATER IMPOUNDED BY KERR DAM MAY BE DIVERTED PER ARTICLES #41 THROUGH #43 OF THE FERC LICENSE IN ORDER TO MEET THE MINIMUM POOL REQUIREMENTS OF PABLO RESERVOIR.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		NWSE	29	17N	16W	MISSOULA

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 120.00 CFS
Source Name: PLACID CREEK, NORTH FORK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: PLACID CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2		SWSW	20	17N	17W	MISSOULA

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 150.00 CFS
Source Name: JOCKO RIVER, MIDDLE FORK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3	2		6	17N	18W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: DRY CREEK
Diversion Means: DAM
Diversion Type: PRIMARY
Ditch Name: DRY CREEK LINING

4		SESE	15	17N	18W	LAKE

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 450.00 CFS
Source Name: FALLS CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

5		SWSW	15	17N	18W	LAKE

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 450.00 CFS
Source Name: S-14 CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

6		NWNW	16	17N	18W	LAKE

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 450.00 CFS
Source Name: GRIZZLY CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

7		NWNE	24	17N	18W	LAKE

Period of Diversion: MARCH 1 TO OCTOBER 15 **Flow Rate:** 420.00 CFS
Source Name: JOCKO RIVER, NORTH FORK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: TABOR FEEDER CANAL

8	2		4	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: ASHLEY CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

9		NWNW	10	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: DRY CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

10	4		16	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: MISSION CREEK
Diversion Means: DAM
Diversion Type: PRIMARY

11	4		16	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: MISSION CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
12		SWSE	21	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 255.00 CFS
Source Name: MIKES CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

13		SWSW	28	18N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 255.00 CFS
Source Name: DRY CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

14		SENE	4	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 220.00 CFS
Source Name: POST CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

15		SWNE	5	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 250.00 CFS
Source Name: POST CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: KICKING HORSE FEEDER CANAL

16	1		10	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: POST CREEK
Diversion Means: DAM
Diversion Type: PRIMARY

17		NWSE	16	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: VALENTINE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

18		SWNE	21	19N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 300.00 CFS
Source Name: POISON OAK CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

19		NWSW	4	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 270.00 CFS
Source Name: LOST CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

20		NESW	16	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 270.00 CFS
Source Name: SOUTH CROW CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
21		NENE	19	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 275.00 CFS
Source Name: SOUTH CROW CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: SOUTH CROW FEEDER CANAL

22		NWNE	28	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 220.00 CFS
Source Name: MOLLMAN CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

23		SWSE	28	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 220.00 CFS
Source Name: MARSH CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

24		NWSE	31	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 250.00 CFS
Source Name: MARSH CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: KICKING HORSE FEEDER CANAL

25		SESE	33	20N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 220.00 CFS
Source Name: EAGLE PASS CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

26		NESE	16	20N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 22.00 CFS
Source Name: CROW CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: CROW PUMP CANAL

27		NWNW	34	20N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY

28			36	20N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY
Ditch Name: NINEPIPE FEEDER CANAL

29			11	20N	21W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: CROW CREEK
Diversion Means: DAM
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
30		NESE	20	21N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 470.00 CFS
Source Name: ROCK CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

31		NWNW	28	21N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 470.00 CFS
Source Name: NORTH CROW CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

32		NENW	33	21N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 270.00 CFS
Source Name: MIDDLE CROW CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

33	4		4	22N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 15.00 CFS
Source Name: HELLROARING CREEK
Diversion Means: HEADGATE
Diversion Type: PRIMARY
Ditch Name: TWIN FEEDER CANAL

34		NWNW	9	22N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 15.00 CFS
Source Name: CENTIPEDE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: TWIN FEEDER CANAL

35		NENW	16	22N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 8.00 CFS
Source Name: BISSON CREEK
Diversion Means: DIVERSION DAM
Diversion Type: PRIMARY
Ditch Name: LOWER TWIN FEEDER CANAL

36			18	22N	19W	LAKE

Period of Diversion: APRIL 15 TO SEPTEMBER 15 **Flow Rate:** 15.00 CFS
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY

37		SENW	28	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 400.00 CFS
Source Name: POIRIER CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

38		NWSW	28	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 400.00 CFS
Source Name: ASHLEY CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
39		SESE	32	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 470.00 CFS
Source Name: COURVILLE CREEK
Diversion Means: DITCH
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

40		NWNW	33	22N	19W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 400.00 CFS
Source Name: MUD CREEK
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: PABLO FEEDER CANAL

41	3		17	22N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 210.00 CFS
Source Name: FLATHEAD RIVER
Diversion Means: OTHER
Diversion Type: PRIMARY
Ditch Name: FLATHEAD PUMP CANAL

42		SWNE	27	22N	20W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31 **Flow Rate:** 340.00 CFS
Source Name:
Diversion Means: DAM
Diversion Type: SECONDARY

43			12	22N	21W	LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Source Name: FLATHEAD RIVER (IMPOUNDMENTS BEHIND KERR DAM)
Diversion Means: DAM
Diversion Type: PRIMARY

WATER DIVERTED AT #1 (NORTH FORK PLACID) IS CONVEYED THROUGH PLACID CANAL TO JOCKO RIVER, MIDDLE FORK WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #2 (TABOR FEEDER). WATER DIVERTED AT #2 (MIDDLE FORK JOCKO), #7 (N FORK JOCKO), #4 (FALLS CR), #5 (S-14 CR), AND #6 (GRIZZLY CR) IS CONVEYED THROUGH TABOR FEEDER CANAL TO THE PLACE OF USE AT DIVERSION #3 (TABOR RESERVOIR) AND DRY CREEK (LINING) WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #13 (PABLO FEEDER). WATER FROM DRY CREEK IS IMPOUNDED IN THE PLACE OF USE AT DIVERSION #3 (TABOR RESERVOIR). WATER DIVERTED AT #13 (DRY CR), #12 (MIKES CR), #11 (MISSION CR), #9 (N DRY CR), #8 (ASHLEY CR), #18 (POISON OAK CR), AND #17 (VALENTINE CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO DIVERSION #14 (PABLO FEEDER AT POST CR) AND POST CREEK WHICH IS USED AS A NATURAL CARRIER TO DIVERSION #15 (KICKING HORSE FEEDER).

WATER FROM MISSION CREEK IS IMPOUNDED IN THE PLACE OF USE AT DIVERSION #10 (MISSION RESERVOIR). WATER FROM POST CREEK IS IMPOUNDED IN THE PLACE OF USE AT DIVERSION #16 (MCDONALD RESERVOIR). WATER DIVERTED AT #15 (POST CR) AND #24 (MARSH CR) IS CONVEYED THROUGH KICKING HORSE FEEDER CANAL TO THE PLACE OF USE AT DIVERSION #28 (KICKING HORSE RESERVOIR) AND THROUGH NINEPIPE FEEDER TO THE PLACE OF USE AT DIVERSION #27 (NINEPIPE RESERVOIR). WATER DIVERTED AT #14 (POST CR), #25 (EAGLE PASS CR), #23 (MARSH CR) AND #22 (MOLLMAN CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO DIVERSION #20 (PABLO FEEDER AT S CROW CR) AND TO SOUTH CROW CREEK (CROW CREEK) WHICH IS USED AS A NATURAL CARRIER TO DIVERSIONS #21 (S CROW FEEDER) AND #26 (CROW PUMP) AND THE PLACE OF USE AT DIVERSION #29 (LOWER CROW RESERVOIR).

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

WATER DIVERTED AT #21 (S CROW CR) IS CONVEYED THROUGH SOUTH CROW FEEDER CANAL TO THE PLACE OF USE AT DIVERSION #28 (KICKING HORSE RESERVOIR) AND THROUGH NINEPIPE FEEDER CANAL TO THE PLACE OF USE AT DIVERSION #27 (NINEPIPE RESERVOIR). WATER DIVERTED AT #26 (CROW CR) IS CONVEYED THROUGH CROW PUMP CANAL AND POST A CANAL TO THE PLACE OF USE AT DIVERSION #27 (NINEPIPE RESERVOIR). WATER IN CROW CREEK IS IMPOUNDED IN THE PLACE OF USE AT DIVERSION #29 (LOWER CROW RESERVOIR). WATER DIVERTED AT #20 (S CROW CR), #19 (LOST CR), #32 (MIDDLE CROW CR), #31 (N CROW CR), #30 (ROCK CR), #39 (COURVILLE CR), #40 (MUD CR), #38 (N ASHLEY CR), AND #37 (POIRIER CR) IS CONVEYED THROUGH PABLO FEEDER CANAL TO THE PLACE OF USE AT DIVERSION #42 (PABLO RESERVOIR). WATER IN FLATHEAD RIVER OR IMPOUNDED AT DIVERSION #43 (KERR DAM) IS DIVERTED AT #41 (FLATHEAD PUMPS) AND CONVEYED THROUGH FLATHEAD PUMP CANAL AND PABLO FEEDER CANAL TO THE PLACE OF USE AT DIVERSION #42 (PABLO RESERVOIR).

WATER DIVERTED AT #35 (BISSON CR) IS CONVEYED THROUGH LOWER TWIN FEEDER CANAL TO THE PLACE OF USE AT DIVERSION #36 (TURTLE RESERVOIR). WATER DIVERTED AT #33 (HELLROARING CR) AND #34 (CENTIPEDE CR) IS CONVEYED THROUGH TWIN FEEDER CANAL TO THE PLACE OF USE AT DIVERSION #36 (TURTLE RESERVOIR).

THE MEANS OF DIVERSION FOR #13, #11, #20, AND #40 IS HEADWORKS.

THE MEANS OF DIVERSION FOR #26 IS DIVERSION DAM WITH PUMPING PLANT.

THE MEANS OF DIVERSION FOR #41 IS PUMPING PLANT AND PENSTOCK.

SECONDARY POINT OF DIVERSION WATER SOURCES ARE A MIX OF RELEASES FROM THE PRIMARY POINTS OF DIVERSION.

TABOR RESERVOIR IS ALSO SUPPLIED BY DIVERSION(S) #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #7 (TABOR FEEDER AT N FK JOCKO R), #4 (TABOR FEEDER AT FALLS CR), #5 (TABOR FEEDER AT S-14 CR), AND #6 (TABOR FEEDER AT GRIZZLY CR).

KICKING HORSE RESERVOIR IS ALSO SUPPLIED BY DIVERSION(S) #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #7 (TABOR FEEDER AT N FK JOCKO R), #4, TABOR FEEDER AT FALLS CR), #5 (TABOR FEEDER AT S-14 CR), #6 (TABOR FEEDER AT GRIZZLY CR), #13 (PABLO FEEDER AT DRY CR), #12 (PABLO FEEDER AT MIKES CR), #11 (PABLO FEEDER AT MISSION CR), 9 (PABLO FEEDER AT N DRY CR), #8 (PABLO FEEDER AT ASHLEY CR), #18 (PABLO FEEDER AT POISON OAK CR), #17 (PABLO FEEDER AT VALENTINE CR), #15 (KICKING HORSE FEEDER AT POST CR), #25 (PABLO FEEDER AT EAGLE PASS CR), AND #24 (KICKING HORSE FEEDER AT MARSH CR).

WATER IN KICKING HORSE RESERVOIR IS IMPOUNDED AT DIVERSION #28.

NINEPIPE RESERVOIR IS ALSO SUPPLIED BY DIVERSION(S) #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #7 (TABOR FEEDER AT N FK JOCKO R), #4 (TABOR FEEDER AT FALLS CR), #5 (TABOR FEEDER AT S-14 CR), #6 (TABOR FEEDER AT GRIZZLY CR), #13 (PABLO FEEDER AT DRY CR), #12 (PABLO FEEDER AT MIKES CR), #11 (PABLO FEEDER AT MISSION CR), #9 (PABLO FEEDER AT N DRY CR), #8 (PABLO FEEDER AT ASHLEY CR), #18 (PABLO FEEDER AT POISON OAK CR), #17 (PABLO FEEDER AT VALENTINE CR), #15 (KICKING HORSE FEEDER AT POST CR), #25 (PABLO FEEDER AT EAGLE PASS CR), #24 (KICKING HORSE FEEDER AT MARSH CR), AND #21 (S CROW FEEDER AT S CROW CR).

WATER IN NINEPIPE RESERVOIR IS IMPOUNDED AT DIVERSION #27.

LOWER CROW RESERVOIR IS ALSO SUPPLIED BY DIVERSION(S) #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #7 (TABOR FEEDER AT N FK JOCKO R), #4 (TABOR FEEDER AT FALLS CR), #5 (TABOR FEEDER AT S-14 CR), #6 (TABOR FEEDER AT GRIZZLY CR), #13 (PABLO FEEDER AT DRY CR), #12 (PABLO FEEDER AT MIKES CR), #11 (PABLO FEEDER AT MISSION CR), #9 (PABLO FEEDER AT N DRY CR), #8 (PABLO FEEDER AT ASHLEY CR), #18 (PABLO FEEDER AT POISON OAK CR), #17 (PABLO FEEDER AT VALENTINE CR), #14 (PABLO FEEDER AT POST CR), #25 (PABLO FEEDER AT EAGLE PASS CR), #23 (PABLO FEEDER AT MARSH CR), AND #22 (PABLO FEEDER AT MOLLMAN CR).

ID	**Govt Lot**	**Qtr Sec**	**Sec**	**Twp**	**Rge**	**County**

PABLO RESERVOIR IS ALSO SUPPLIED BY DIVERSIONS #1 (N FK PLACID CR), #2 (TABOR FEEDER AT MDL FK JOCKO R), #7 (TABOR FEEDER AT N FK JOCKO R),#4 (TABOR FEEDER AT FALLS CR), #5 (TABOR FEEDER AT S-14 CR), #6 (TABOR FEEDER AT GRIZZLY CR), #13 (PABLO FEEDER AT DRY CR), #12 (PABLO FEEDER AT MIKES CR), #11 (PABLO FEEDER AT MISSION CR), #9 (PABLO FEEDER AT N DRY CR), #8 (PABLO FEEDER AT ASHLEY CR), #18 (PABLO FEEDER AT POISON OAK CR), #17 (PABLO FEEDER AT VALENTINE CR), #14 (PABLO FEEDER AT POST CR), #25 (PABLO FEEDER AT EAGLE PASS CR), #23 (PABLO FEEDER AT MARSH CR), #22 (PABLO FEEDER AT MOLLMAN CR), #20 (PABLO FEEDER AT S CROW CR), #19 (PABLO FEEDER AT LOST CR), #32 (PABLO FEEDER AT MDL CROW CR), #31 (PABLO FEEDER AT N CROW CR), #30 (PABLO FEEDER AT ROCK CR), #39 (PABLO FEEDER AT COURVILLE CR), #40 (PABLO FEEDER AT MUD CR), #38 (PABLO FEEDER AT N ASHLEY CR), #37 (PABLO FEEDER AT POIRIER CR), AND #43 (KERR DAM).

WATER IN PABLO RESERVOIR IS IMPOUNDED AT DIVERSION #42.

TURTLE RESERVOIR IS ALSO SUPPLIED BY DIVERSIONS #33 (TWIN FEEDER AT HELLROARING CR) AND #35 (LWR TWIN FEEDER AT BISSON CR).

WATER IN TURTLE RESERVOIR IS IMPOUNDED AT DIVERSION #36.

Reservoir: ON STREAM **Reservoir Name** TABOR (ST. MARY'S) RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2		6	17N	18W	LAKE

Diversion to Reservoir: DIVERSION # 3

Dam Height: 53.00 FEET
Surface Area: 285.00 ACRES
Current Capacity: 23,200.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** MISSION RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
4		16	18N	19W	LAKE

Diversion to Reservoir: DIVERSION # 10

Dam Height: 83.00 FEET
Surface Area: 290.00 ACRES
Current Capacity: 7,250.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** MCDONALD RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1		10	19N	19W	LAKE

Diversion to Reservoir: DIVERSION # 16

Dam Height: 48.00 FEET
Surface Area: 200.00 ACRES
Current Capacity: 8,200.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** KICKING HORSE RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NENE	19	20N	19W	LAKE

Diversion to Reservoir: DIVERSION # 21

Dam Height: 29.00 FEET
Surface Area: 800.00 ACRES
Current Capacity: 8,400.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** NINEPIPE RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NESE	16	20N	20W	LAKE

Diversion to Reservoir: DIVERSION # 26

Dam Height: 38.00 FEET
Surface Area: 1,550.00 ACRES
Current Capacity: 15,000.00 ACRE-FEET

Reservoir: ON STREAM **Reservoir Name** LOWER CROW RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
		11	20N	21W	LAKE

Diversion to Reservoir: DIVERSION # 29

Dam Height: 99.00 FEET
Surface Area: 345.00 ACRES
Current Capacity: 1,035.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** TURTLE (TWIN) RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
	NWNW	9	22N	19W	LAKE

Diversion to Reservoir: DIVERSION # 34

Dam Height: 20.00 FEET

Surface Area: 65.00 ACRES

Current Capacity: 1,900.00 ACRE-FEET

Reservoir: OFF STREAM **Reservoir Name** PABLO RESERVOIR

Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3		17	22N	20W	LAKE

Diversion to Reservoir: DIVERSION # 41

Dam Height: 43.00 FEET

Surface Area: 205.00 ACRES

Current Capacity: 32,800.00 ACRE-FEET

SEE THE ATTACHED RESERVOIR DIAGRAMS.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	17N	18W	LAKE
2				5	17N	18W	LAKE
3				6	17N	18W	LAKE
4				14	18N	19W	LAKE
5				15	18N	19W	LAKE
6				16	18N	19W	LAKE
7				10	19N	19W	LAKE
8				11	19N	19W	LAKE
9				12	19N	19W	LAKE
10				1	19N	20W	LAKE
11				2	19N	20W	LAKE
12				3	19N	20W	LAKE
13				11	19N	20W	LAKE
14				19	20N	19W	LAKE
15				30	20N	19W	LAKE
16				31	20N	19W	LAKE
17				7	20N	20W	LAKE
18				18	20N	20W	LAKE
19				25	20N	20W	LAKE
20				34	20N	20W	LAKE
21				35	20N	20W	LAKE
22				36	20N	20W	LAKE
23				11	20N	21W	LAKE
24				12	20N	21W	LAKE
25				13	20N	21W	LAKE
26				18	22N	19W	LAKE
27				20	22N	20W	LAKE
28				21	22N	20W	LAKE
29				22	22N	20W	LAKE
30				26	22N	20W	LAKE
31				27	22N	20W	LAKE
32				28	22N	20W	LAKE
33				29	22N	20W	LAKE
34				32	22N	20W	LAKE
35				33	22N	20W	LAKE
36				34	22N	20W	LAKE

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME POINT OF DIVERSION.

30052929 30052931 30052932

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE ASSOCIATED WHICH MEANS THE RIGHTS SHARE THE SAME RESERVOIR.

30052929 30052932

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THE FOLLOWING ADMINISTRATIVE AREAS , AS DEFINED IN APPENDIX 3.2 TO THE COMPACT, ARE PERTINENT TO THIS WATER RIGHT: PLACID CANAL, TABOR FEEDER CANAL, PABLO FEEDER CANAL, UPPER MISSION CREEK, UPPER CROW CREEK, HELLROARING / CENTIPEDE / BISSON CREEKS, FLATHEAD RIVER PUMPING PLANT.

THE MINIMUM POOL LEVEL FOR PABLO RESERVOIR SHALL BE MAINTAINED AT 3,188 FEET ELEVATION, EQUALING 1,425 ACRE-FEET OF STORAGE.

THE MINIMUM POOL LEVEL FOR TABOR (ST. MARY'S) RESERVOIR SHALL BE MAINTAINED ACCORDING TO THE FOLLOWING SCHEDULE:
FROM NOVEMBER 15 UP TO AUGUST 1, THE MINIMUM POOL LEVEL SHALL BE MAINTAINED AT 4,006 FEET ELEVATION, EQUALING 18,162 ACRE-FEET OF STORAGE. THIS ANNUAL TARGET IS REQUIRED TO BE MET ONE YEAR OUT OF FOUR.
FROM AUGUST 1 UP TO AUGUST 15, THE MINIMUM POOL LEVEL SHALL BE MAINTAINED AT 3,980 FEET ELEVATION, EQUALING 12,119 ACRE-FEET OF STORAGE. THIS ANNUAL TARGET IS REQUIRED TO BE MET THREE YEARS OUT OF FOUR.
FROM AUGUST 15 UP TO NOVEMBER 15, THE MINIMUM POOL LEVEL SHALL BE MAINTAINED AT 3,927 FEET ELEVATION, EQUALING 2,416 ACRE-FEET OF STORAGE. THIS ANNUAL TARGET IS REQUIRED TO BE MET EVERY YEAR.

THE MINIMUM POOL LEVEL FOR MISSION RESERVOIR SHALL BE MAINTAINED AT 3,379 FEET ELEVATION, EQUALING 1,006 ACRE-FEET OF STORAGE.

THE MINIMUM POOL LEVEL FOR MCDONALD RESERVOIR SHALL BE MAINTAINED AT 3,549 FEET ELEVATION, EQUALING 385 ACRE-FEET OF STORAGE.

THE MINIMUM POOL LEVEL FOR KICKING HORSE RESERVOIR SHALL BE MAINTAINED AT 3,049 FEET ELEVATION, EQUALING 1,230 ACRE-FEET OF STORAGE.

THE MINIMUM POOL LEVEL FOR LOWER CROW RESERVOIR SHALL BE MAINTAINED AT 2,839 FEET ELEVATION, EQUALING 2,039 ACRE-FEET OF STORAGE.

THE MINIMUM POOL LEVEL FOR TURTLE (TWIN) RESERVOIR SHALL BE MAINTAINED AT 3,068 FEET ELEVATION, EQUALING 96 ACRE-FEET OF STORAGE.

THE MINIMUM POOL LEVEL FOR NINEPIPE RESERVOIR SHALL BE MAINTAINED AT 2,998 FEET ELEVATION, EQUALING 1,905 ACRE-FEET OF STORAGE.

SEE 30052929 MAP EXHIBIT(S) 1 THROUGH 19.

THE MAXIMUM CONSUMPTIVE VOLUME FOR THIS WATER RIGHT SHALL BE LIMITED TO THE MAXIMUM ANNUAL VOLUME LOST TO EVAPORATION FROM THE TOTAL RESERVOIR SURFACE AREAS .

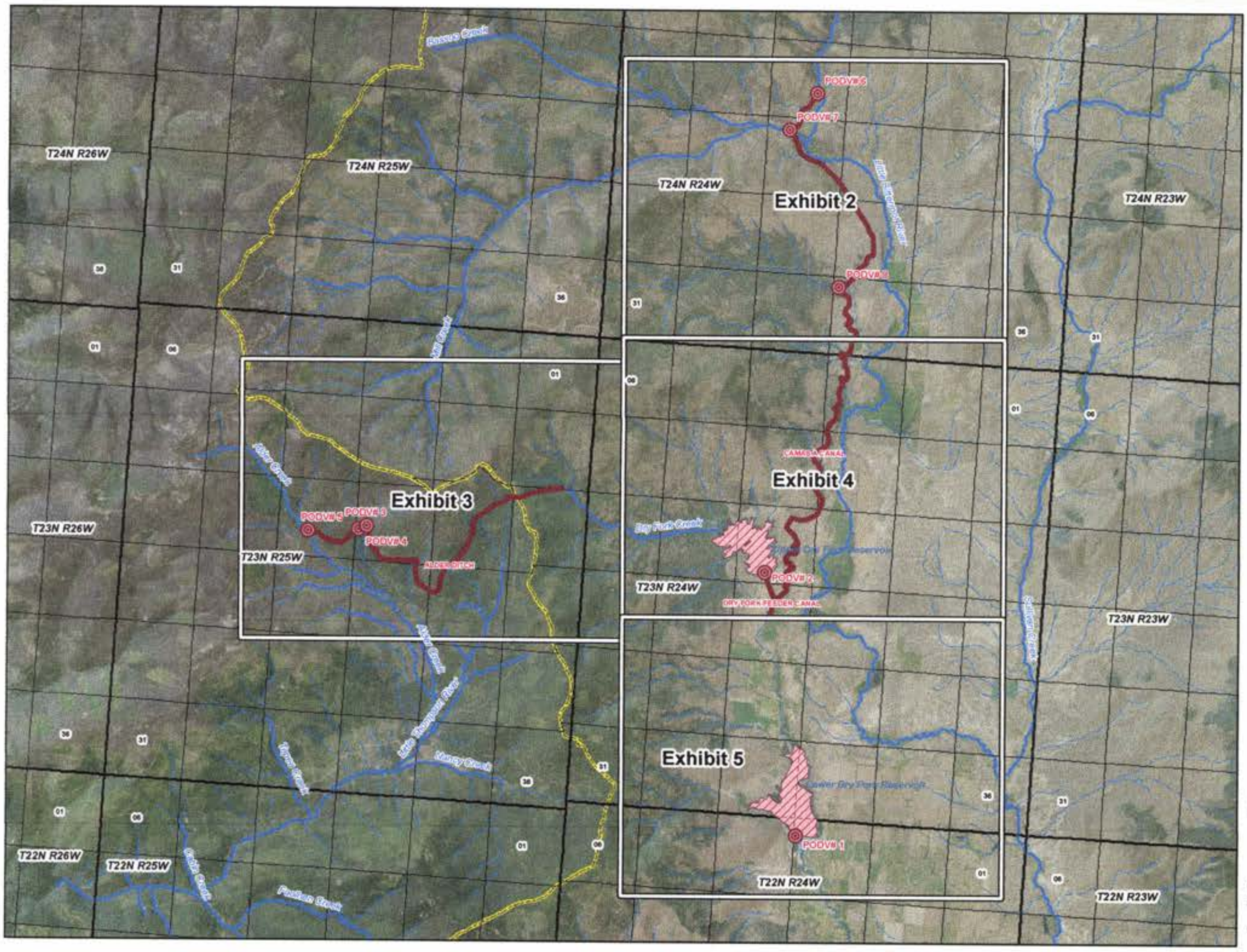
THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

ELEVATIONS ARE IN FEET ABOVE MEAN SEA LEVEL AS DETERMINED BY REFERENCE TO A CERTAIN US GEOLOGICAL SURVEY BENCH MARK, ELEVATION 2,910.882 FEET, STAMPED "2,900 N", AS NOW LOCATED AND ESTABLISHED AT SOMERS, FLATHEAD COUNTY, OR TO SUCH OTHER BENCH MARKS AS MAY BE ESTABLISHED BY THE US GEOLOGICAL SURVEY HAVING THE SAME DATUM.

THIS WATER RIGHT IS LOCATED IN WHOLE OR IN PART WITHIN THE EXTERIOR BOUNDARY OF THE FLATHEAD INDIAN RESERVATION.

Appx 15

(51) pages


T24N R26W
T24N R25W
T24N R24W
T24N R23W
T23N R26W
T23N R25W
T23N R24W
T23N R23W
T22N R26W
T22N R25W
T22N R24W
T22N R23W
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
PODV# 1
PODV# 2
PODV# 3
PODV# 4
PODV# 5
PODV# 6
PODV# 7
PODV# 8
ALDER DITCH
CAMAS A CANAL
DRY FORK FEEDER CANAL
Dry Fork Creek
Lower Dry Fork Reservoir
Mill Creek
Alder Creek
Little Thompson River

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052927

Exhibit 1

Area of Interest
2
3
4
5
Polson
Pablo
Hot Springs
St Ignatius
Arlee

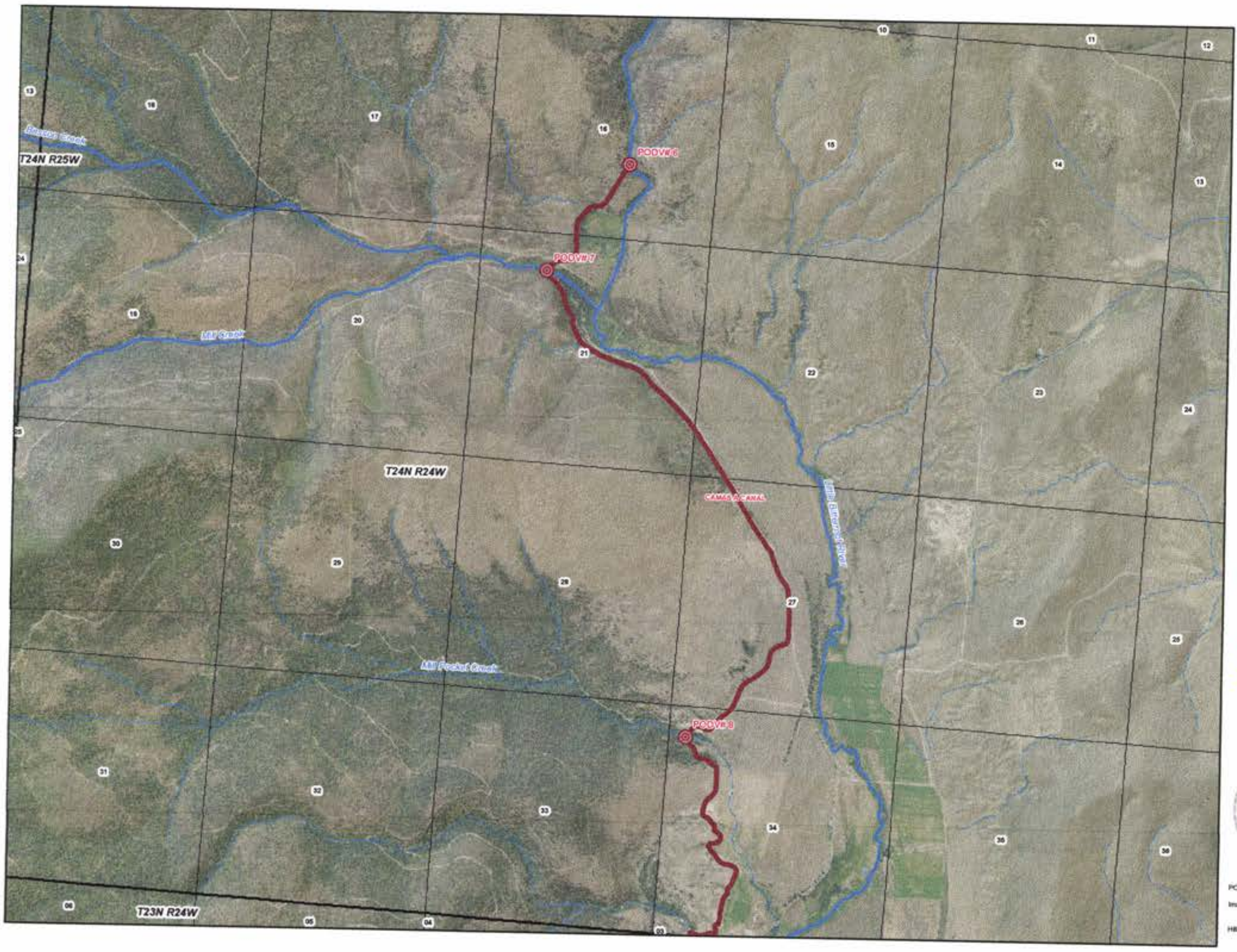
Flathead Indian Reservation

Legend

- ▭ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir
- ▭ Reservation Boundary

0 0.75 1.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T24N R25W
T24N R24W
T23N R24W
Mill Creek
Mill Pocket Creek
Little Bitterroot River
CAMAS A CANAL
PODV# 6
PODV# 7
PODV# 8
10
11
12
13
16
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06
05
04
03

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052927

Exhibit 2

Area of Interest
Polson
Pablo
Hot Springs
St. Ignatius
Arlee

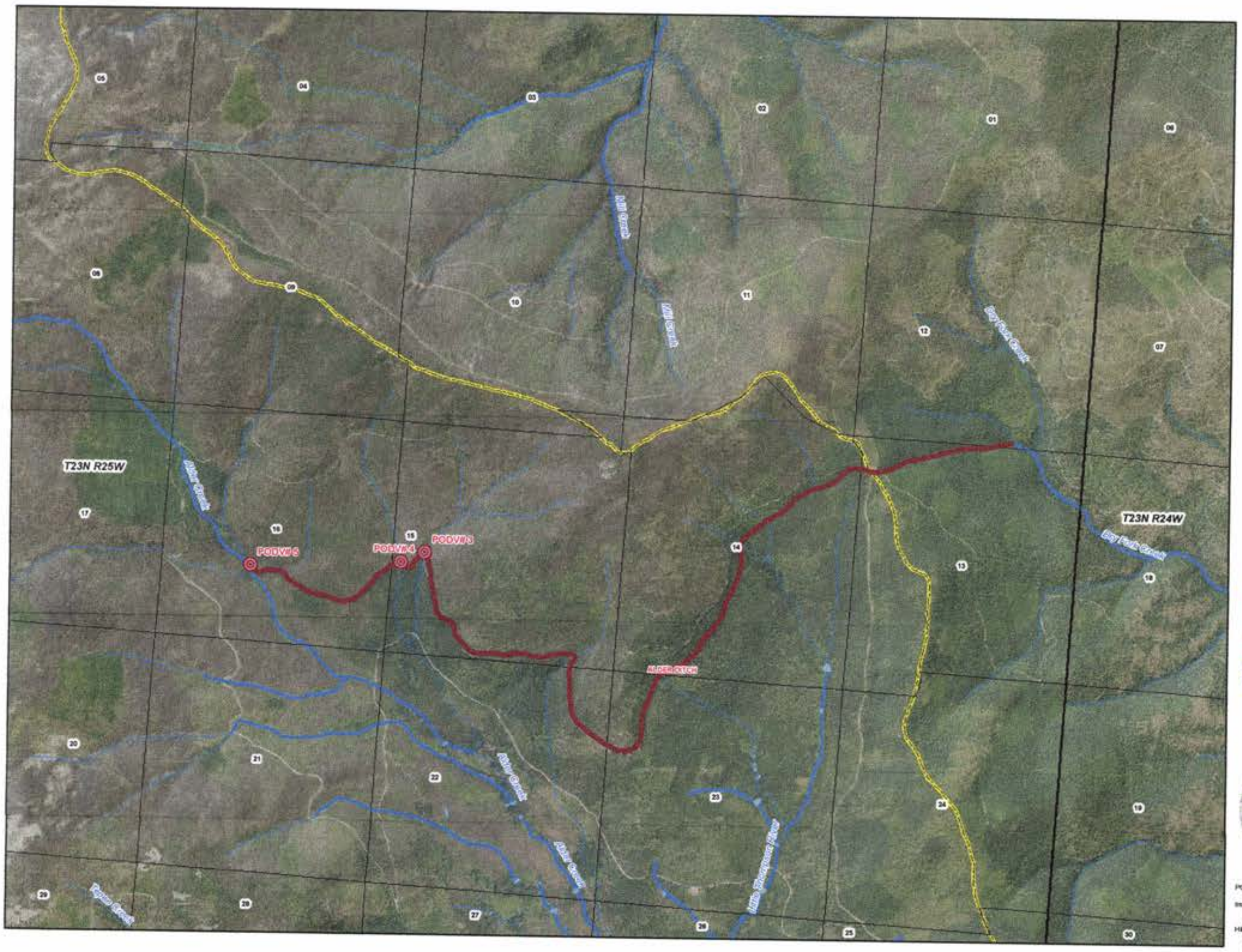
Flathead Indian Reservation

Legend

🟥 Place of Use
◎ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
▬ Ditch or Pipeline
▨ Reservoir
☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R25W
T23N R24W
Alder Creek
Mill Creek
Big Fork Creek
PODV#5
PODV#4
PODV#3
ALDER DITCH
05
04
03
02
01
06
08
09
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07
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30

Place of Use and Point of Diversion
FIIP Reservoir Minimum Pool
76L
30052927
Exhibit 3

2
4
5
Polson
Pablo
Hot Springs
St Ignatius
Arlee
Area of Interest

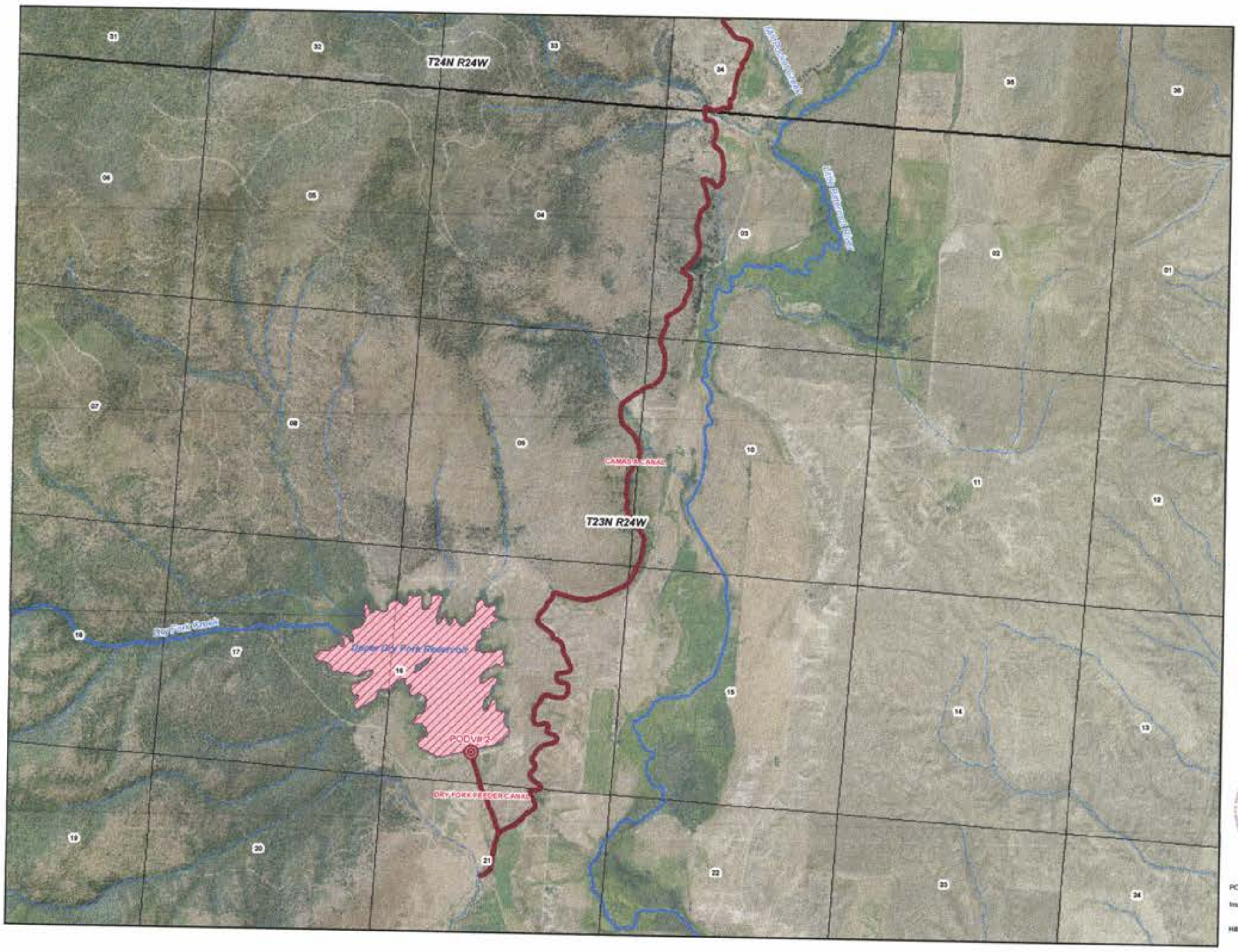
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


31
32
33
34
35
36
T24N R24W
Mill Pocket Creek
Little Bitterroot River
06
05
04
03
02
01
07
08
09
10
11
12
CAMAS A CANAL
T23N R24W
18
17
16
15
14
13
Dry Fork Creek
Upper Dry Fork Reservoir
PODV# 2
DRY FORK FEEDER CANAL
19
20
21
22
23
24

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052927

Exhibit 4

Area of Interest
2
9
4
5
Polson
Pablo
Hot Springs
St Ignatius
Arlee

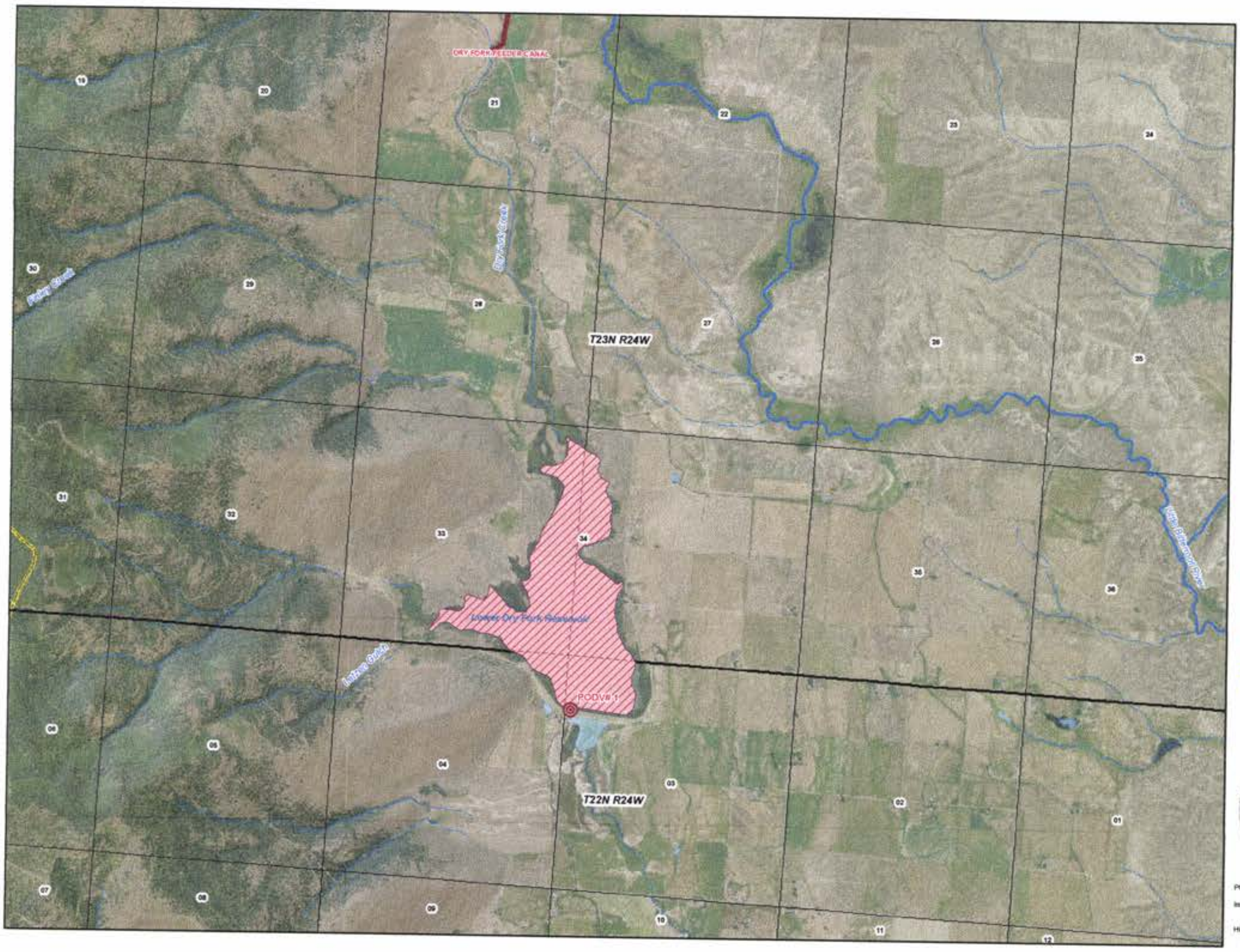
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ━ Ditch or Pipeline
- ▨ Reservoir
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


DRY FORK FEEDER CANAL
T23N R24W
T22N R24W
PODV# 1
19
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22
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27
26
25
31
32
33
34
35
36
06
05
04
03
02
01
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09
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11
12

Place of Use and Point of Diversion
FIIP Reservoir Minimum Pool
76L
30052927
Exhibit 5

Area of Interest
Polson
Pablo
Hot Springs
St. Ignatius
Arlee

Flathead Indian Reservation

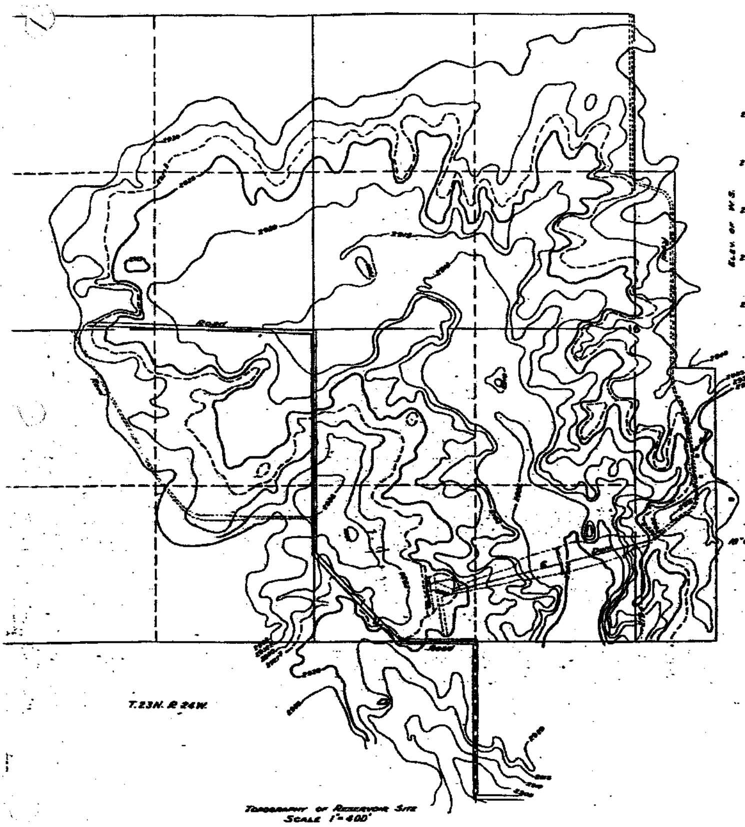
Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir
☐	Reservation Boundary

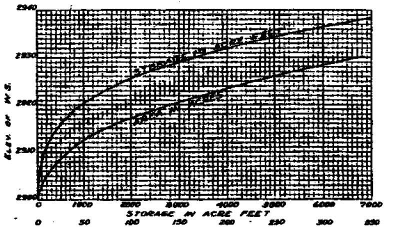
0 0.25 0.5 Miles

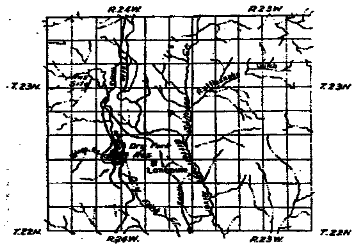
POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

UPPER DRY FORK RESERVOIR

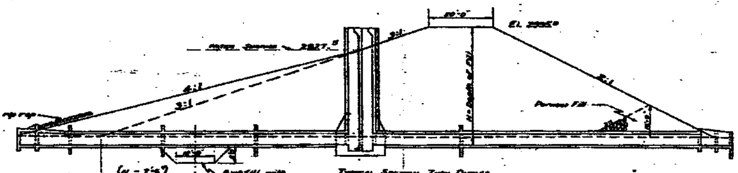

Road
Road
T.23N. R.24W.
2920
2910
2900
2925
2930
2935

Topography of Reservoir Site
Scale 1"=400'

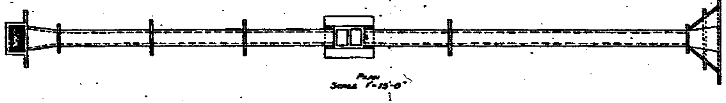



R.24W.
R.23W.
T.23N.
T.23N.
T.22N.
T.22N.
R.24W.
R.23W.
Dry Fork Res.

INDEX MAP


20'-0"
El. 2935.0
2927.5
3:1
4:1
3:1
2:1
H= Depth of Fill
Pervious Fill
18" Gravel rip rap
(H - 7'-6")
Backfill with selected material

Typical Section Thru Outlet
Scale 1"=15'-0"



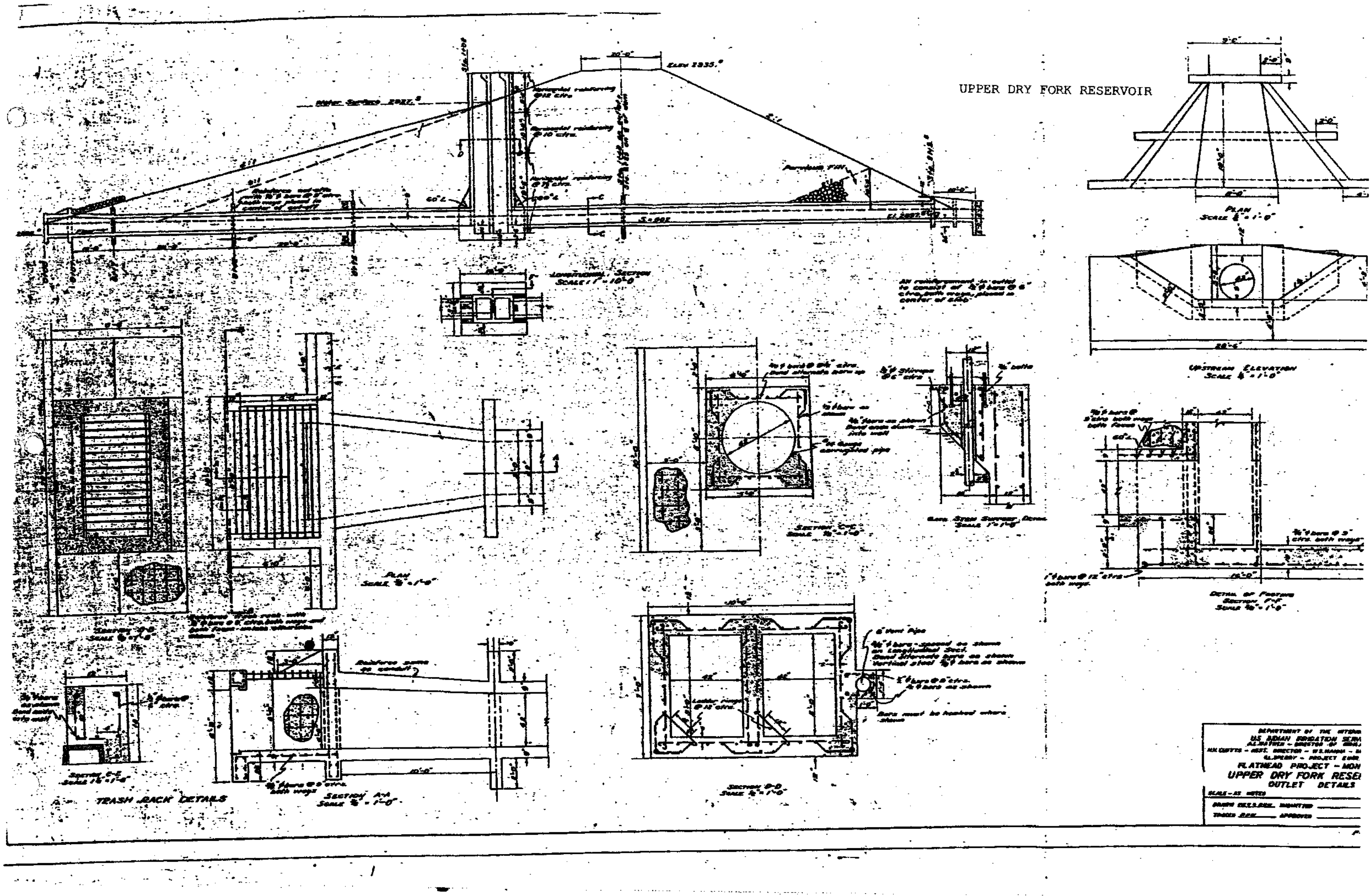
Plan
Scale 1"=15'-0"

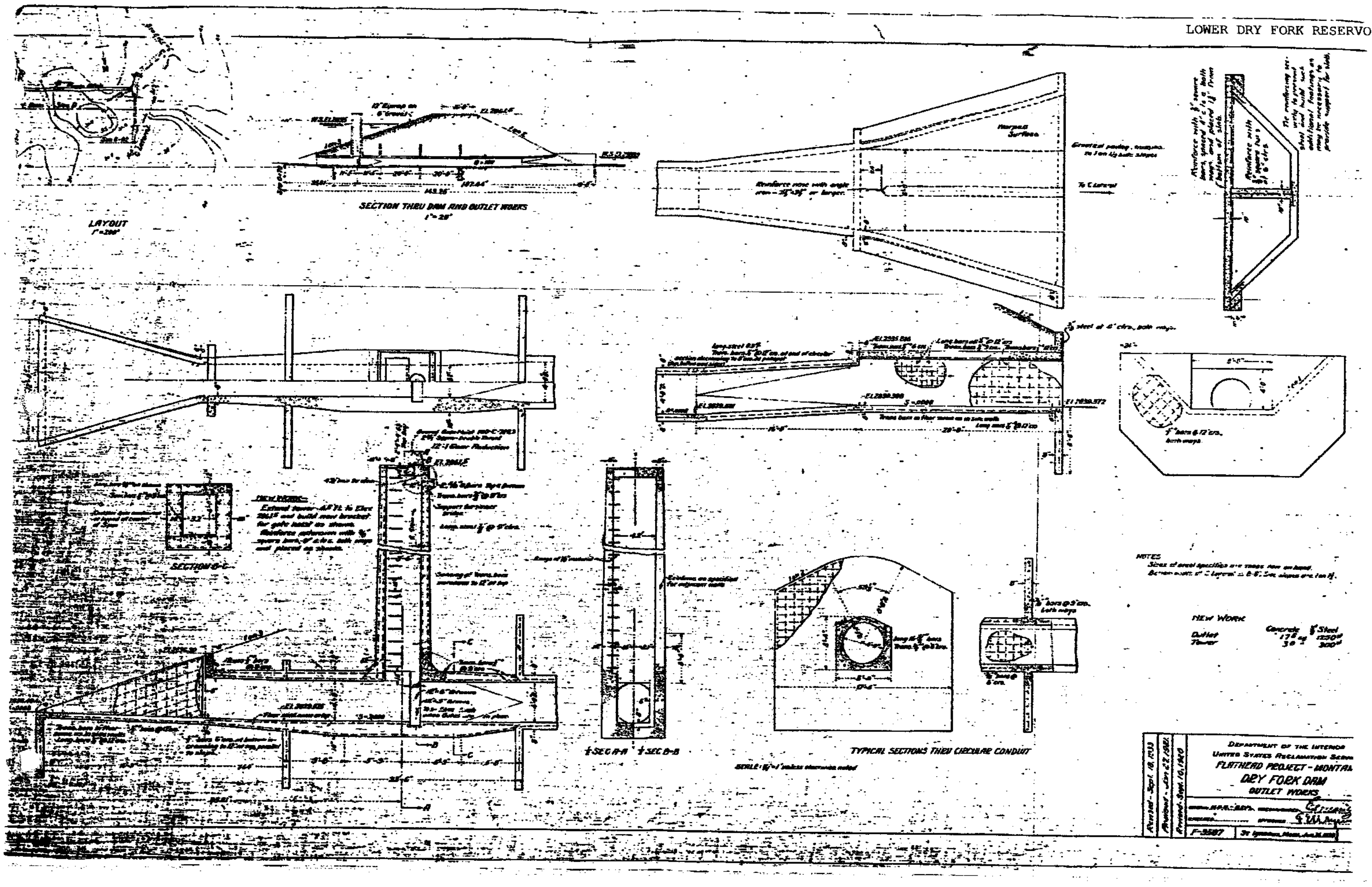
For Details of Outlet
See F-5221

DEPARTMENT OF THE INTERIOR
US INDIAN IRRIGATION SERVICE
A.L. WATHEN - DIRECTOR OF IRRIGATION
[illegible] - ASST DIRECTOR - [illegible] - SUPERVISING
[illegible] - PROJECT ENGR.
FLATHEAD PROJECT - MONTANA
UPPER DRY FORK RESERVOIR
GENERAL PLAN & SECTIONS
SCALE - AS NOTED
DRAWN ______ SUBMITTED ______
TRACED R.H.F. APPROVED ______

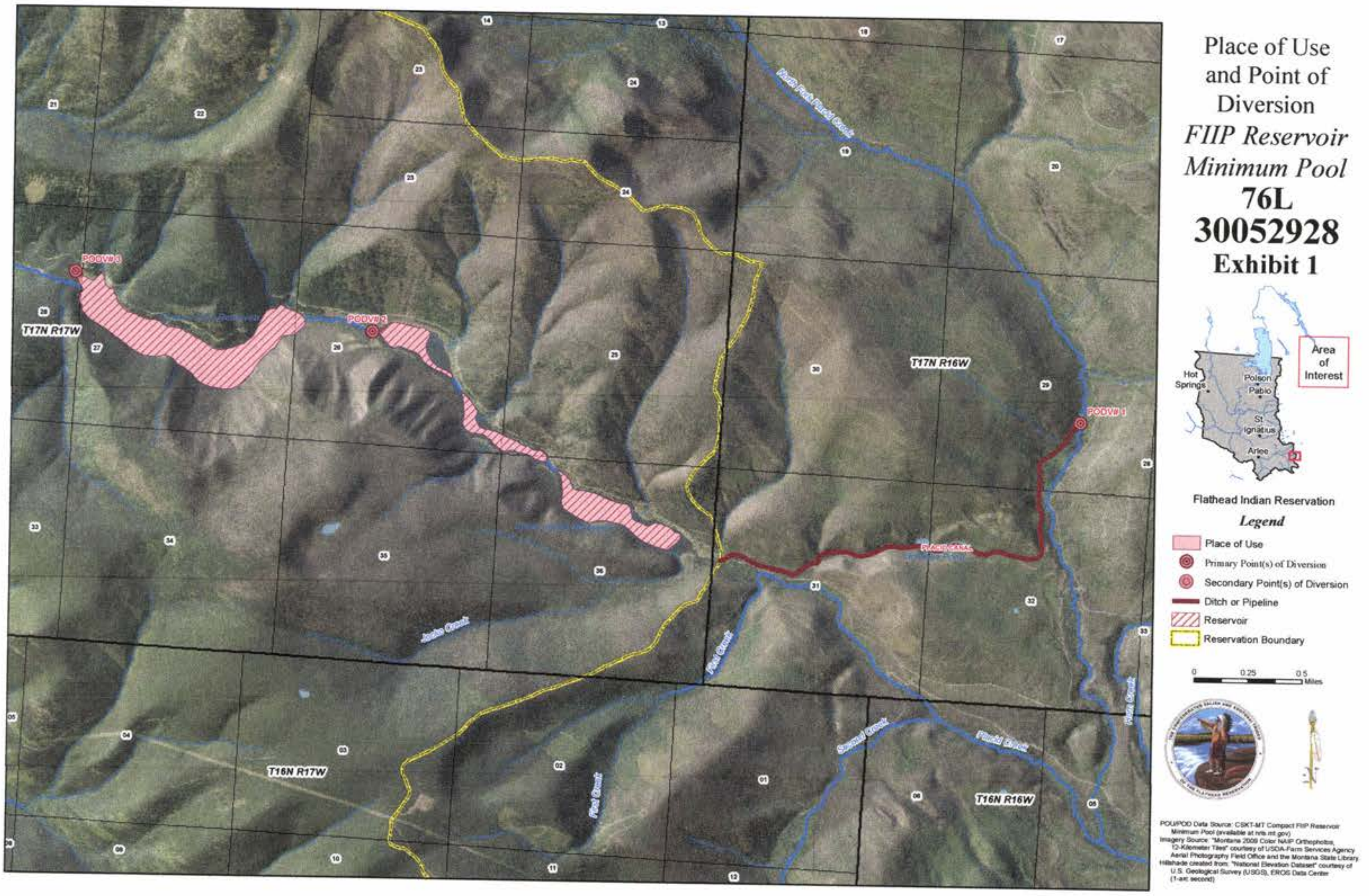
F-52

UPPER DRY FORK RESERVOIR


Elev 2835.
Water Surface 2827.
Permeable Fill
Longitudinal Section
Scale 1" = 10'-0"
Plan
Scale 1/4" = 1'-0"
Upstream Elevation
Scale 1/4" = 1'-0"
Detail of Footing
Section C-C
Section B-B
Section A-A
Section E-E
Trash Rack Details
Department of the Interior
U.S. Indian Irrigation Service
Flathead Project - Mon
Upper Dry Fork Rese
Outlet Details
Scale - As noted
Drawn
Traced
Checked
Approved

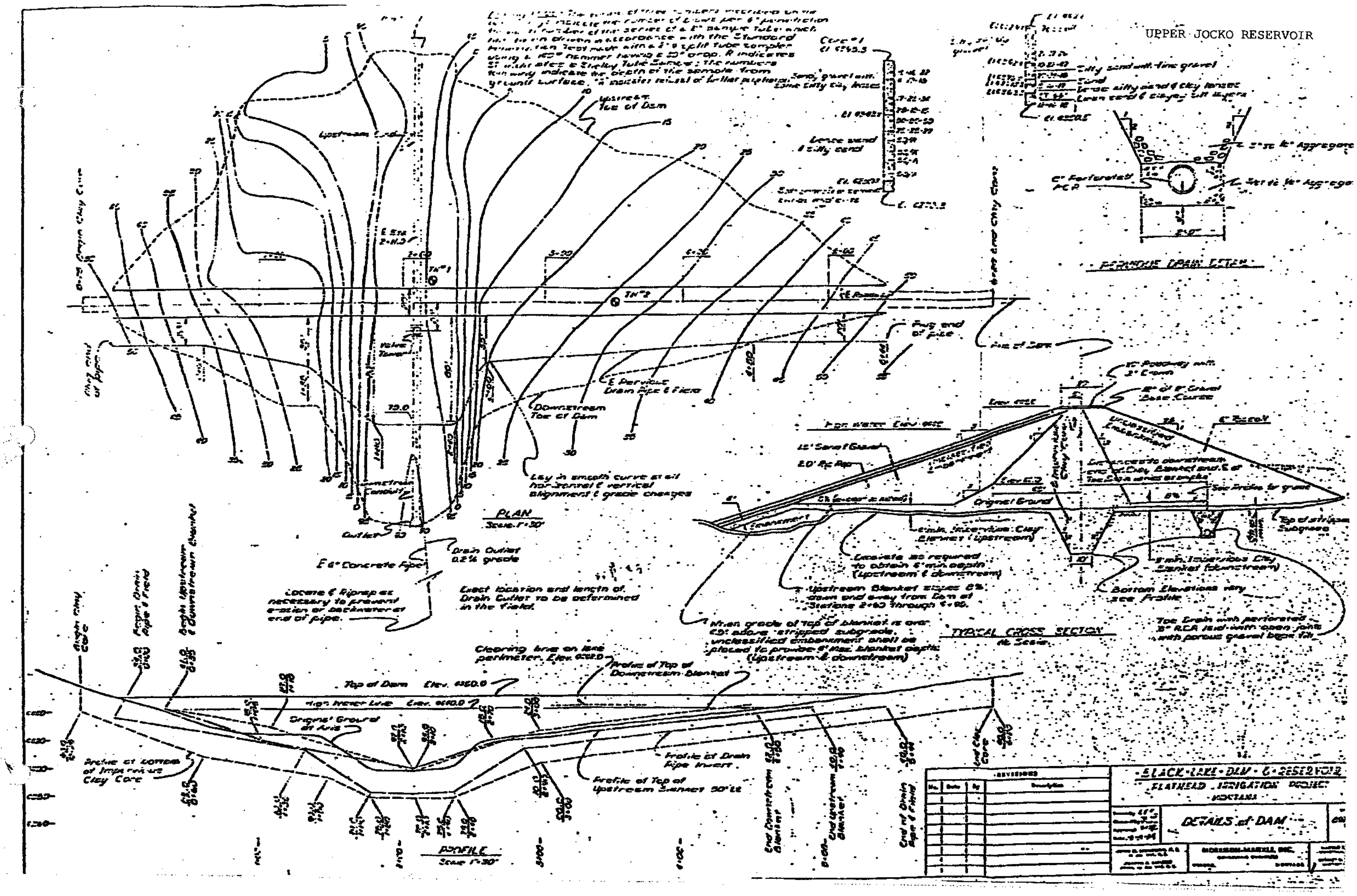

LAYOUT
1"=200'
SECTION THRU DAM AND OUTLET WORKS
1"=20'
SECTION C-C
NEW WORK
Extend tower
½ SEC A-A
½ SEC B-B
TYPICAL SECTIONS THRU CIRCULAR CONDUIT
NOTES
NEW WORK
Outlet
Tower
Concrete
Steel
17.8 cy
1250#
3.0 "
300#
Revised - Sept. 18, 1933
Revised - Jan. 22, 1941
Revised - Sept. 10, 1940
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT - MONTANA
DRY FORK DAM
OUTLET WORKS
F-3587

Place of Use and Point of Diversion
FIIP Reservoir Minimum Pool
76L
30052928
Exhibit 1


PODV# 3
PODV# 2
PODV# 1
T17N R17W
T17N R16W
T16N R17W
T16N R16W
North Fork Placid Creek
Jocko Creek
First Creek
Second Creek
Placid Creek
Placid Canal
14
13
18
17
21
22
23
24
19
20
28
27
26
25
30
29
33
34
35
36
31
32
03
02
01
06
05
04
09
10
11
12
Hot Springs
Polson
Pablo
St Ignatius
Arlee
Area of Interest
Flathead Indian Reservation
Legend
Place of Use
Primary Point(s) of Diversion
Secondary Point(s) of Diversion
Ditch or Pipeline
Reservoir
Reservation Boundary
0
0.25
0.5
Miles

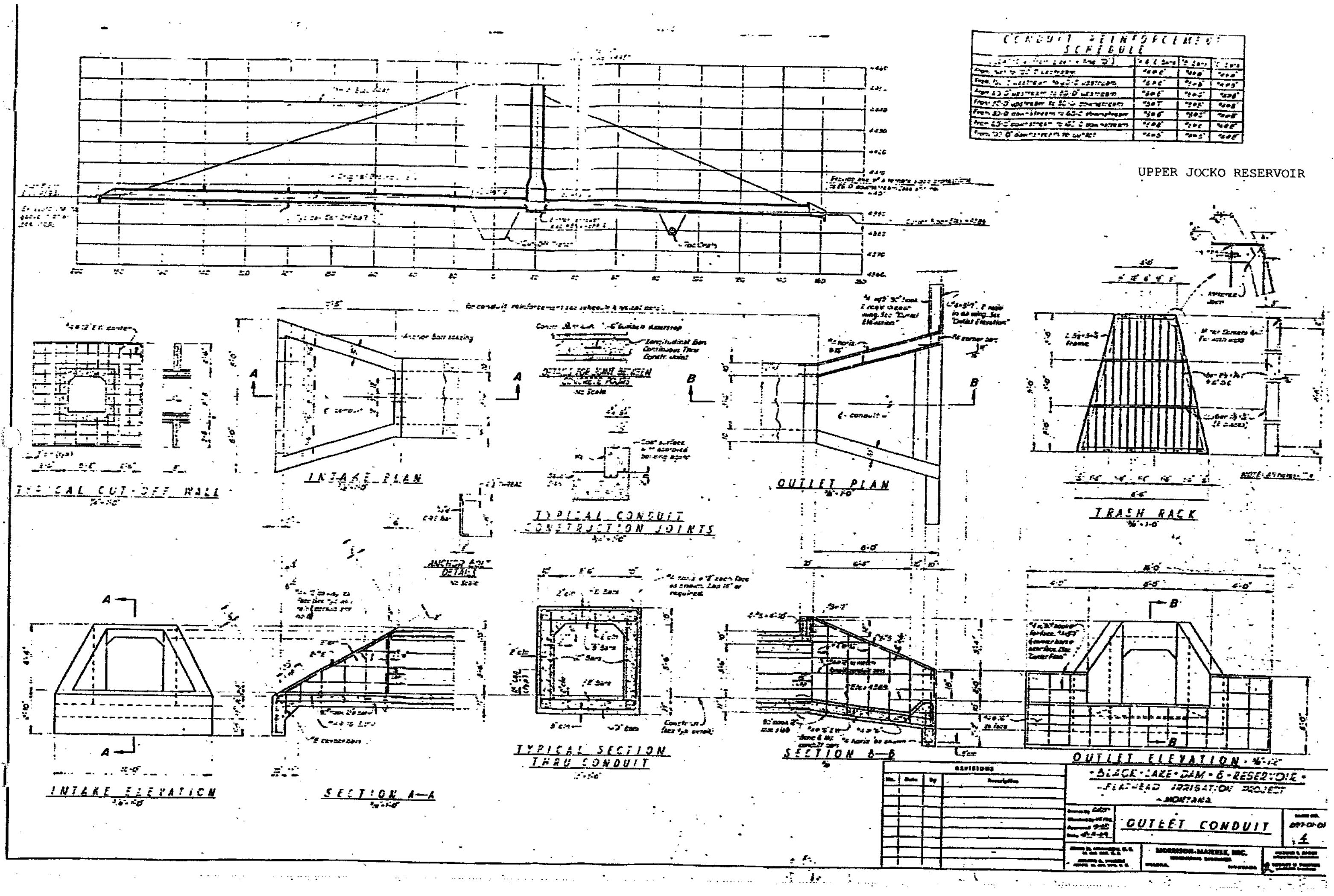
POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

UPPER JOCKO RESERVOIR

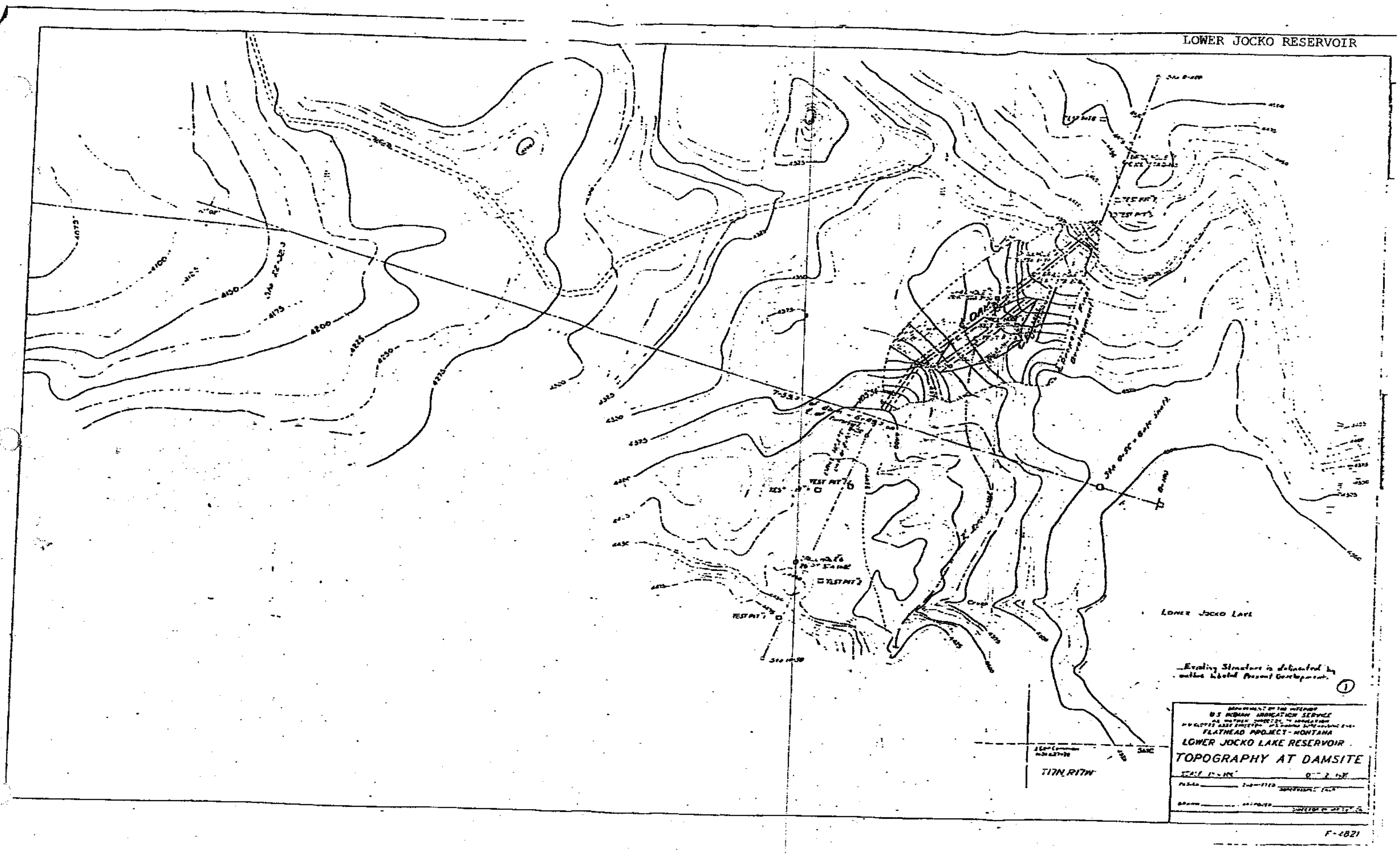


BLACK · LAKE · DAM · & · RESERVOIR
FLATHEAD IRRIGATION PROJECT
MONTANA
DETAILS of DAM
REVISIONS
No. Date By Description
PLAN
Scale 1"=30'
PROFILE
Scale 1"=30'
TYPICAL CROSS SECTION
No Scale
PERVIOUS DRAIN DETAIL
Core #1
El. 6245.3
Sand, gravel with some silty clay lenses
Dense sand & silty sand
Upstream Toe of Dam
Upstream End
Downstream Toe of Dam
Valve Tower
Outlet
Drain Outlet 0.2% grade
6" Concrete Pipe
Pervious Drain Pipe & Field
Lay in smooth curve at all hor. zontal & vertical alignment & grade changes
Locate & Riprap as necessary to prevent erosion or backwater at end of pipe.
Exact location and length of Drain Outlet to be determined in the field.
Plug end of pipe
Plug end of pipe
Toe of Dam
Top of Dam Elev. 4460.0
High Water Line Elev. 4450.0
Clearing line on lake perimeter. Elev. 4452.0
Profile of Top of Downstream Blanket
Original Ground at Axis
Profile at bottom of Impervious Clay Core
Profile of Drain Pipe Invert
Profile of Top of Upstream Blanket 50' Lt
End Downstream Blanket
End Upstream Blanket
End of Drain Pipe & Field
End Clay Core
Begin Clay Core
Begin Drain Pipe & Field
Begin Upstream & Downstream Blanket
High Water Elev. 4450
12" Sand Gravel
2.0' Rip Rap
Original Ground
Unclassified Embankment
Impervious Clay Core
Top of stripped Subgrade
6" Perforated RCP
2" to 3/4" Aggregate
3/8" to 3/4" Aggregate
2.0'
Silty sand with fine gravel
Sand
Loose silty sand & clay lenses
Excavate as required to obtain 4' min. depth (Upstream & downstream)
Upstream Blanket slopes 6% down and away from Dam at Stations 2+60 through 5+90.
When grade of top of blanket is one foot above stripped subgrade, unclassified embankment shall be placed to provide 4' Max. blanket depth (Upstream & downstream)
Bottom Elevations vary see Profile
Toe Drain with perforated 6" RCP laid with open joints with porous gravel bedding
Min. Impervious Clay Blanket (Upstream)
Min. Impervious Clay Blanket (Downstream)
6% Slope
TH #1
TH #2
2+00
3+00
4+00
5+00

UPPER JOCKO RESERVOIR

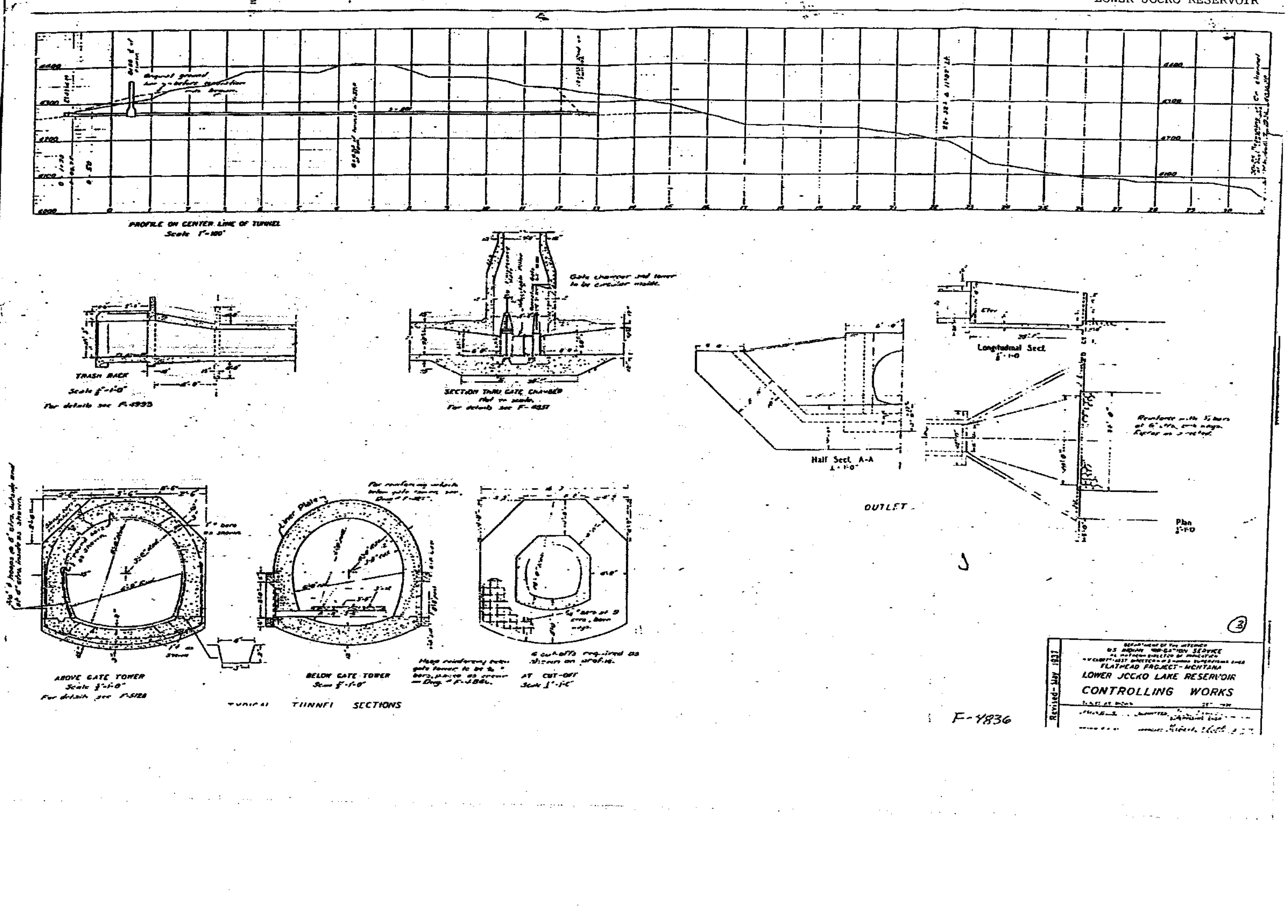

CONDUIT REINFORCEMENT SCHEDULE
TYPICAL CUT-OFF WALL
INTAKE PLAN
OUTLET PLAN
TRASH RACK
DETAILS FOR JOINT BETWEEN CONCRETE PLUGS
TYPICAL CONDUIT CONSTRUCTION JOINTS
ANCHOR BOLT DETAILS
INTAKE ELEVATION
SECTION A—A
TYPICAL SECTION THRU CONDUIT
SECTION B—B
OUTLET ELEVATION
A
B
REVISIONS
No.
Date
By
Description
BLACK LAKE DAM & RESERVOIR
FLATHEAD IRRIGATION PROJECT
MONTANA
OUTLET CONDUIT
4
MORRISON-MAIERLE, INC.

LOWER JOCKO RESERVOIR

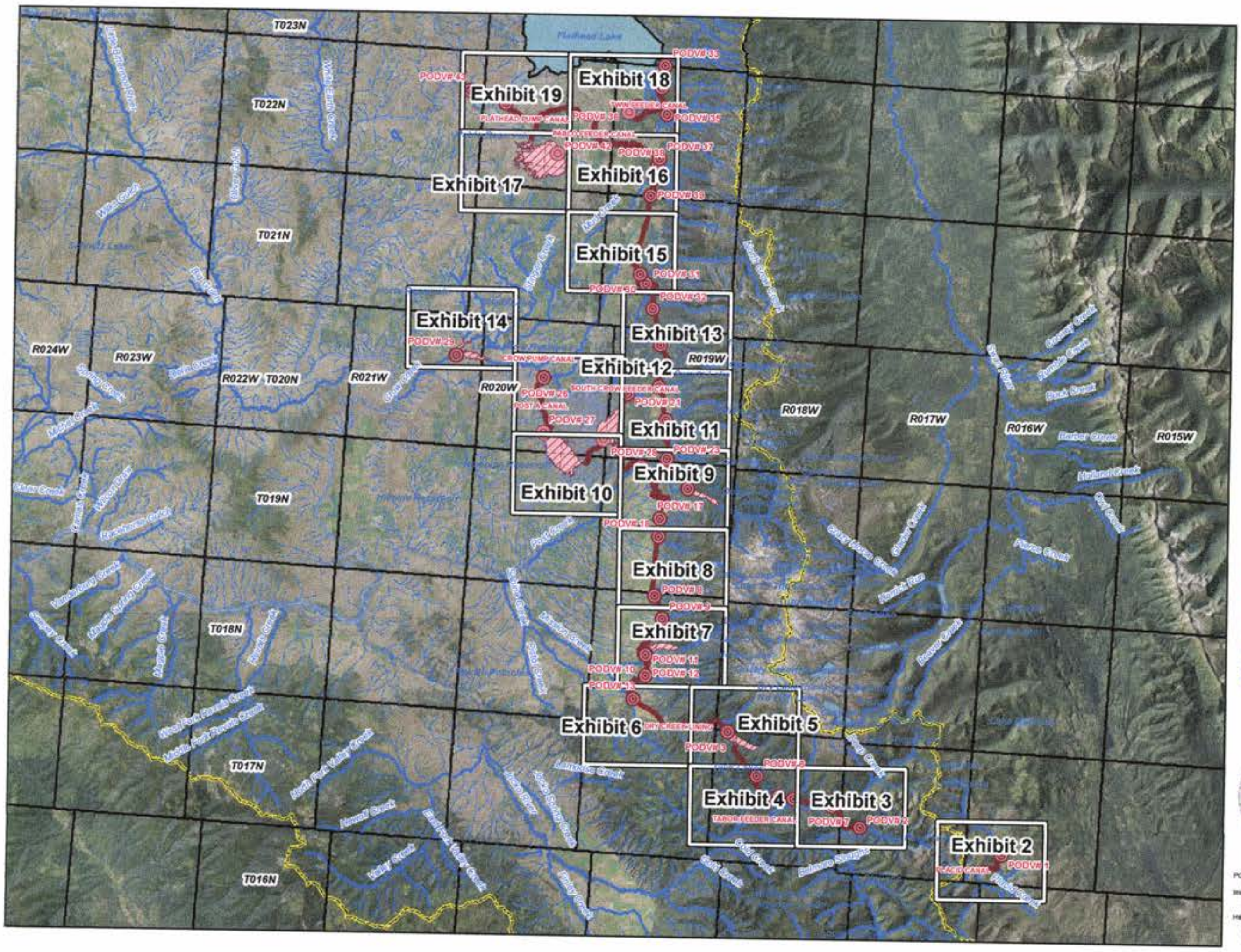

4100
4150
4175
4200
4225
4250
4275
4300
4325
4350
4375
4400
TEST PIT 6
TEST PIT 3
TEST PIT 1
Lower Jocko Lake
T17N R17W
Existing Structure is delineated by outline labeled Present Development.
①

DEPARTMENT OF THE INTERIOR
U S INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER JOCKO LAKE RESERVOIR
TOPOGRAPHY AT DAMSITE

F-4821


PROFILE ON CENTER LINE OF TUNNEL
Scale 1"=100'
4400
4300
4200
4100
4000
TRASH RACK
Scale ⅛"=1'-0"
For details see F-4993
SECTION THRU GATE CHAMBER
Not to scale.
For details see F-4851
Gate chamber and tower to be circular molds.
Half Sect. A-A
Longitudinal Sect.
Plan
OUTLET
ABOVE GATE TOWER
Scale ⅛"=1'-0"
For details see F-5128
BELOW GATE TOWER
Liner Plate
AT CUT-OFF
TYPICAL TUNNEL SECTIONS
③
DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER JOCKO LAKE RESERVOIR
CONTROLLING WORKS
Revised - May 1937

F-4836


Flathead Lake
T023N
T022N
T021N
T020N
T019N
T018N
T017N
T016N
R024W
R023W
R022W
R021W
R020W
R019W
R018W
R017W
R016W
R015W
Exhibit 19
Exhibit 18
Exhibit 17
Exhibit 16
Exhibit 15
Exhibit 14
Exhibit 13
Exhibit 12
Exhibit 11
Exhibit 10
Exhibit 9
Exhibit 8
Exhibit 7
Exhibit 6
Exhibit 5
Exhibit 4
Exhibit 3
Exhibit 2
PODV# 43
PODV# 33
PODV# 35
PODV# 37
PODV# 42
PODV# 39
PODV# 29
PODV# 26
PODV# 27
PODV# 21
PODV# 17
PODV# 11
PODV# 12
PODV# 10
PODV# 13
PODV# 7
PODV# 1
FLATHEAD PUMP CANAL
TWIN FEEDER CANAL
CROW PUMP CANAL
SOUTH CROW FEEDER CANAL
POST A CANAL
DRY CREEK LINING
TABOR FEEDER CANAL
PLACID CANAL

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052929

Exhibit 1

Area of Interest
Hot Springs
Arlee
19
18
17
15
14
12
11
10
9
8
7
5
4
3
2

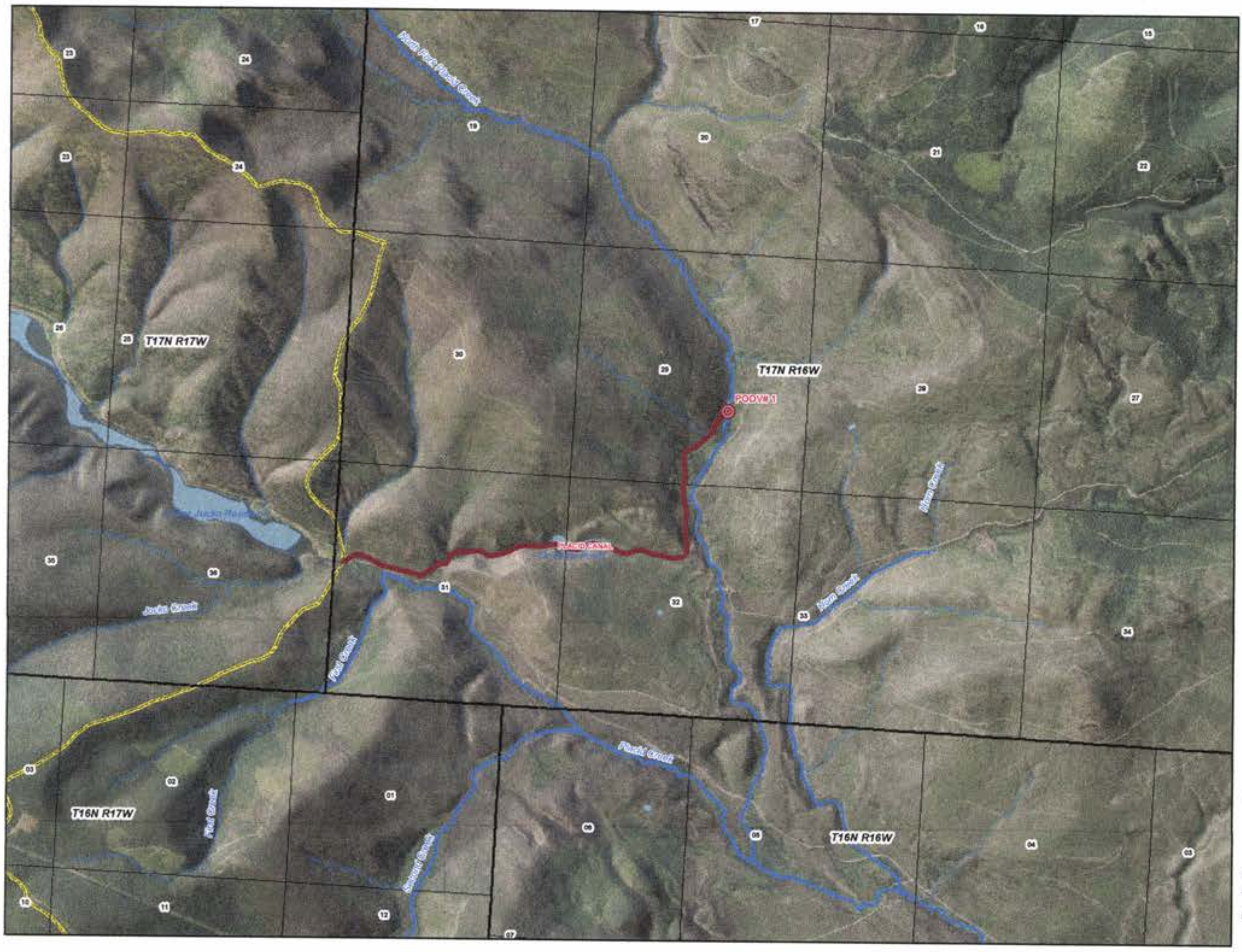
Flathead Indian Reservation

Legend

▭	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir
▭	Reservation Boundary

0 2.5 5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


North Fork Placid Creek
T17N R17W
T17N R16W
PODV# 1
PLACID CANAL
Jocko Creek
Placid Creek
T16N R17W
T16N R16W
17
16
15
19
20
21
22
24
23
25
26
30
29
28
27
36
31
32
33
34
03
02
01
06
05
04
10
11
12
07

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052929

Exhibit 2

Area
of
Interest
Hot
Springs
Arlee
19
18
17
15
14
12
11
10
9
8
7
6
5
4
3
2

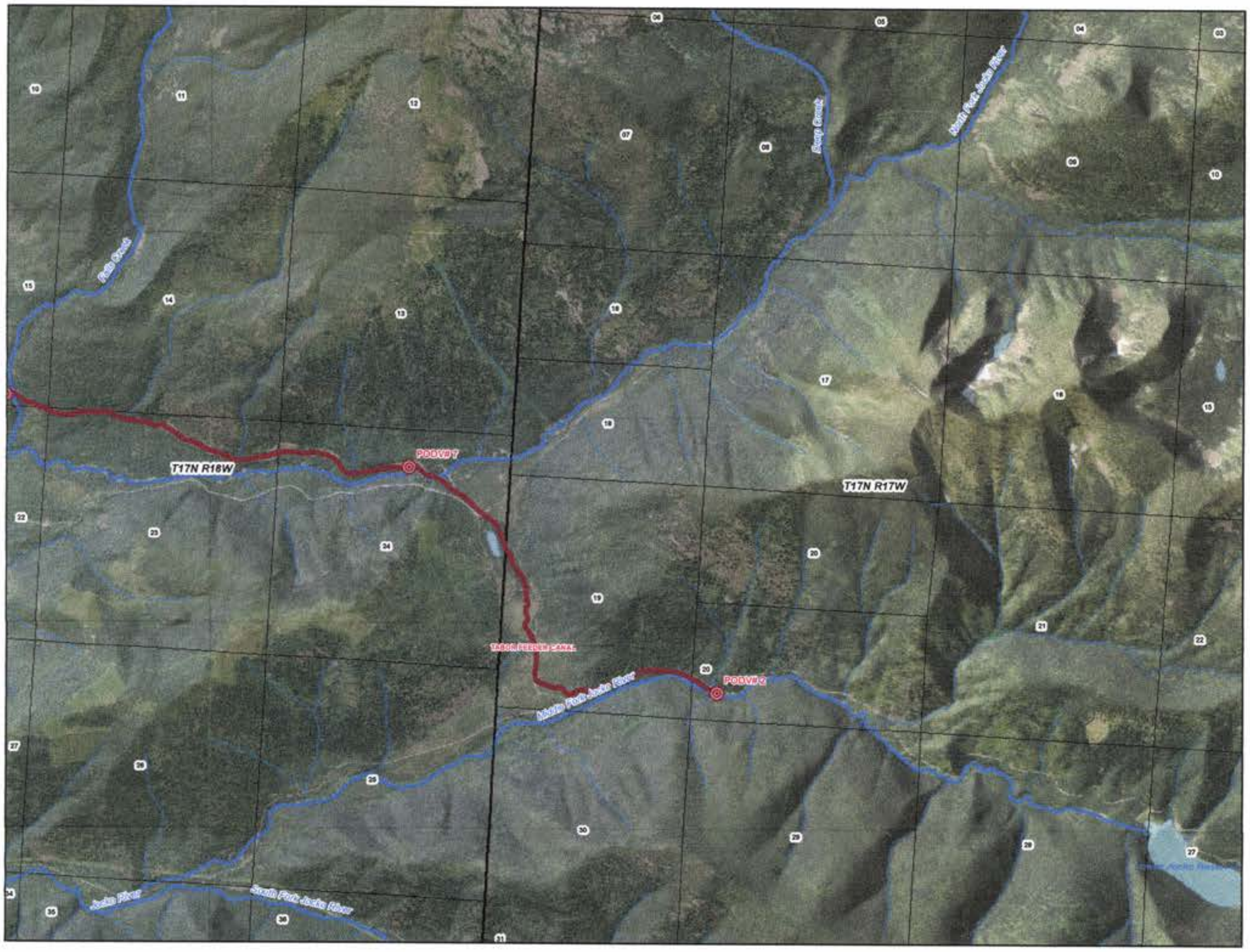
Flathead Indian Reservation

Legend

🟥 Place of Use
◎ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
▬ Ditch or Pipeline
▨ Reservoir
☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nrts.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T17N R18W
T17N R17W
PODV# 1
PODV# 2
TABOR FEEDER CANAL
Middle Fork Jocko River
North Fork Jocko River
South Fork Jocko River
Jocko River

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052929

Exhibit 3

Area of Interest
Hot Springs
Arlee
19 18
17 15
14 12 11
10 9
8
6 7 5
4 3 2

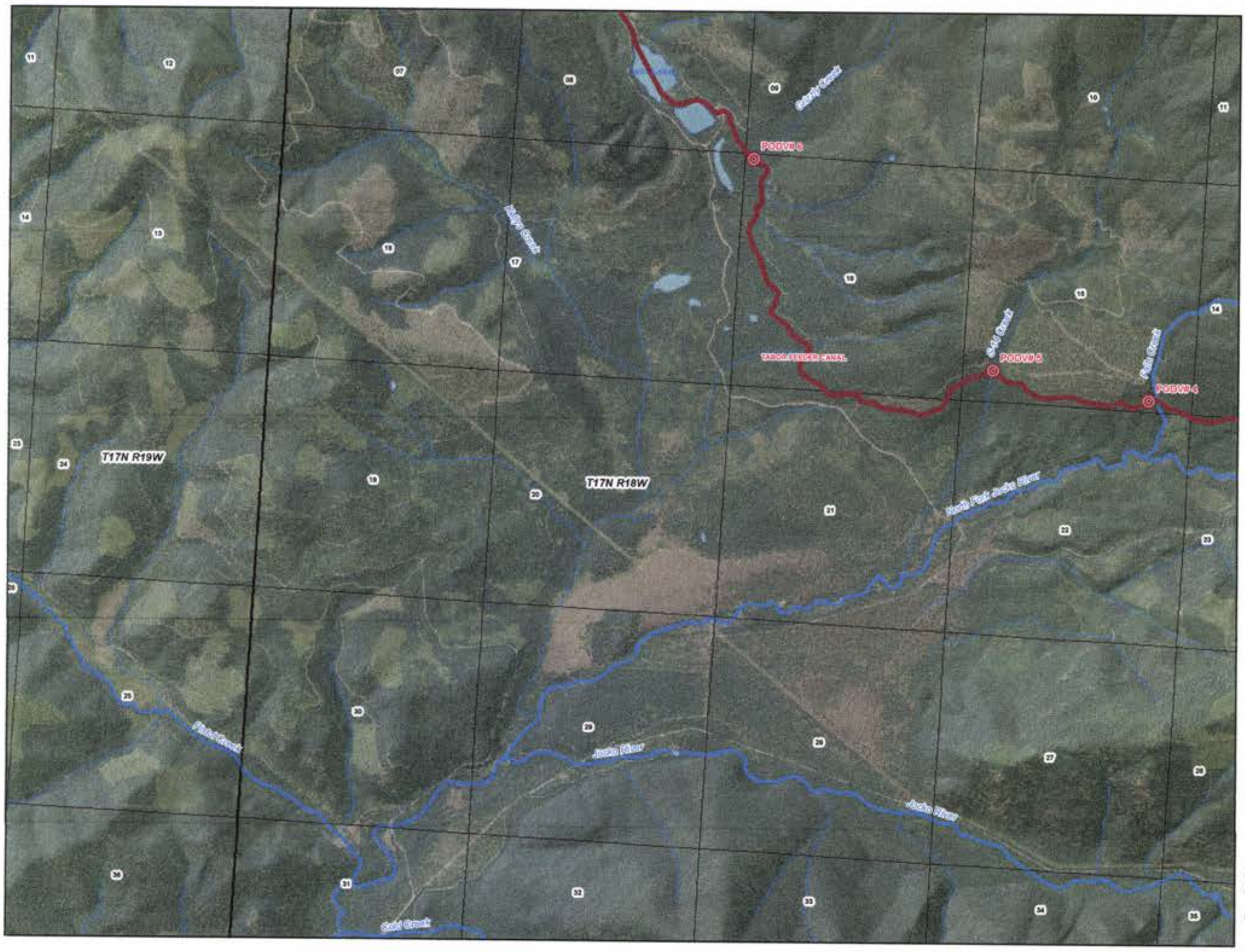
Flathead Indian Reservation

Legend

- ▨ Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ― Ditch or Pipeline
- ▨ Reservoir
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T17N R19W
T17N R18W
PODV# 6
PODV# 5
PODV# 4
TABOR FEEDER CANAL
North Fork Jocko River
Jocko River
Jocko River
Cold Creek

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052929

Exhibit 4

Area of Interest
Hot Springs
Arlee
19
18
17
16
15
14
12
11
10
9
8
7
6
5
4
3
2

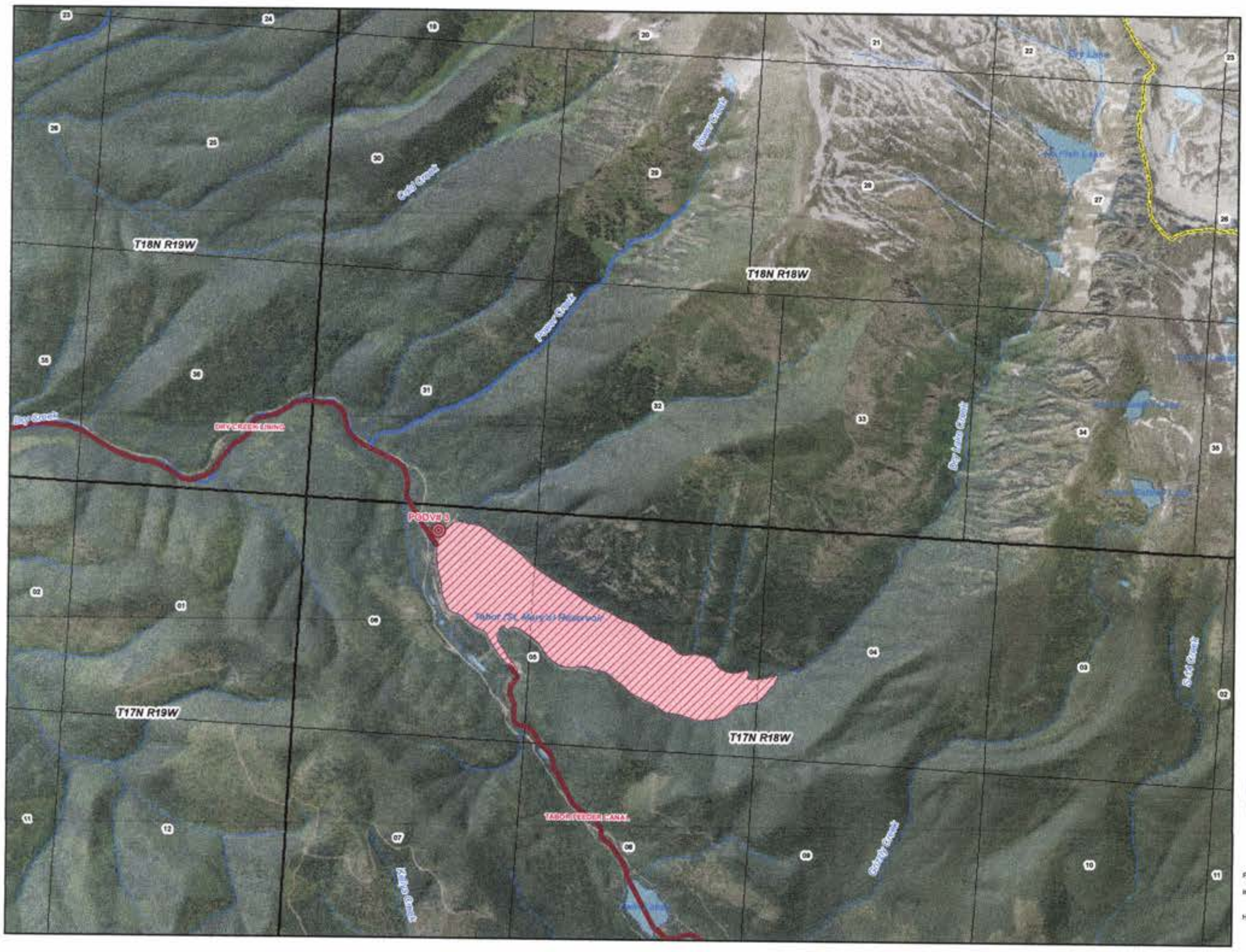
Flathead Indian Reservation

Legend

🟥	Place of Use
◉	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir
☐	Reservation Boundary

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R19W
T18N R18W
T17N R19W
T17N R18W
Dry Creek
DRY CREEK LINING
POD# 3
Tabor (St. Mary's) Reservoir
TABOR FEEDER CANAL
Dry Lake Creek
Dry Lake

Place of Use and Point of Diversion *FIIP Reservoir Minimum Pool*

76L 30052929

Exhibit 5

Area of Interest
Hot Springs
Arlee
19
18
17
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2

Flathead Indian Reservation

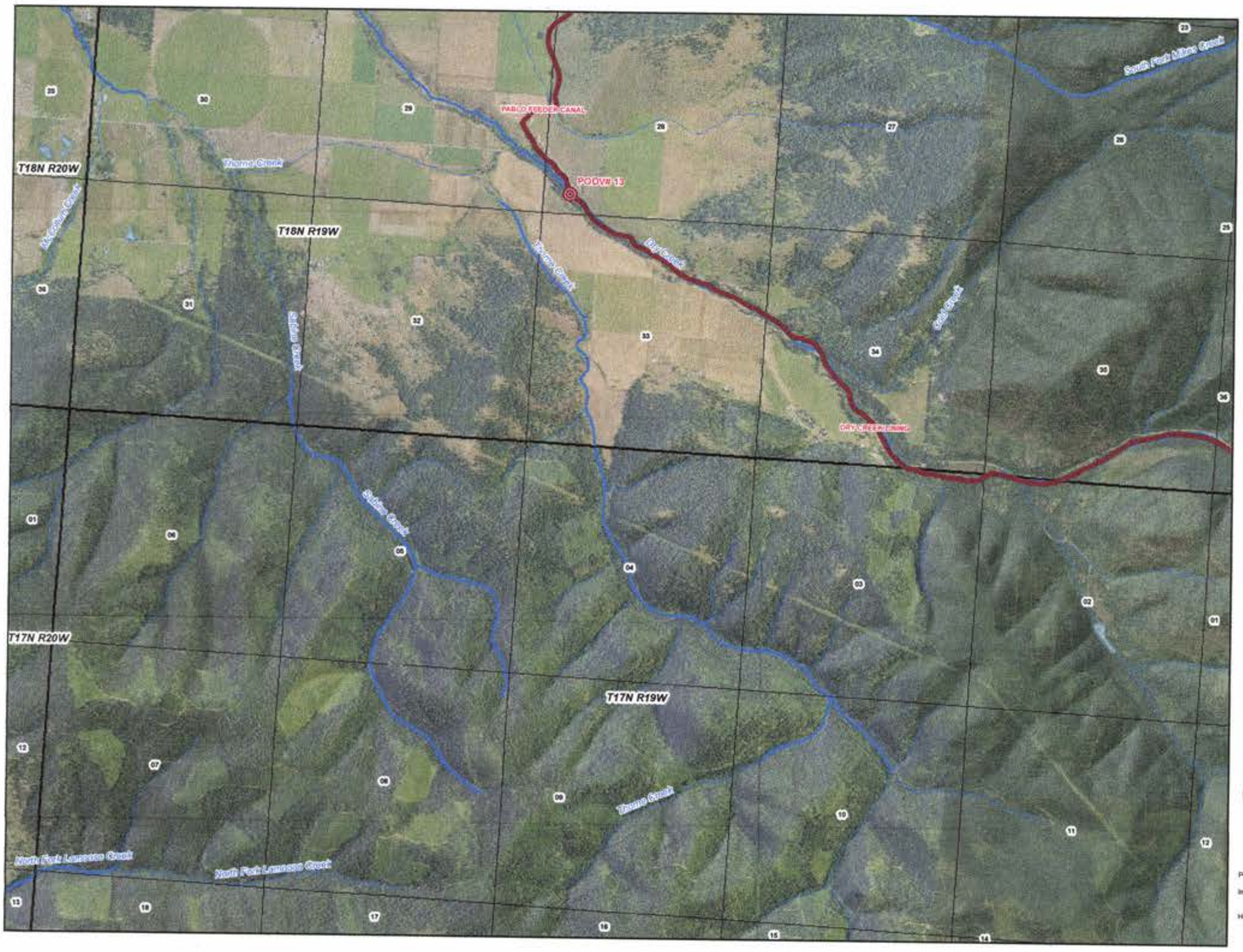
Legend

🟥	Place of Use
◉	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use
and Point of
Diversion
FIIP Reservoir
Minimum Pool
76L
30052929
Exhibit 6


T18N R20W
T18N R19W
T17N R20W
T17N R19W
PABLO FEEDER CANAL
PODV# 13
Dry Creek
DRY CREEK LINING
Thorne Creek
Sabine Creek
South Fork Mikes Creek
North Fork Lamoose Creek
Cold Creek
25
30
29
28
27
26
23
25
36
31
32
33
34
35
36
01
06
05
04
03
02
01
12
07
08
09
10
11
12
13
18
17
16
15
14

Area of Interest
Hot Springs
Arlee
19
18
17
15
14
12
11
10
9
8
7
6
5
4
3
2

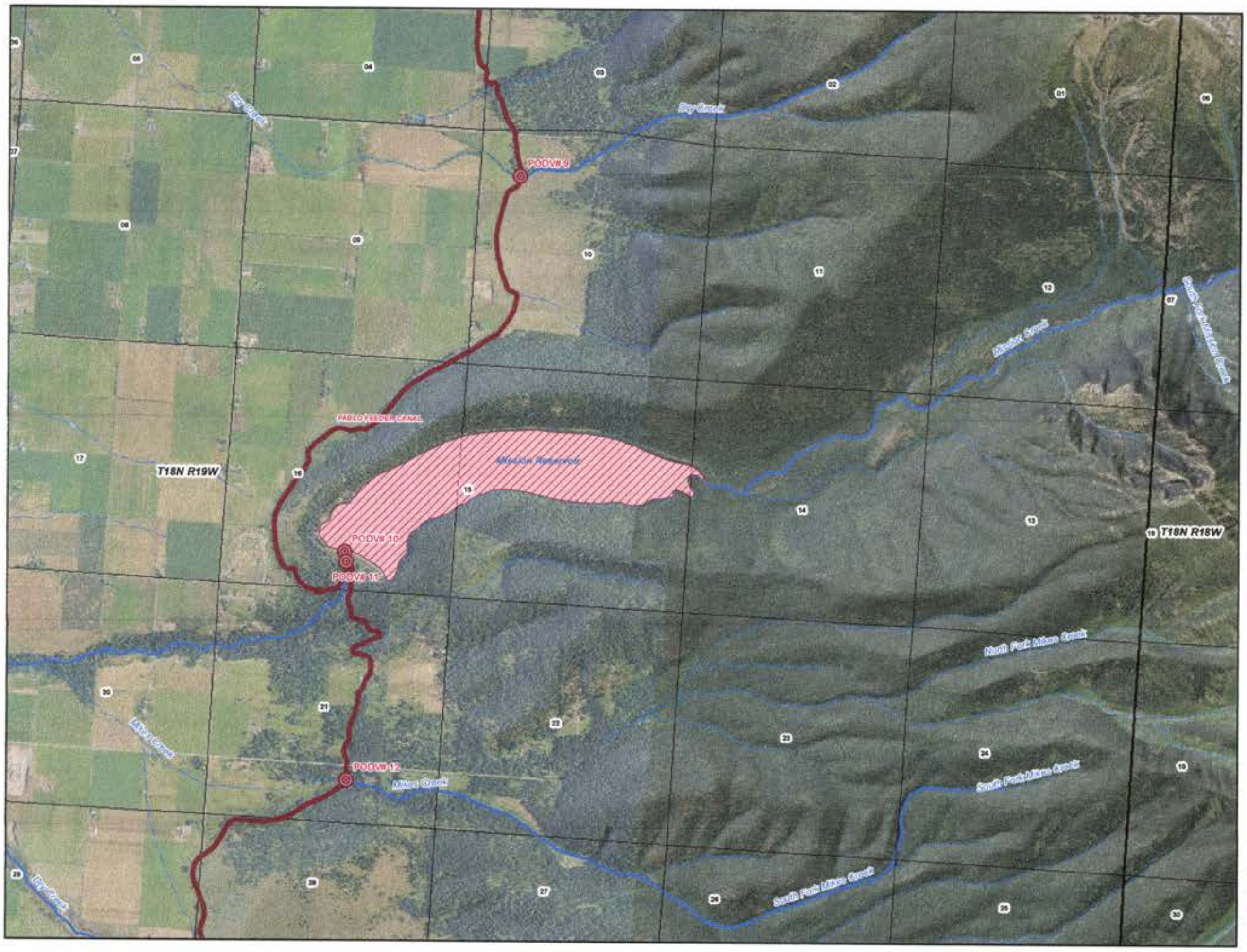
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Dry Creek
PODV# 9
Mission Creek
South Fork Mission Creek
PABLO FEEDER CANAL
Mission Reservoir
T18N R19W
T18N R18W
PODV# 10
PODV# 11
North Fork Mikes Creek
PODV# 12
Mikes Creek
South Fork Mikes Creek
Dry Creek

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L 30052929

Exhibit 7

Area of Interest
Hot Springs
Arlee
19 18
17 15
14 12 11
10 9
8
4 3 2

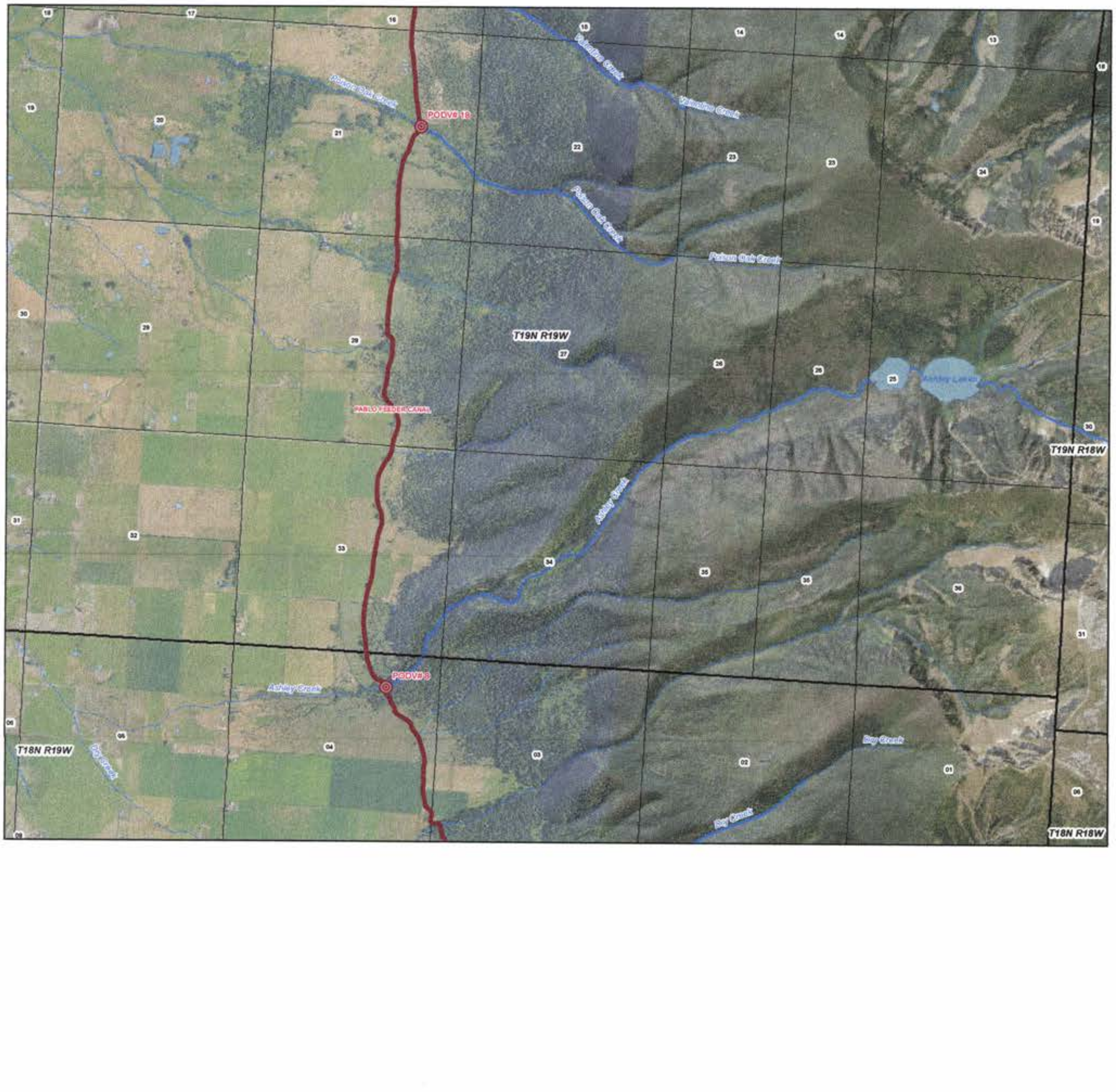
Flathead Indian Reservation

Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second).

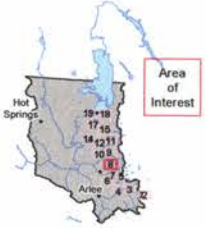

18
17
16
15
14
14
13
18
19
20
21
PODV# 18
Poison Oak Creek
Valentine Creek
Valentine Creek
22
23
23
24
Poison Oak Creek
Poison Oak Creek
19
30
29
28
T19N R19W
27
26
25
25
Ashley Lake
PABLO FEEDER CANAL
30
T19N R18W
31
32
33
Ashley Creek
34
35
36
36
31
PODV# 8
Ashley Creek
06
05
04
03
02
01
06
T18N R19W
Dry Creek
Dry Creek
Dry Creek
T18N R18W

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L 30052929

Exhibit 8


Area of Interest
Hot Springs
19
18
17
15
14
12
11
10
9
8
7
6
5
4
3
2
Arlee

Flathead Indian Reservation

Legend

🟥 Place of Use

● Primary Point(s) of Diversion

● Secondary Point(s) of Diversion

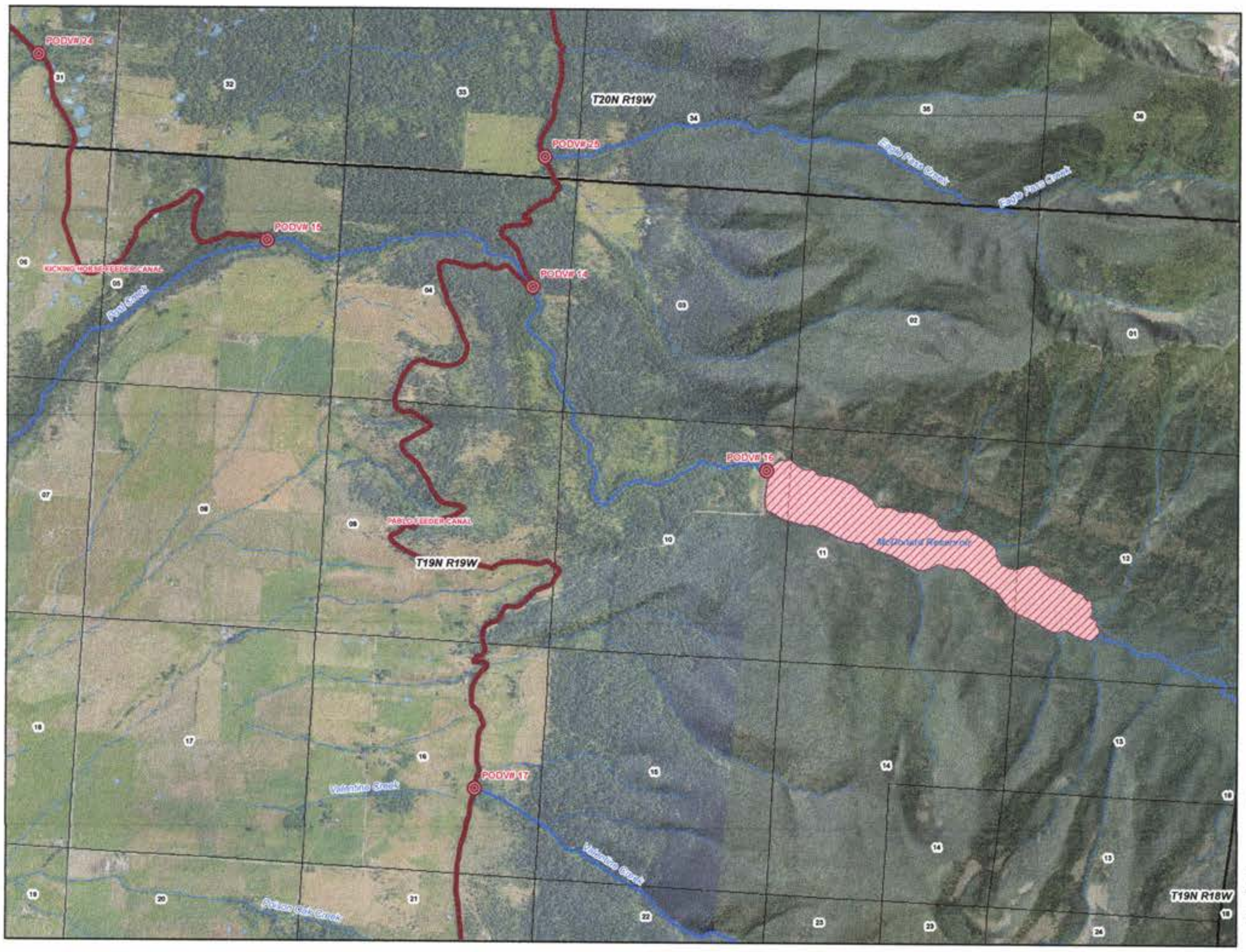
▬ Ditch or Pipeline

▨ Reservoir

☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


PODV# 24
PODV# 25
T20N R19W
Eagle Pass Creek
PODV# 15
KICKING HORSE FEEDER CANAL
PODV# 14
Post Creek
PODV# 16
PABLO FEEDER CANAL
McDonald Reservoir
T19N R19W
PODV# 17
Valentine Creek
Poison Oak Creek
T19N R18W

Place of Use and Point of Diversion *FIIP Reservoir Minimum Pool* 76L 30052929

Exhibit 9

Area of Interest
Hot Springs
Arlee
19 18 17 15 14 12 11 10 9 8 7 6 5 4 3 2

Flathead Indian Reservation

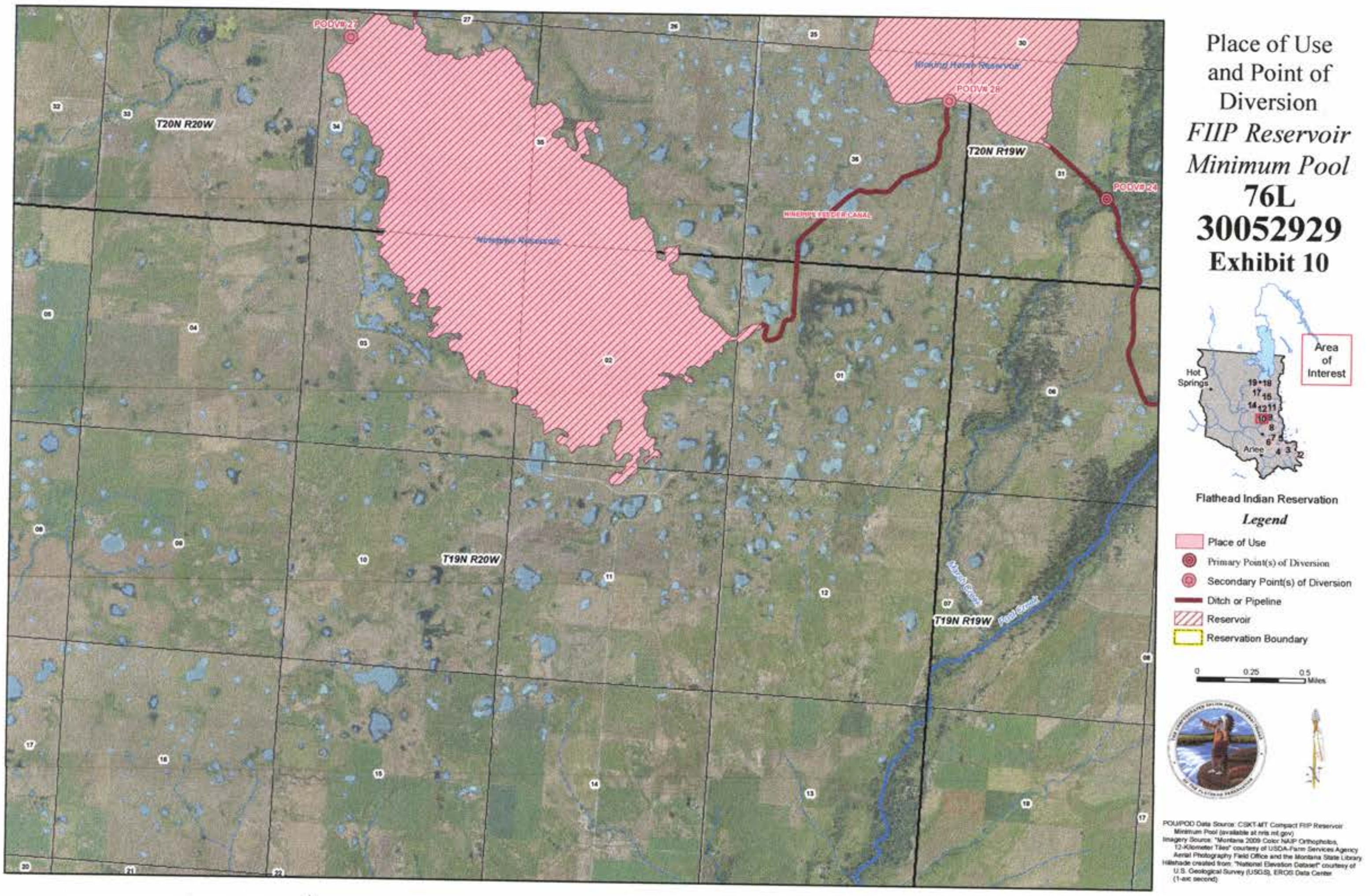
Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir
☐	Reservation Boundary

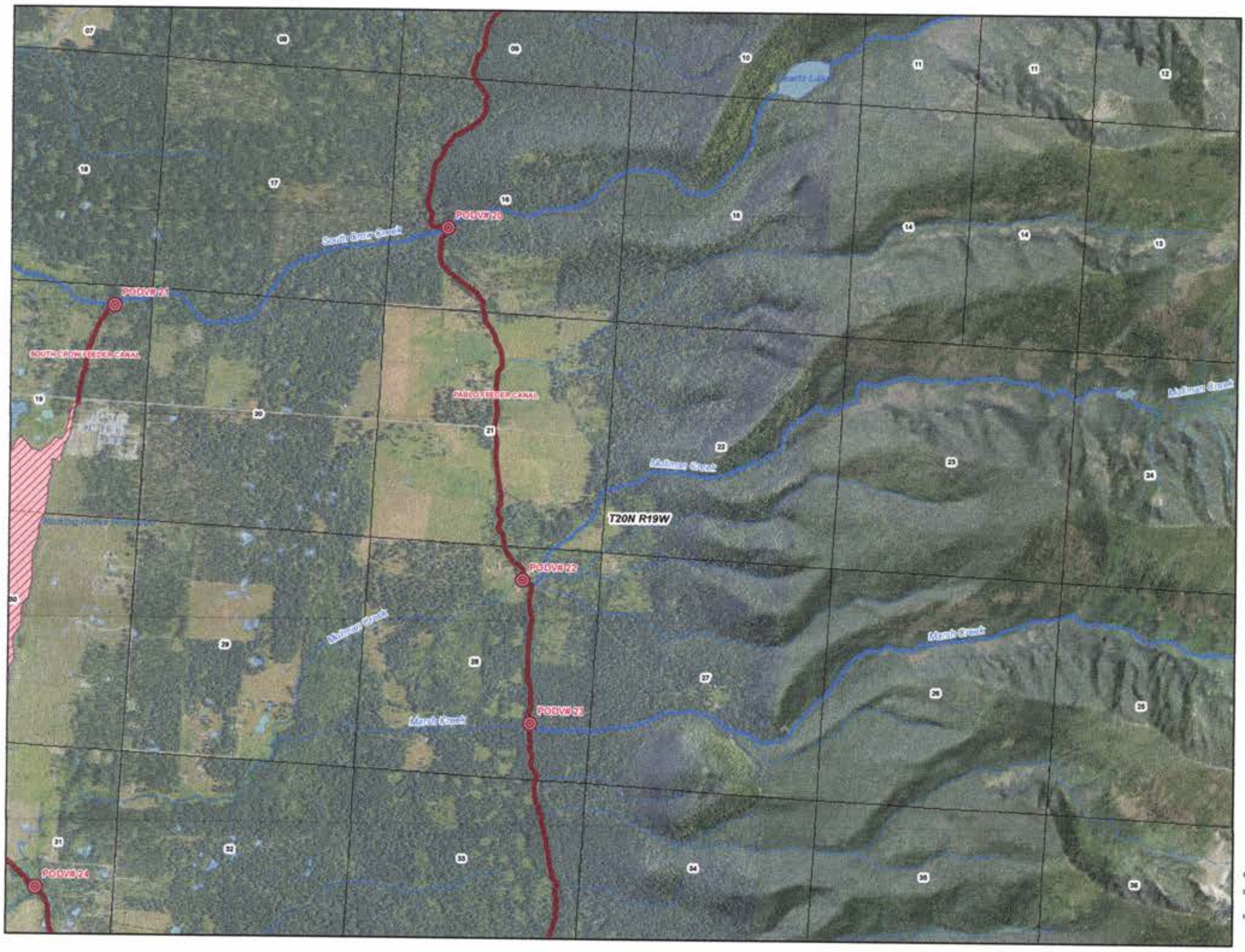
0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use and Point of Diversion
FIIP Reservoir Minimum Pool
76L 30052929
Exhibit 10


PODV# 27
PODV# 28
PODV# 24
Ninepipe Reservoir
Kicking Horse Reservoir
NINEPIPE FEEDER CANAL
T20N R20W
T20N R19W
T19N R20W
T19N R19W
Post Creek
27
26
25
30
32
33
34
35
36
31
05
04
03
02
01
06
08
09
10
11
12
07
17
16
15
14
13
18
20
21
22
Area of Interest
Hot Springs
Arlee
19
18
17
15
14
12
11
10
8
6
7
5
4
3
2
Flathead Indian Reservation
Legend
Place of Use
Primary Point(s) of Diversion
Secondary Point(s) of Diversion
Ditch or Pipeline
Reservoir
Reservation Boundary
0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


07
08
09
10
11
11
12
18
17
16
PODV# 20
South Crow Creek
15
14
14
13
PODV# 21
SOUTH CROW FEEDER CANAL
PABLO FEEDER CANAL
19
20
21
22
Mollman Creek
23
24
Mollman Creek
T20N R19W
Kicking Horse Reservoir
PODV# 22
30
Mollman Creek
29
28
27
26
25
Marsh Creek
Marsh Creek
PODV# 23
31
32
33
34
35
36
PODV# 24

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052929

Exhibit 11

Area of Interest
Hot Springs
Arlee
19
18
17
15
14
12
11
10
9
8
7
6
5
4
3
2

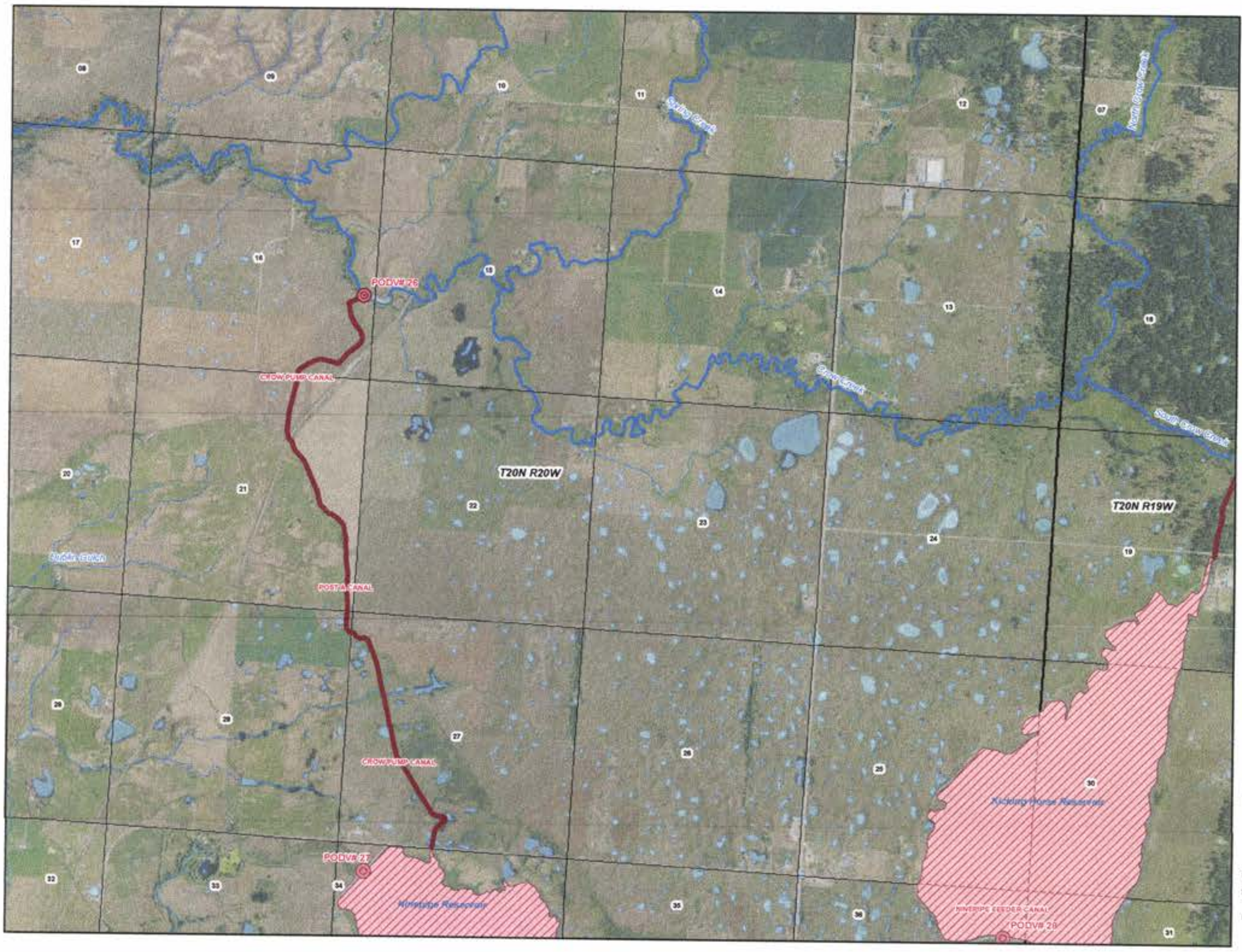
Flathead Indian Reservation

Legend

🟥 Place of Use
● Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
— Ditch or Pipeline
▨ Reservoir
☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


PODV# 26
CROW PUMP CANAL
Spring Creek
North Crow Creek
Crow Creek
South Crow Creek
Dublin Gulch
POST A CANAL
T20N R20W
T20N R19W
CROW PUMP CANAL
PODV# 27
Ninepipe Reservoir
Kicking Horse Reservoir
NINEPIPE FEEDER CANAL
PODV# 28

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052929

Exhibit 12

Area of Interest
Hot Springs
Arlee

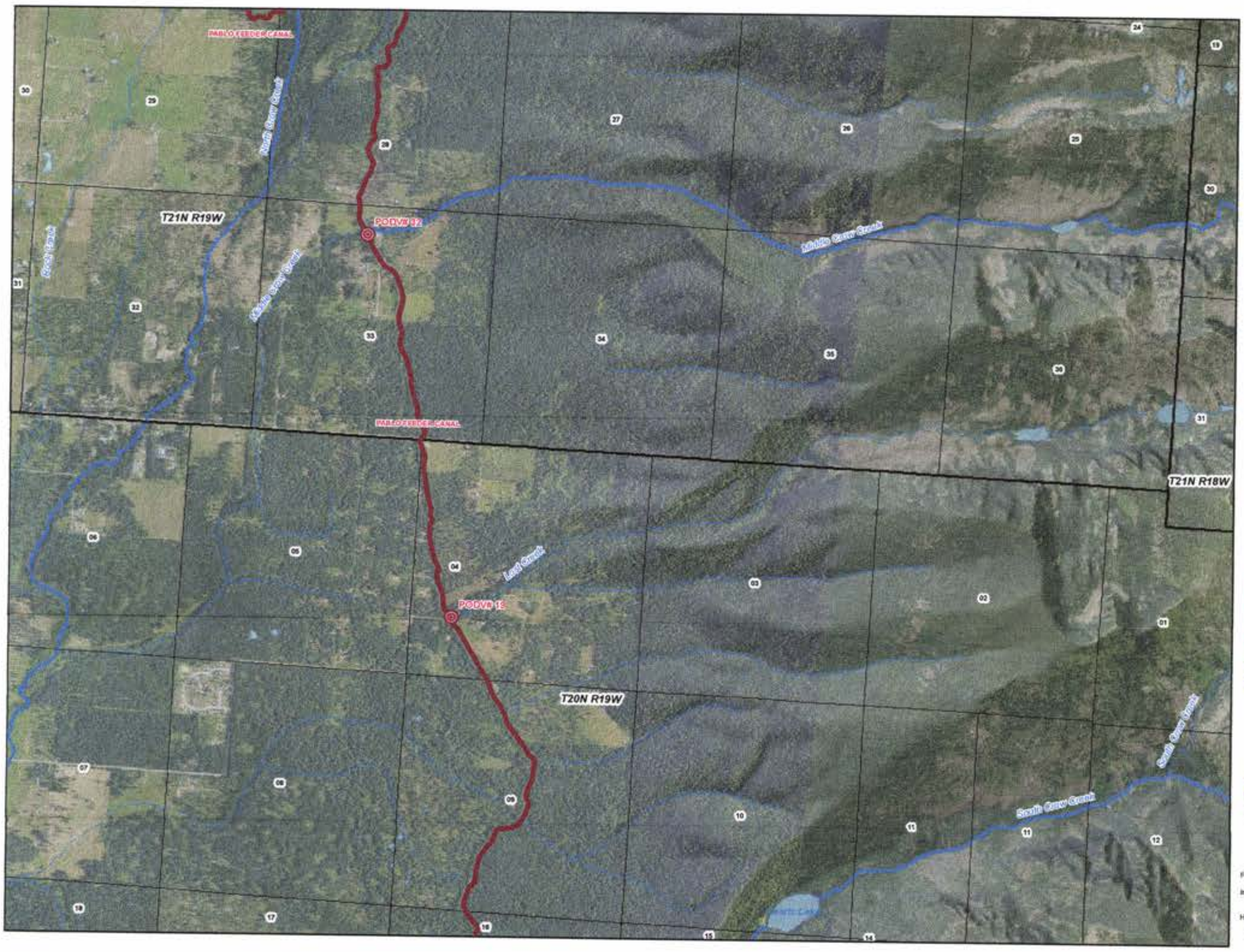
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PABLO FEEDER CANAL
North Crow Creek
Middle Crow Creek
Rock Creek
T21N R19W
PODV# 12
Middle Crow Creek
PABLO FEEDER CANAL
Lost Creek
PODV# 13
T20N R19W
T21N R18W
South Crow Creek
South Crow Creek
30
29
28
27
26
25
24
19
30
31
32
33
34
35
36
31
06
05
04
03
02
01
07
08
09
10
11
11
12
18
17
16
15
14

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052929

Exhibit 13

Area of Interest
Hot Springs
19
18
17
16
14
12
13
10
9
8
7
6
5
4
3
2
Arlee

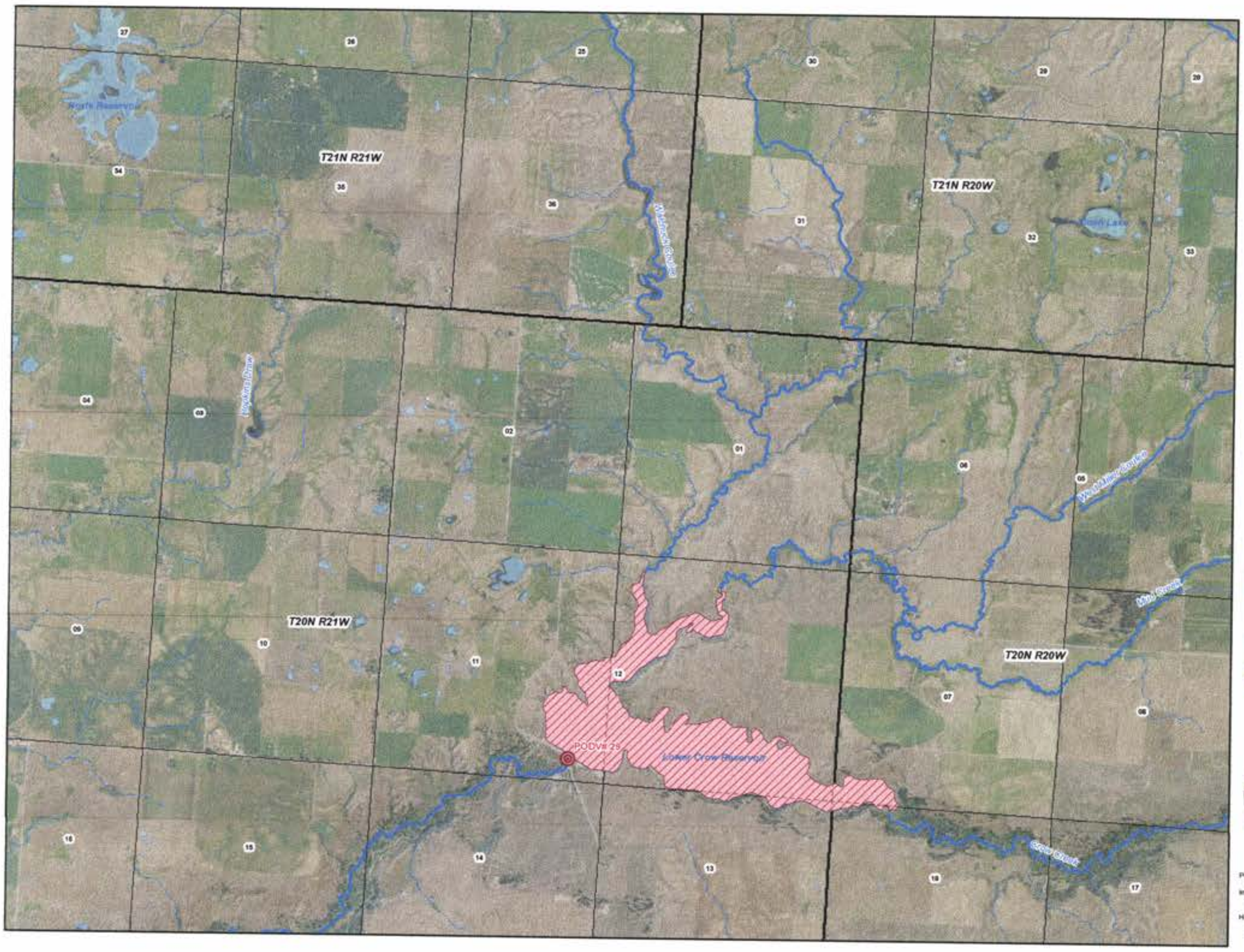
Flathead Indian Reservation

Legend

🟥	Place of Use
◉	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir
☐	Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nrs.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R21W
T21N R20W
T20N R21W
T20N R20W
Lower Crow Reservoir
Crow Creek
Mud Creek
27
26
25
30
29
28
34
35
36
31
32
33
04
03
02
01
06
05
09
10
11
12
07
08
16
15
14
13
18
17

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L 30052929

Exhibit 14

Hot Springs
Arlee
Area of Interest
19
18
17
15
14
12
11
10
9
8
7
6
5
4
3
2

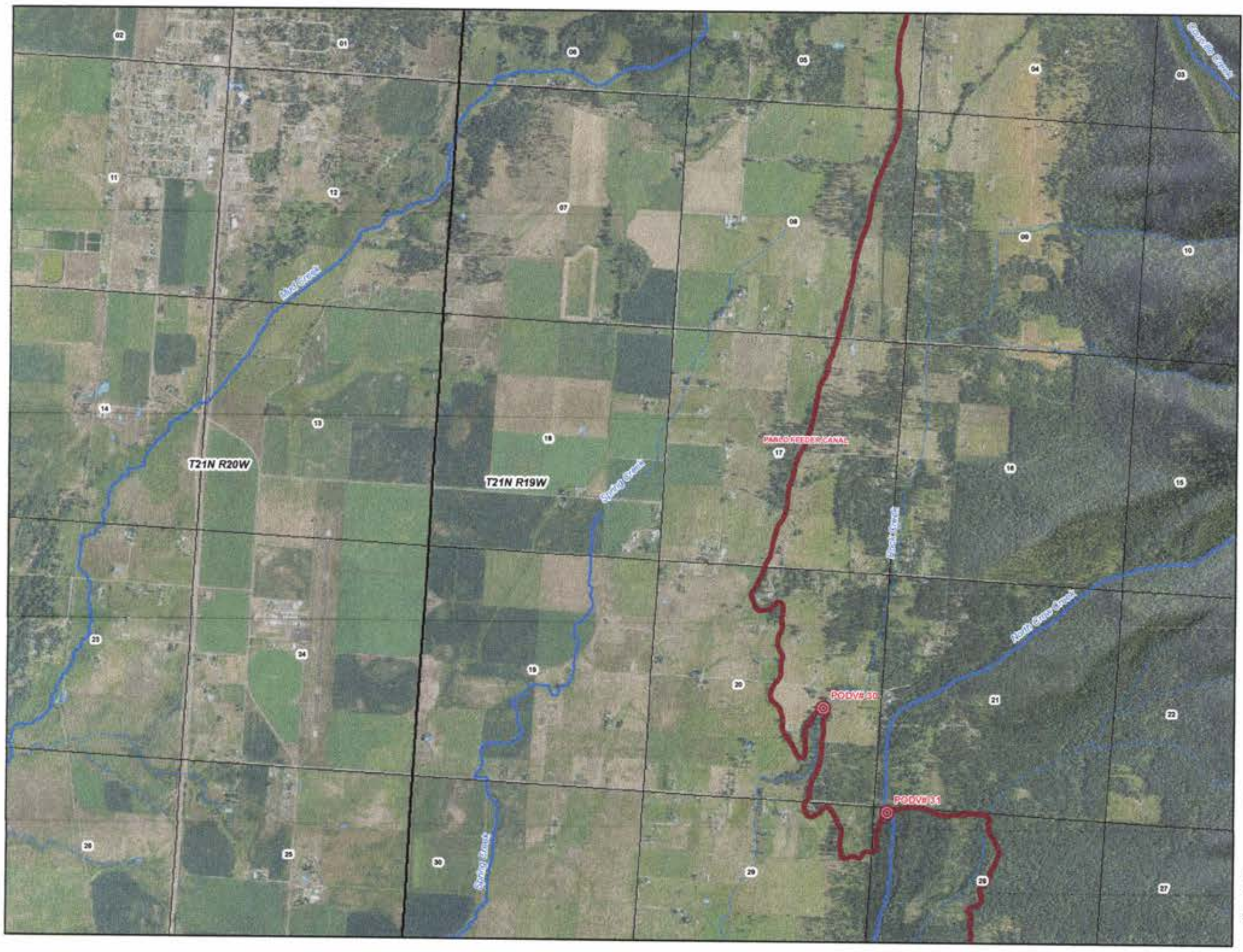
Flathead Indian Reservation

Legend

🟥 Place of Use
◎ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
━ Ditch or Pipeline
▨ Reservoir
☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


02
01
06
05
04
03
11
12
Mud Creek
07
08
09
10
14
T21N R20W
13
18
T21N R19W
Spring Creek
PABLO FEEDER CANAL
17
16
15
North Crow Creek
23
24
19
20
PODV# 30
21
22
PODV# 31
26
25
30
Spring Creek
29
28
27

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052929

Exhibit 15

Area of Interest
Hot Springs
19
18
17
15
14
12
11
10
9
8
7
6
5
Arlee
4
3
2

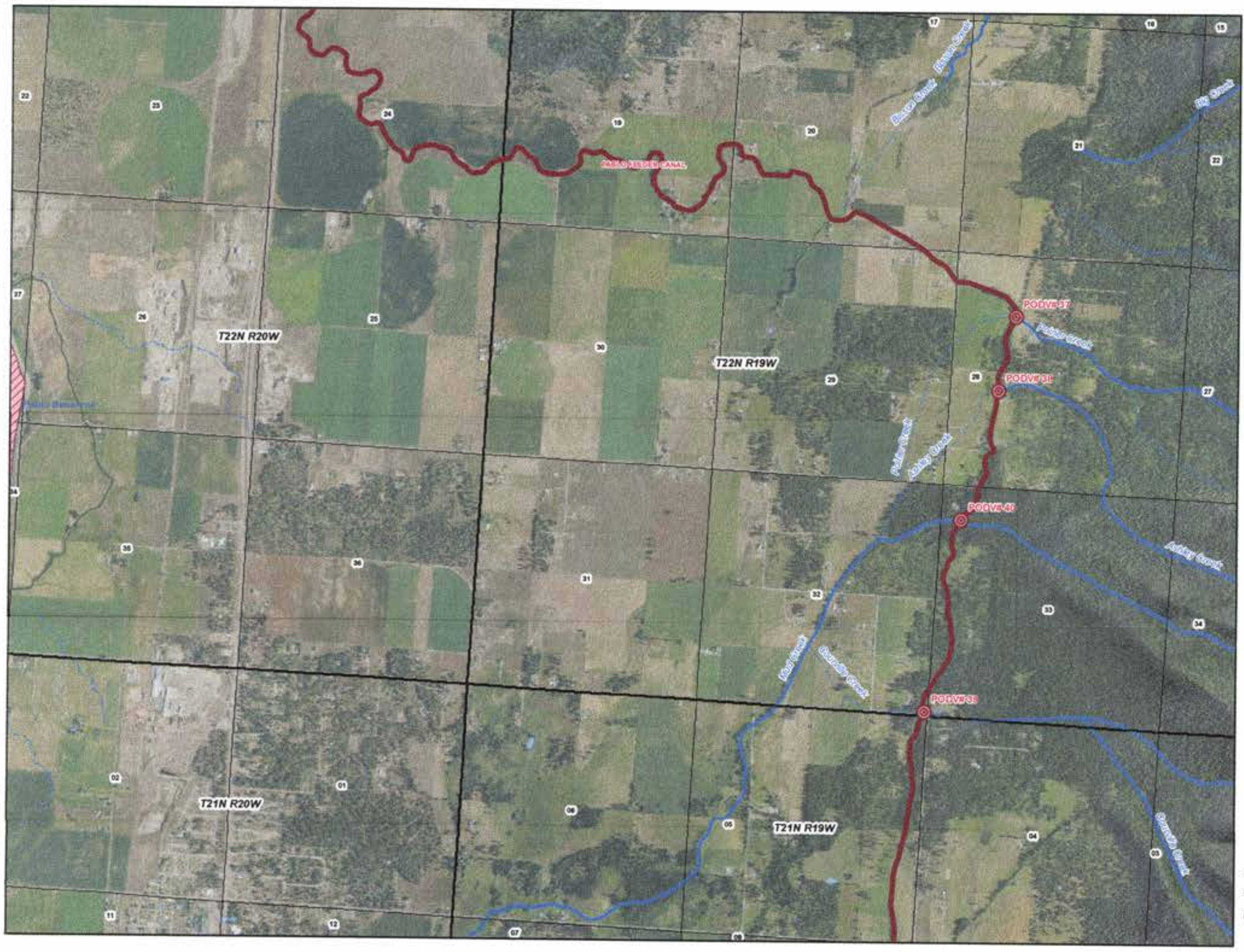
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PABLO FEEDER CANAL
Pablo Reservoir
T22N R20W
T22N R19W
T21N R20W
T21N R19W
POD V# 37
POD V# 31
POD V# 40
POD V# 39
Pablo Creek
Ashley Creek
Big Creek
Mud Creek
Crow Creek
23
24
19
20
21
22
17
16
15
27
26
25
30
29
28
35
36
31
32
33
34
02
01
06
05
04
03
11
12
07
08

Place of Use and Point of Diversion
FIIP Reservoir Minimum Pool
76L
30052929
Exhibit 16

Area of Interest
Hot Springs
Arlee
19
18
17
16
14
12
11
10
9
8
6
7
5
4
3
2

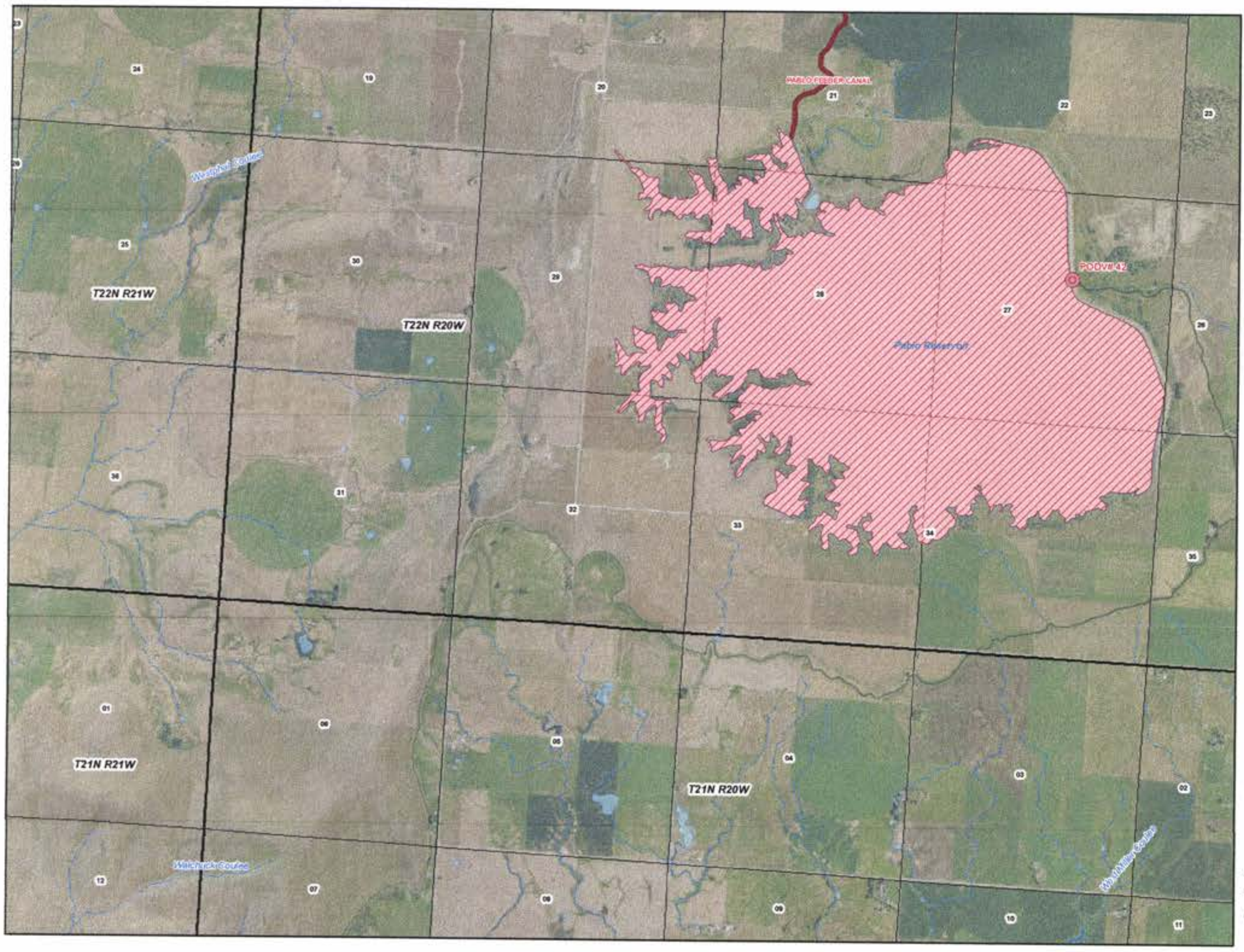
Flathead Indian Reservation

Legend

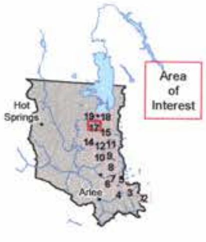
▭ Place of Use
◎ Primary Point(s) of Diversion
◎ Secondary Point(s) of Diversion
▬ Ditch or Pipeline
▨ Reservoir
▭ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


PABLO FEEDER CANAL
PODiv#42
Pablo Reservoir
T22N R21W
T22N R20W
T21N R21W
T21N R20W
23
24
19
20
21
22
23
26
25
30
29
28
27
26
36
31
32
33
34
35
01
06
05
04
03
02
12
07
08
09
10
11

Place of Use and Point of Diversion
FIIP Reservoir Minimum Pool
76L
30052929
Exhibit 17


Area of Interest
Hot Springs
Arlee
19
18
17
15
14
12
11
10
9
8
7
6
5
4
3
2

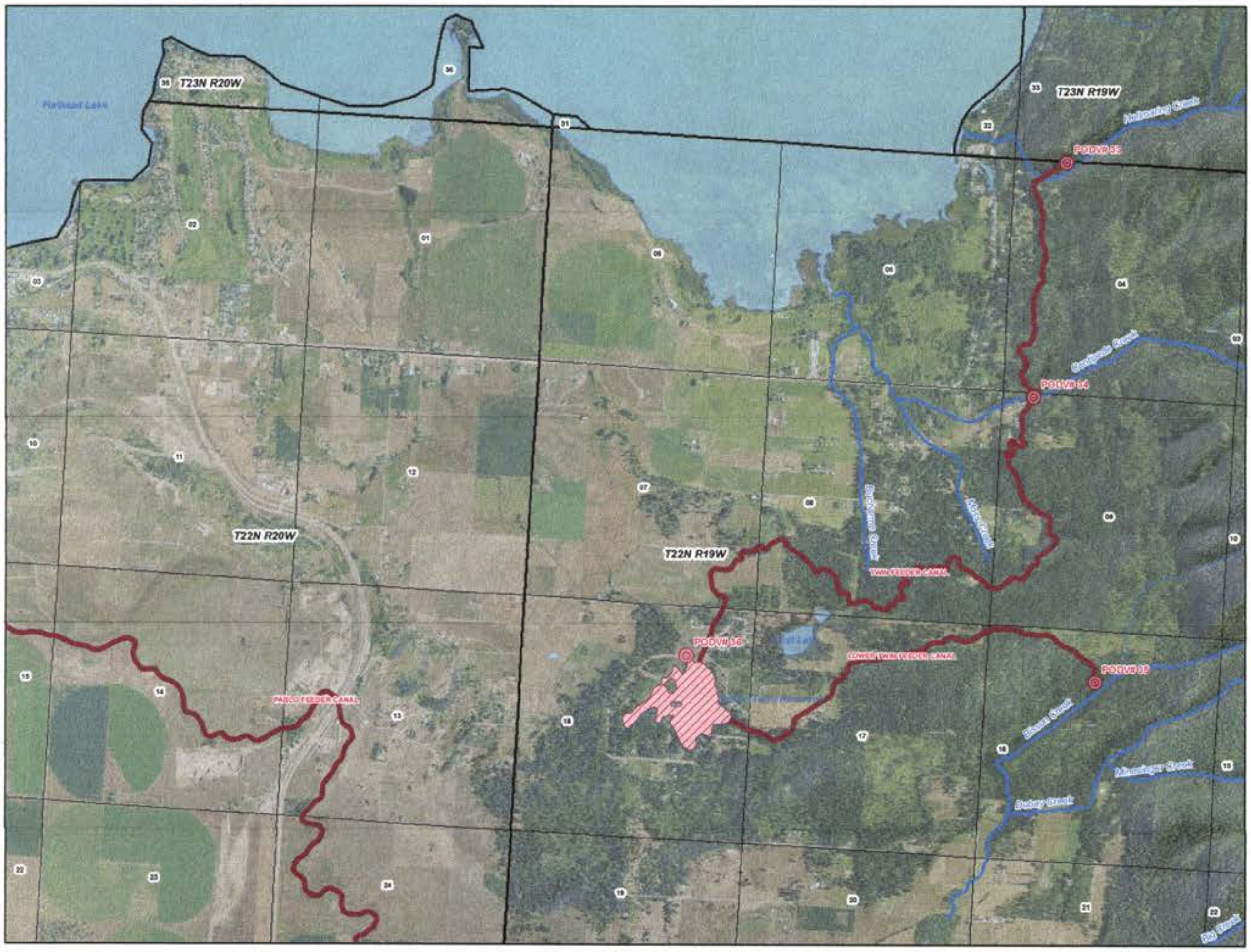
Flathead Indian Reservation

Legend

- 🟥 Place of Use
- ◎ Primary Point(s) of Diversion
- ◎ Secondary Point(s) of Diversion
- ▬ Ditch or Pipeline
- ▨ Reservoir
- ☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Flathead Lake
T23N R20W
T23N R19W
T22N R20W
T22N R19W
PODV# 33
PODV# 34
PODV# 35
PODV# 36
TWIN FEEDER CANAL
LOWER TWIN FEEDER CANAL
PABLO FEEDER CANAL
Dubay Creek
Big Creek

Place of Use and Point of Diversion

FIIP Reservoir Minimum Pool

76L

30052929

Exhibit 18

Area of Interest
Hot Springs
Arlee
19
18
17
16
15
14
12
11
10
9
8
7
6
5
4
3
2

Flathead Indian Reservation

Legend

▨ Place of Use

◎ Primary Point(s) of Diversion

◎ Secondary Point(s) of Diversion

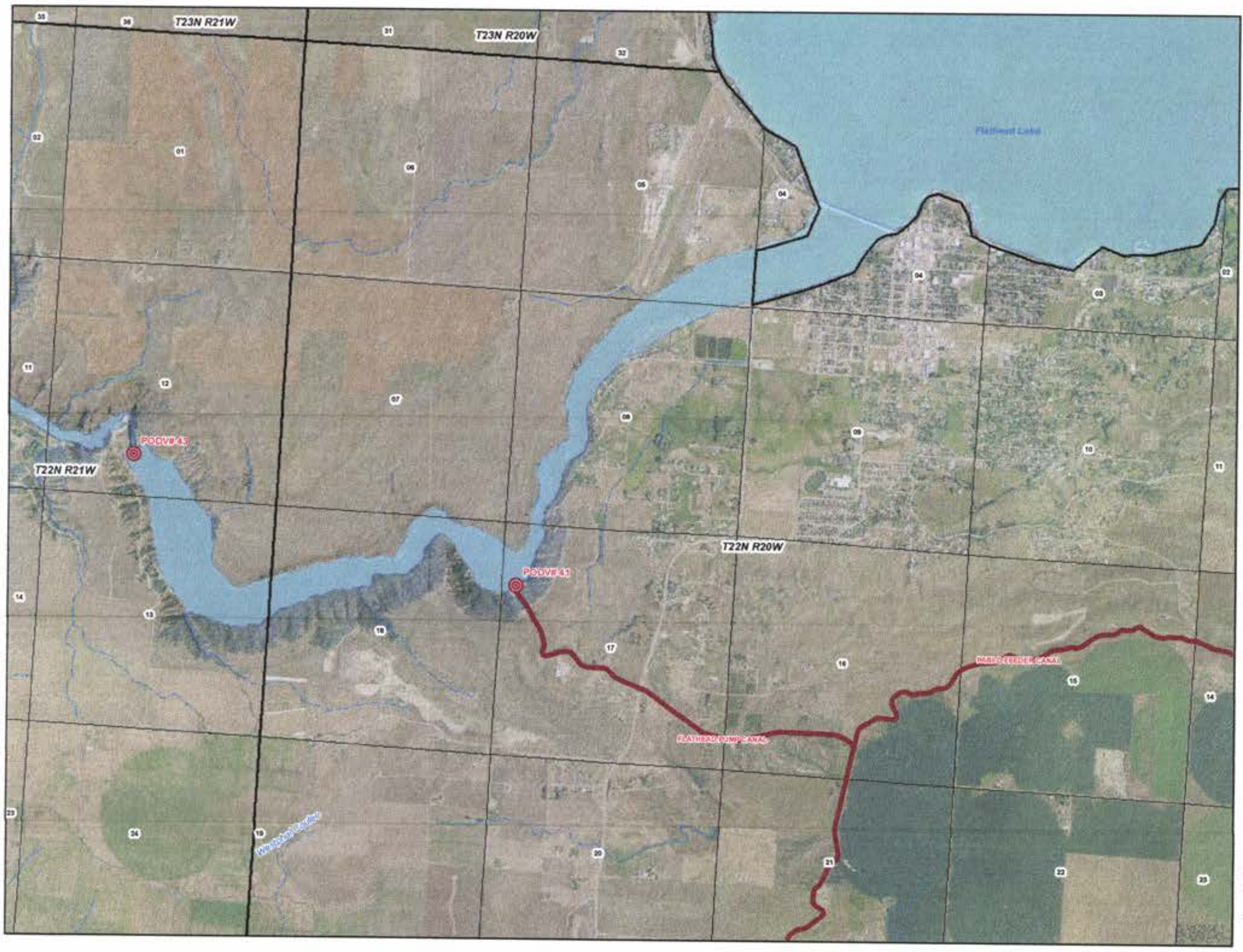
▬ Ditch or Pipeline

▨ Reservoir

☐ Reservation Boundary

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R21W
T23N R20W
Flathead Lake
PODV# 43
T22N R21W
PODV# 41
T22N R20W
PABLO FEEDER CANAL
FLATHEAD PUMP CANAL

Place of Use
and Point of
Diversion
FIIP Reservoir
Minimum Pool
76L
30052929
Exhibit 19

Area
of
Interest
Hot
Springs
19
18
17
15
14
12
11
10
9
8
7
6
5
Arlee
4
3
2

Flathead Indian Reservation

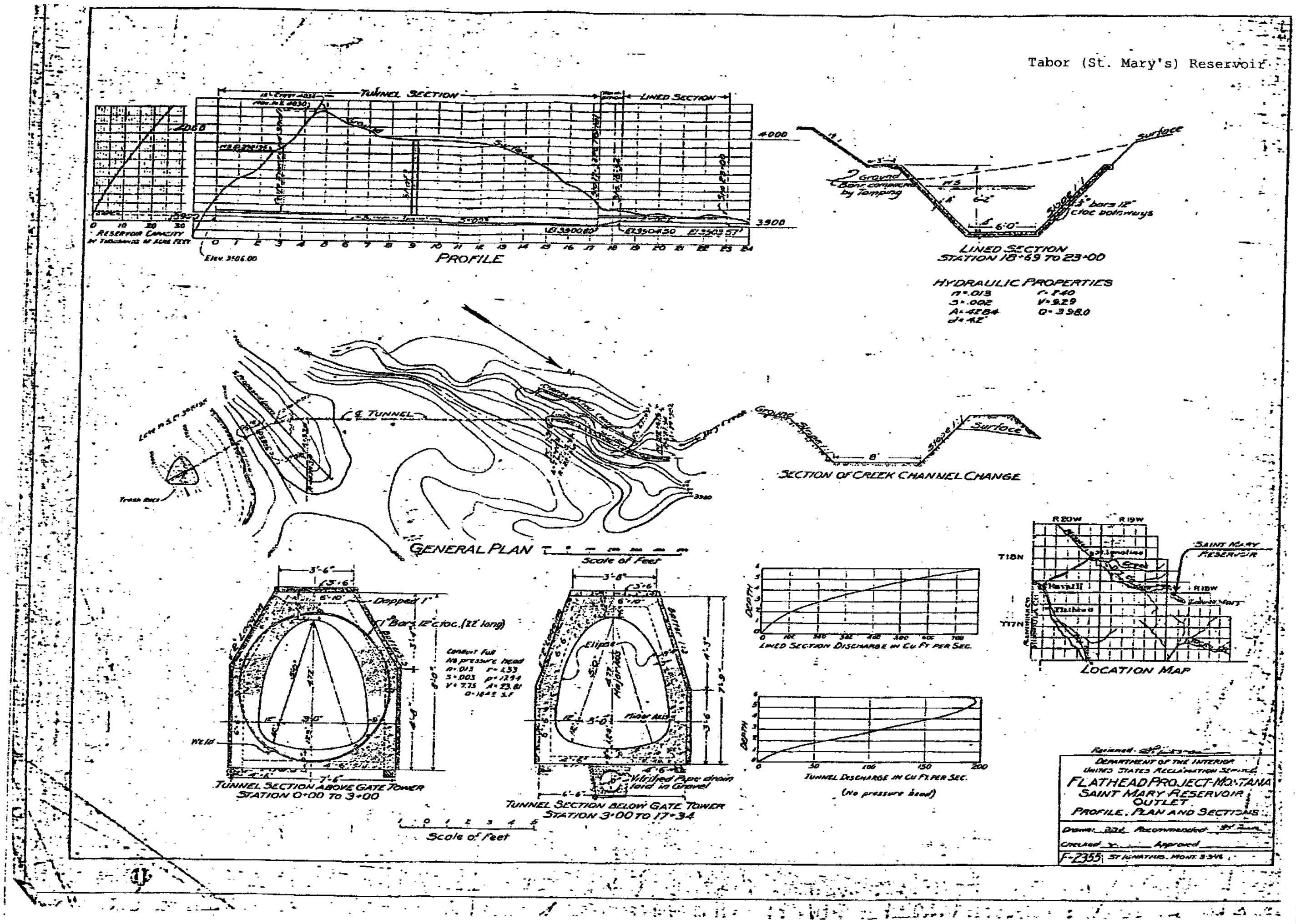
Legend

🟥	Place of Use
◎	Primary Point(s) of Diversion
◎	Secondary Point(s) of Diversion
▬	Ditch or Pipeline
▨	Reservoir
☐	Reservation Boundary

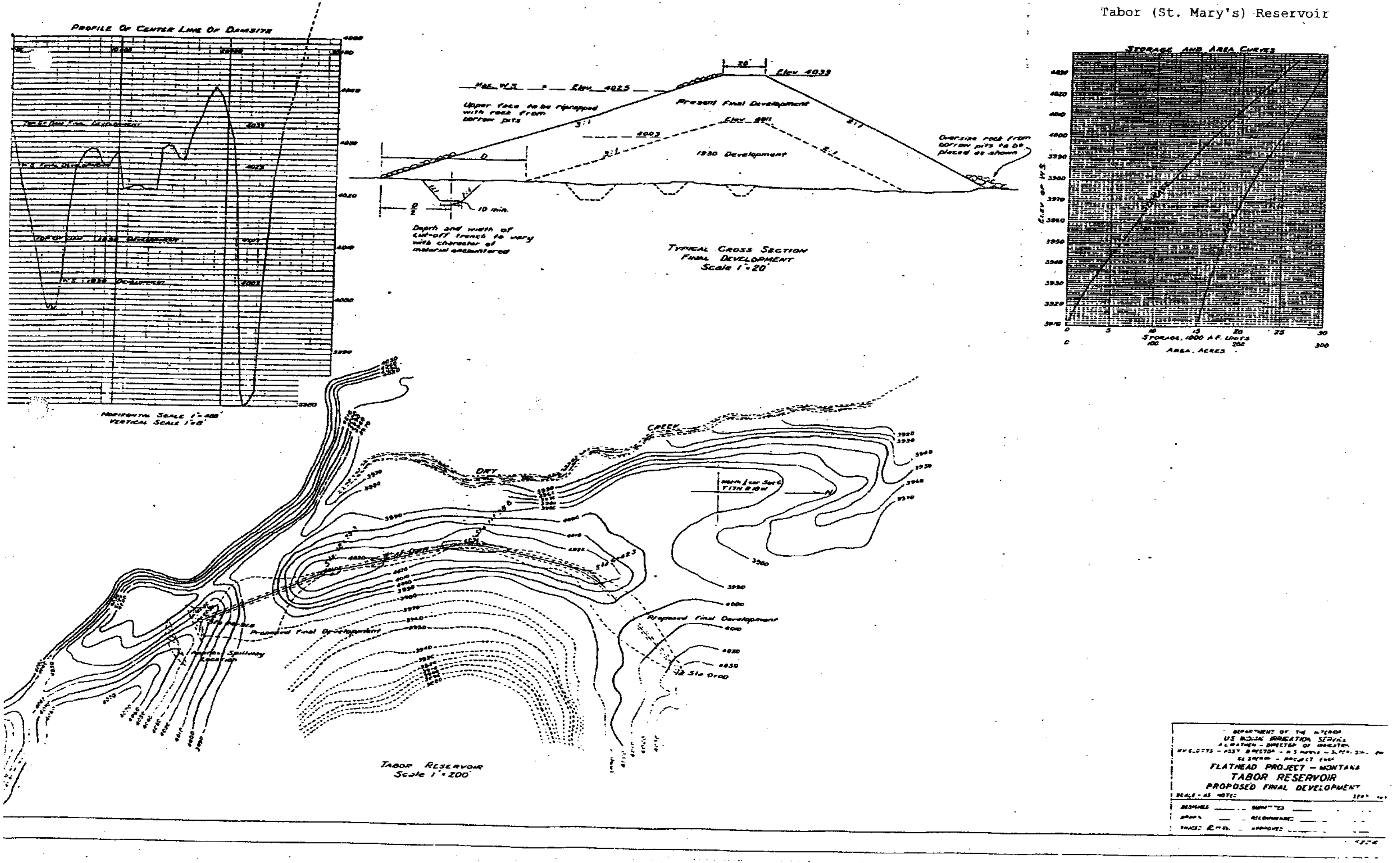
0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact FIIP Reservoir
Minimum Pool (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

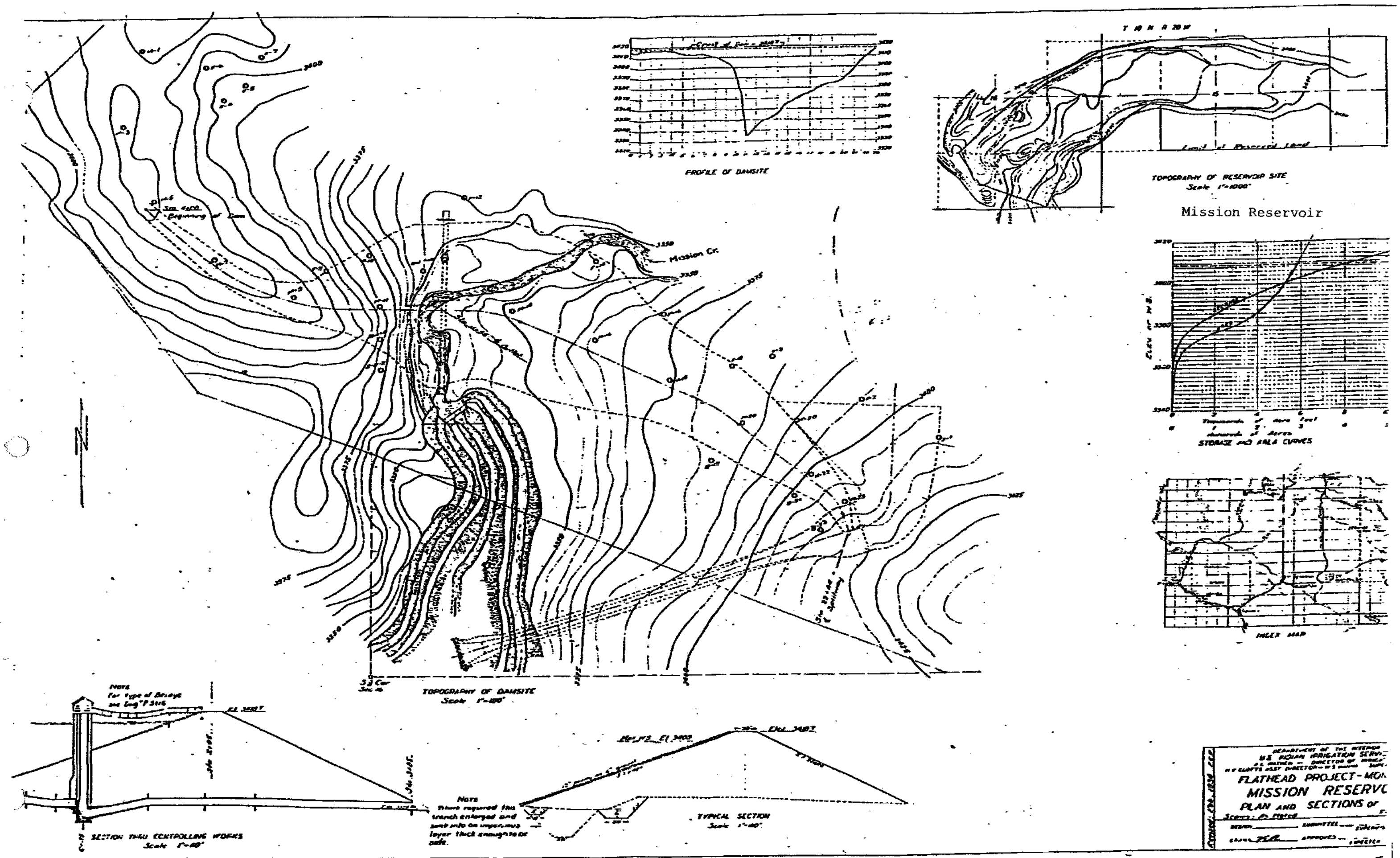
Tabor (St. Mary's) Reservoir


TUNNEL SECTION
LINED SECTION
Crest 4033
4068
3920
4000
3900
El 3900.80
El 3350.450
El 3350.57
Elev 3906.00
Reservoir Capacity in Thousands of Acre Feet
PROFILE
Ground
Bank compacted by Tamping
W.S.
6'-2"
6'-0"
surface
3/8" bars 12" c to c both ways
LINED SECTION
STATION 18+69 TO 23+00
HYDRAULIC PROPERTIES
n=.013
S=.002
A=42.84
d=4.2'
r=1.40
V=9.29
Q=398.0
C Tunnel
Trash Rack
Ground
Slope 1:1
Surface
8'
SECTION OF CREEK CHANNEL CHANGE
3380
GENERAL PLAN
Scale of Feet
3'-6"
3'-6"
6'-10"
Dapped 1"
1" Bars 12" c to c (22' long)
Batter 1:3
Conduit full
No pressure head
n=.013 r=1.33
S=.003 p=17.94
V=7.75 A=23.81
Q=184± S.F.
8'-0"
4'-8"
3'-0"
Weld
4'-6"
7'-6"
TUNNEL SECTION ABOVE GATE TOWER
STATION 0+00 TO 3+00
3'-8"
3'-6"
6'-10"
Ellipse
Major Axis
Minor Axis
5'-0"
4'-3"
7'-9"
3'-6"
2'-6"
4'-6"
Vitrified Pipe drain laid in Gravel
TUNNEL SECTION BELOW GATE TOWER
STATION 3+00 TO 17+34
Scale of Feet
DEPTH
LINED SECTION DISCHARGE IN CU FT PER SEC.
TUNNEL DISCHARGE IN CU FT PER SEC.
(No pressure head)
R20W
R19W
T18N
T17N
SAINT MARY RESERVOIR
LOCATION MAP
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT-MONTANA
SAINT MARY RESERVOIR
OUTLET
PROFILE, PLAN AND SECTIONS
Drawn
Recommended
Checked
Approved
F-2355
ST IGNATIUS, MONT.

Tabor (St. Mary's) Reservoir

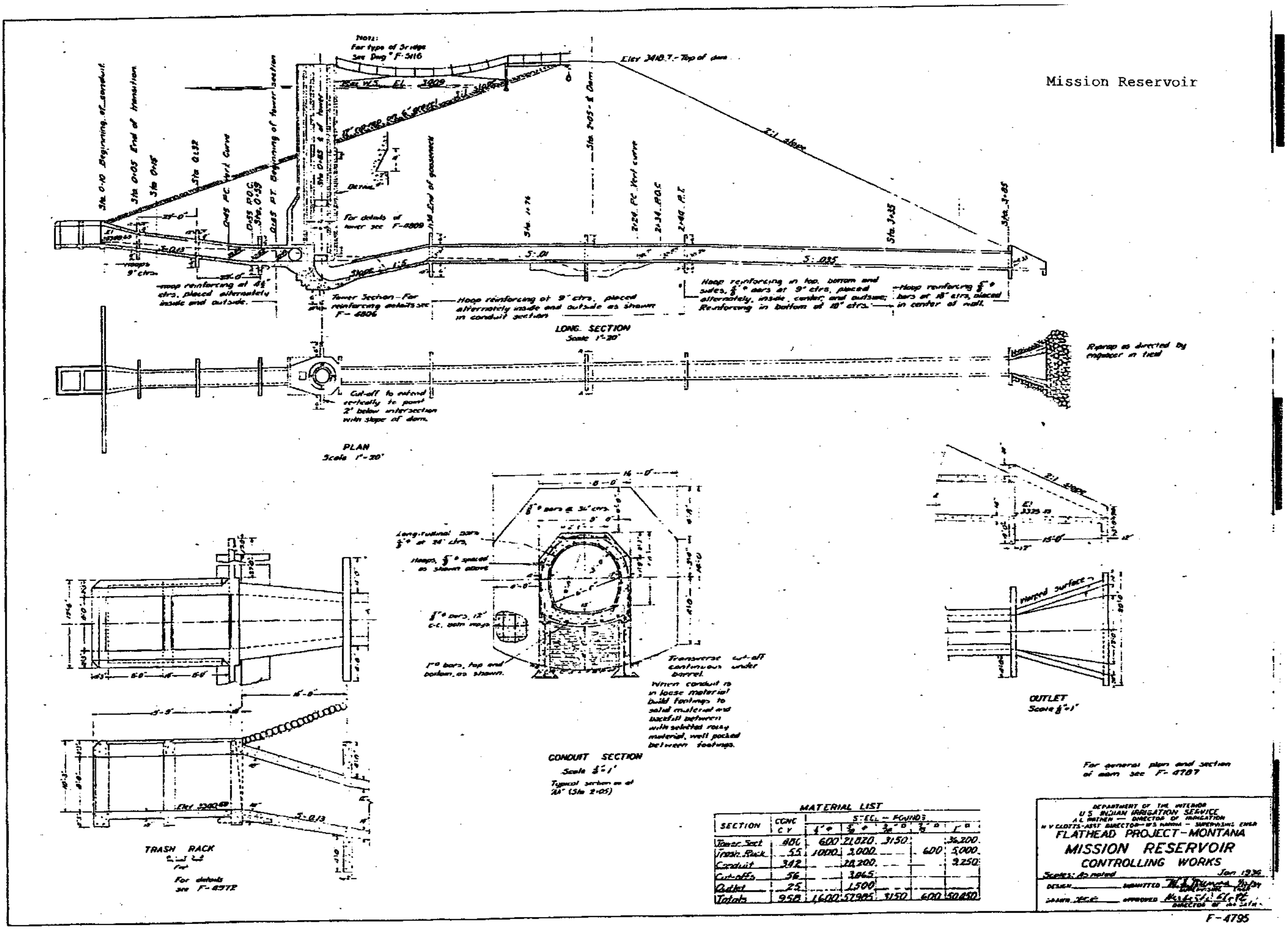


Profile Of Center Line Of Damsite
Horizontal Scale 1" = 400'
Vertical Scale 1" = 8'
Max. W.S. = Elev. 4025
20'
Elev 4033
Upper face to be riprapped with rock from borrow pits
Present Final Development
Elev 4011
4003
3:1
2:1
1930 Development
D
D/2
1:1
10 min.
Depth and width of cut-off trench to vary with character of material encountered
Oversize rock from borrow pits to be placed as shown
Typical Cross Section
Final Development
Scale 1" = 20'
Storage And Area Curves
Elev. of W.S.
Storage, 1000 A.F. Units
Area, Acres
0 5 10 15 20 25 30
0 100 200 300
Creek
Dry
Proposed Final Development
Spillway Location
Tabor Reservoir
Scale 1" = 200'
DEPARTMENT OF THE INTERIOR
US INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT – MONTANA
TABOR RESERVOIR
PROPOSED FINAL DEVELOPMENT
SCALE – AS NOTED
DESIGNED
SUBMITTED
DRAWN
RECOMMENDED
TRACED
APPROVED


PROFILE OF DAMSITE
Crest of Dam
T 19 N R 20 W
Limit of Reserved Land
TOPOGRAPHY OF RESERVOIR SITE
Scale 1"=1000'
Mission Cr.
Sta. 0+00 Beginning of Dam
TOPOGRAPHY OF DAMSITE
Scale 1"=100'
STORAGE AND AREA CURVES
ELEV. OF W.S.
Thousands of Acre Feet
Hundreds of Acres
INDEX MAP
Note
For type of Breeze see Dwg. F 5416
SECTION THRU CONTROLLING WORKS
Scale 1"=40'
Note
Where required the trench enlarged and sunk into an impervious layer thick enough to be safe.
TYPICAL SECTION
Scale 1"=40'
El. 3407
DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT-MON
MISSION RESERVO
PLAN AND SECTIONS OF
Scales: As Noted
TEA
F-

Mission Reservoir

Mission Reservoir


Note:
For type of Bridge see Dwg. F-5116
Elev 3418.7 - Top of dam
Max W.S. El. 3409
2:1 slope
Sta 0-10 Beginning of conduit
Sta 0+05 End of transition
Sta 0+15
Sta 0+32
0+45 P.C. Vert Curve
0+55 P.O.C. Sta 0+59
0+85 P.T. Beginning of tower section
Sta 0+85 ℄ of tower
Detail
For details of tower see F-4809
1+38 End of gooseneck
Sta 1+76
Sta 2+05 ℄ Dam
2+24 P.C. Vert curve
2+34 P.O.C.
2+44 P.T.
Sta 3+35
Sta 3+85
S: 0.13
S: .01
S: .035
Slope 1:5
Hoops 9" ctrs.
Hoop reinforcing at 4½" ctrs., placed alternately inside and outside.
Tower Section - For reinforcing details see F-4806
Hoop reinforcing at 9" ctrs., placed alternately inside and outside as shown in conduit section
Hoop reinforcing in top, bottom and sides, ⅝"ø bars at 9" ctrs, placed alternately, inside, center, and outside; Reinforcing in bottom at 18" ctrs.
Hoop reinforcing ⅝"ø bars at 18" ctrs, placed in center of wall.
LONG. SECTION
Scale 1"=30'
Riprap as directed by engineer in field
Cut-off to extend vertically to point 2' below intersection with slope of dam.
PLAN
Scale 1"=30'
16'-0"
8'-0"
⅝"ø bars @ 36" ctrs.
Longitudinal bars ⅝"ø at 24" ctrs.
Hoops, ⅝"ø spaced as shown above
⅝"ø bars, 12" c-c, both ways
1"ø bars, top and bottom, as shown.
Transverse cut-off continuous under barrel.
When conduit is in loose material build footings to solid material and backfill between with selected rocky material, well packed between footings.
CONDUIT SECTION
Scale ¼"=1'
Typical section as at "AA" (Sta 2+05)
2:1 Slope
El 3325.10
15'-0"
Warped surface
OUTLET
Scale ⅛"=1'
TRASH RACK
Elev 3380.60
S-0.13
16'-0"
For details see F-4572

For general plan and section of dam see F-4787

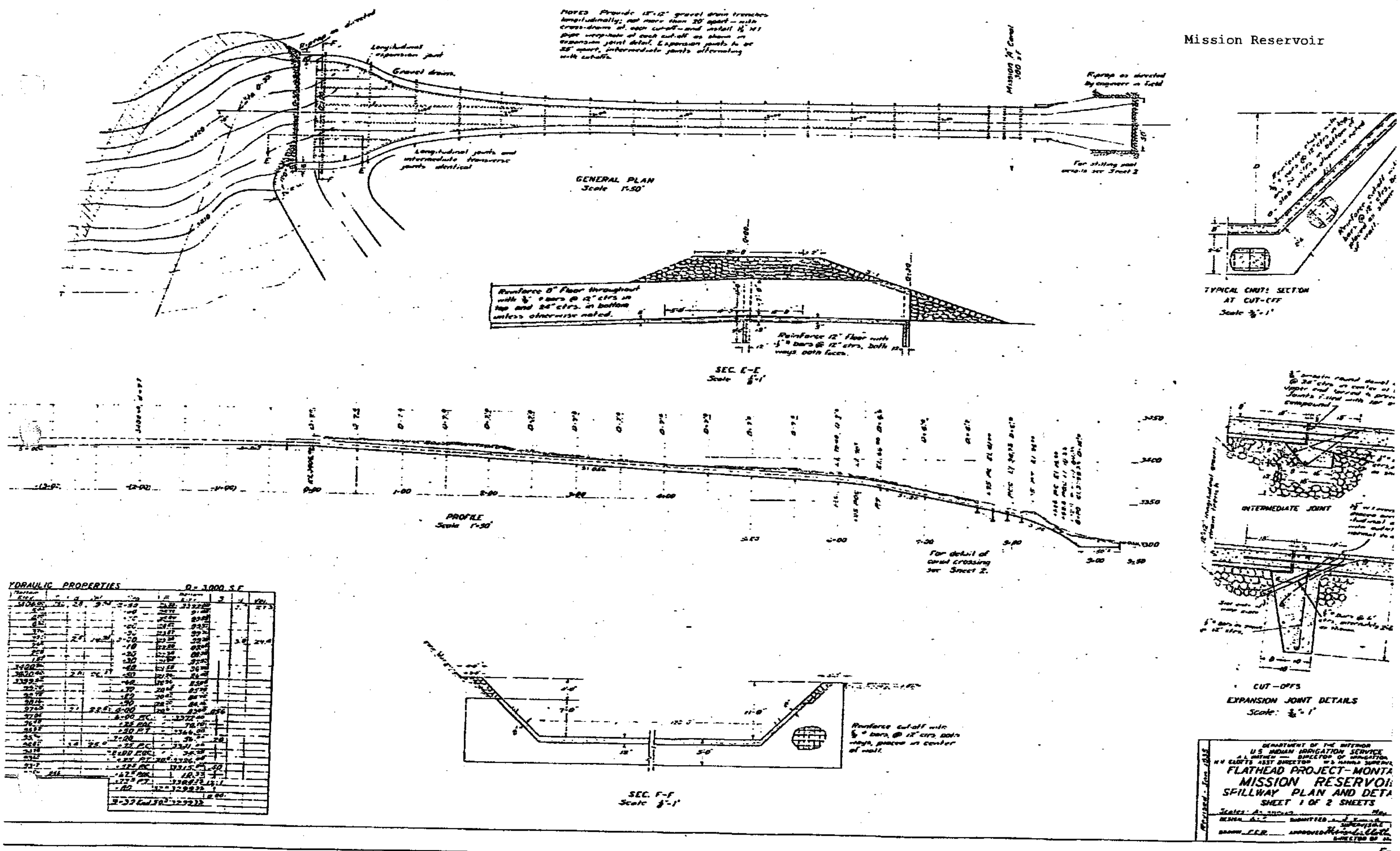
MATERIAL LIST

SECTION	CONC C Y	STEEL - POUNDS ¼"ø	⅝"ø	¾"□	⅞"□	1"□
Tower Sect	480	600	21,820	3150		36,200
Trash Rack	55	1000	3,000		600	5,000
Conduit	342		28,200			9,250
Cut-offs	56		3,065			
Outlet	25		1,500			
Totals	958	1600	57,985	3150	600	50,450

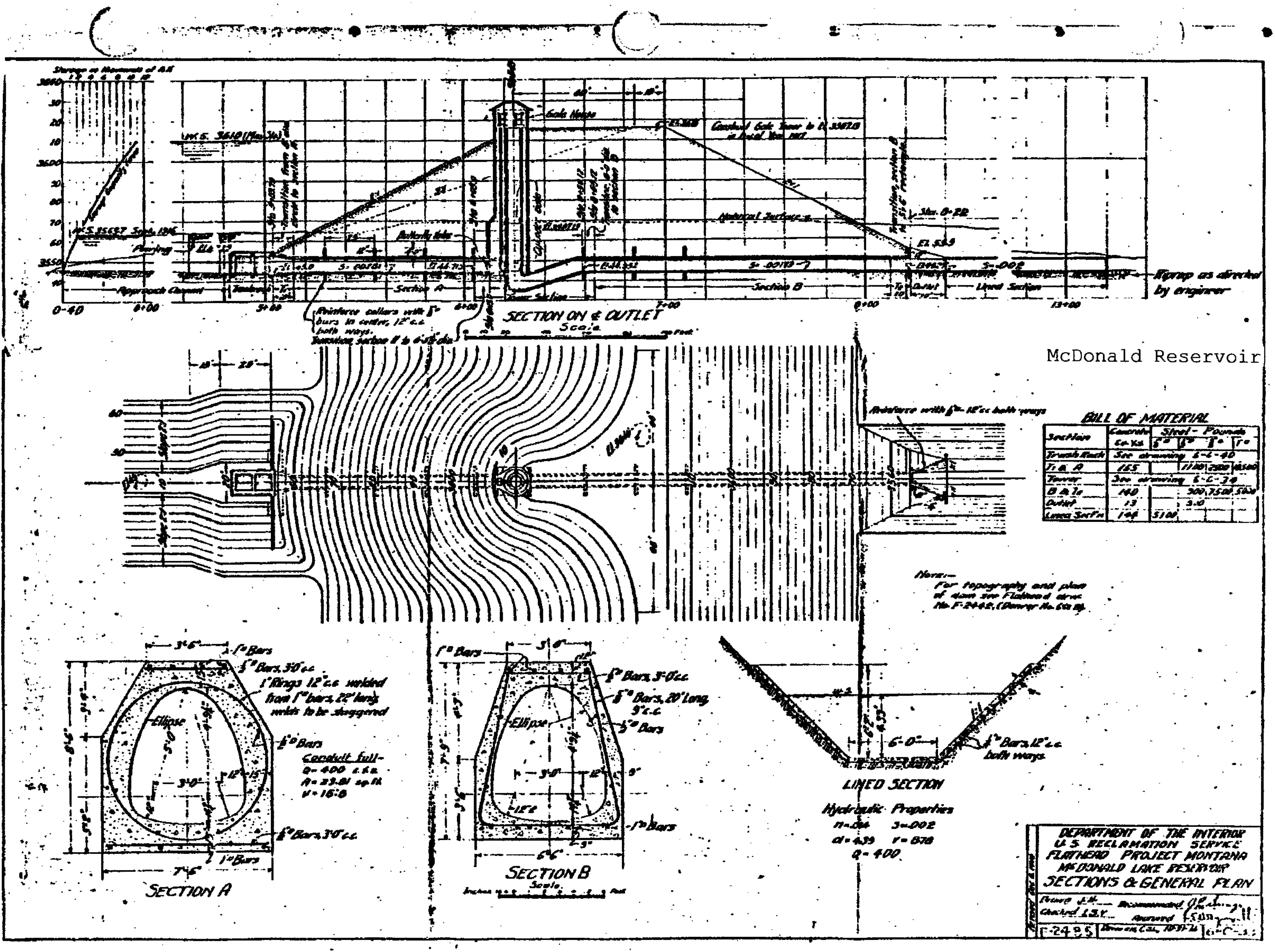
DEPARTMENT OF THE INTERIOR
U S INDIAN IRRIGATION SERVICE
A L WATHEN — DIRECTOR OF IRRIGATION
H V CLOTTS-ASST DIRECTOR—W S HANNA — SUPERVISING ENGR
FLATHEAD PROJECT-MONTANA
MISSION RESERVOIR
CONTROLLING WORKS
Scales: As noted Jan 1936
DESIGN ______ SUBMITTED W S Hanna Supervising Engr
DRAWN SCC ______ APPROVED Director of Irrigation

F-4795

Mission Reservoir


NOTES: Provide 15"×12" gravel drain trenches longitudinally; not more than 20' apart — with cross-drains at each cut-off — and install 1½" W.I. pipe weep-hole at each cut-off as shown in expansion joint detail. Expansion joints to be 25' apart, intermediate joints alternating with cutoffs.
Longitudinal expansion joint
Gravel drain
Longitudinal joints and intermediate transverse joints identical
Riprap as directed by engineer in field
Mission "A" Canal
For stilling pool details see Sheet 2
GENERAL PLAN
Scale 1"=50'
Reinforce 8" floor throughout with ½" bars @ 12" ctrs. in top and 24" ctrs. in bottom unless otherwise noted.
Reinforce 12" floor with ½" bars @ 12" ctrs. both ways both faces.
SEC. E-E
Scale ⅛"=1'
PROFILE
Scale 1"=50'
For detail of canal crossing see Sheet 2.
YDRAULIC PROPERTIES
Q = 3,000 S.F.
Vel.
Reinforce cut-off with ½" bars @ 12" ctrs. both ways, placed in center of wall.
SEC. F-F
Scale ⅛"=1'
TYPICAL CHUTE SECTION AT CUT-OFF
Scale ⅜"=1'
INTERMEDIATE JOINT
CUT-OFFS
EXPANSION JOINT DETAILS
Scale: ⅜"=1'
DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT—MONTA
MISSION RESERVOI
SPILLWAY PLAN AND DETA
SHEET 1 OF 2 SHEETS
DRAWN F.E.B.
APPROVED
Revised

McDonald Reservoir


Riprap as directed by engineer
Gate House
Constant Gate Tower to El. 3567.0 in fiscal Year 1917
Natural Surface
Approach Channel
Section A
Section B
Lined Section
Reinforce collars with 5/8" bars in center, 12" c.c. both ways.
Transition section 8' to 6-6" dia.
0+40
6+00
5+00
6+00
7+00
9+00
13+00
Reinforce with 5/8" - 12" c.c. both ways
1" Bars
5/8" Bars, 3'0" c.c.
1" Rings 12" c.c. welded from 1" bars, 22" long, welds to be staggered
Ellipse
5/8" Bars
Conduit full-
Q = 400 c.f.s.
A = 23.81 sq. ft.
V = 16.8
5/8" Bars, 3'0" c.c.
1" Bars
7'6"
3'6"
5/8" Bars, 3'0" c.c.
5/8" Bars, 20' Long, 3' c.c.
6'6"
6'-0"
1/2" Bars, 12" c.c. both ways
SECTION ON ℄ OUTLET
Scale
SECTION A
SECTION B
Scale

BILL OF MATERIAL

Section	Concrete	Steel - Pounds			
	Cu. Yds.	[illegible]	[illegible]	[illegible]	1"
Trash Rack	See drawing 6-C-40				
Tr. & A	155		1140	2900	18500
Tower	See drawing 6-C-34				
B & Tr	140		300	7500	5800
Outlet	13		3.0		
Lined Sect'n	144	5100			

Note:-
For topography and plan of dam see Flathead drwg. No. F-2442. (Denver No. 6-C-[illegible])

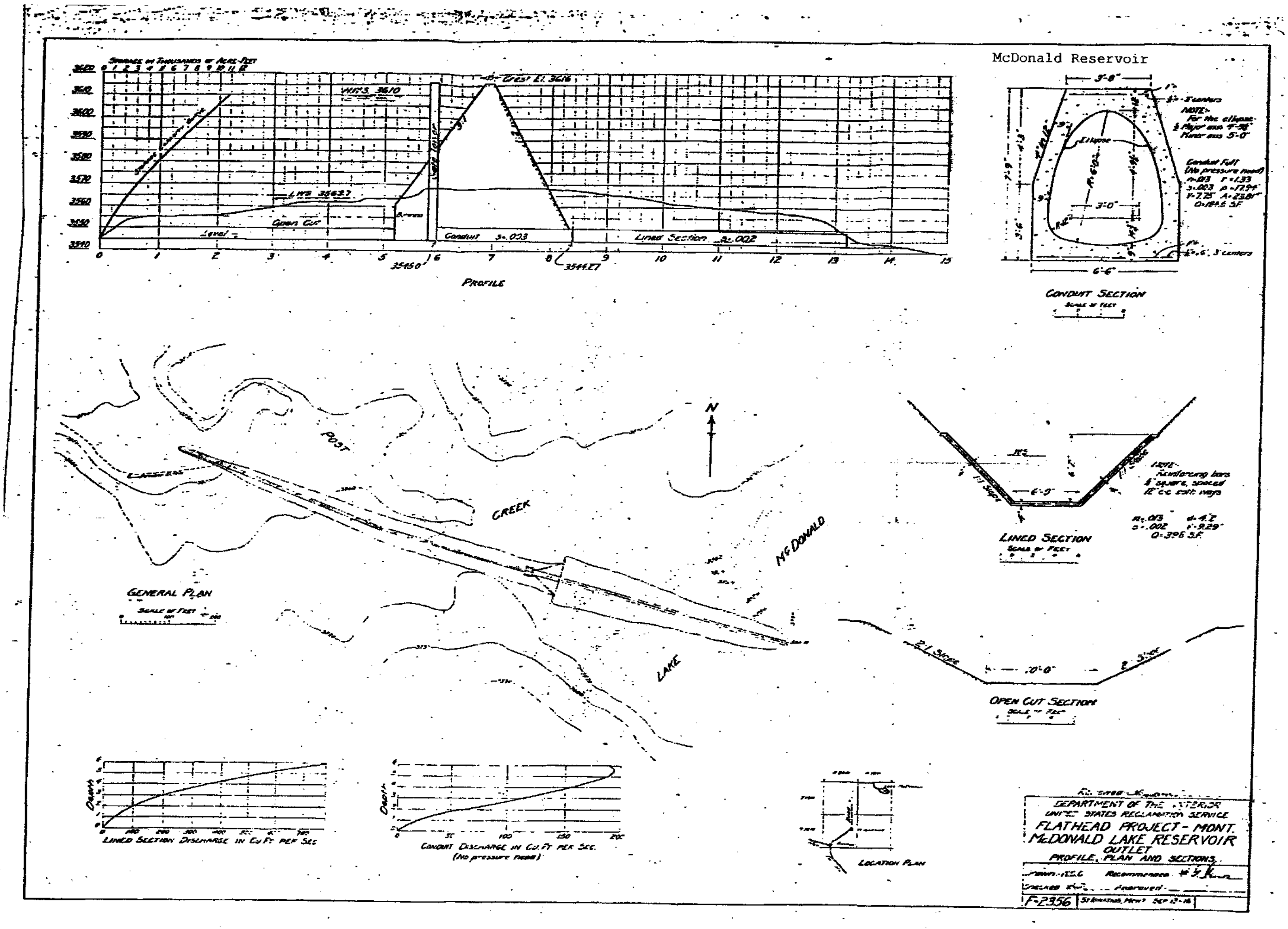
LINED SECTION

Hydraulic Properties
n = .014   S = .002
d = 4.39   r = 8.78
Q = 400

DEPARTMENT OF THE INTERIOR
U.S. RECLAMATION SERVICE
FLATHEAD PROJECT MONTANA
McDONALD LAKE RESERVOIR
SECTIONS & GENERAL PLAN

Drawn J.H.   Recommended
Checked L.S.V.   Approved
F-2495   Denver Cal. 10-31-16   6-C-[illegible]

McDonald Reservoir


Storage in Thousands of Acre-Feet
1 2 3 4 5 6 7 8 9 10 11 12
3620
3610
3600
3590
3580
3570
3560
3550
3540
W.R.S. 3610
L.W.S. 3563.7
Crest El. 3616
Open Cut
Level
Conduit s=.003
Lined Section s=.002
0
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
3545.0
3544.27
Profile
3'-8"
6'-6"
3'-0"
7'-9"
3'-6"
Ellipse
Note:
For the ellipse:
½ Major axis 4'-9½"
Minor axis 5'-0"
Conduit Full
(No pressure head)
n=.013 r=1.33
s=.003 p=17.94
V=7.75 A=23.81
Q=184.5 S.F.
3" centers
Conduit Section
Scale in Feet
N
Post
Creek
McDonald
Lake
General Plan
Scale in Feet
6'-0"
1½:1 Slope
Note:
Reinforcing bars ½" square, spaced 12" c.c. both ways
n=.013 d=4.2
s=.002 V=9.29
Q=395 S.F.
Lined Section
Scale in Feet
2:1 Slope
10'-0"
Open Cut Section
Scale in Feet
Depth
Lined Section Discharge in Cu. Ft. per Sec.
Depth
Conduit Discharge in Cu. Ft. per Sec.
(No pressure head)
50
100
150
200
Location Plan

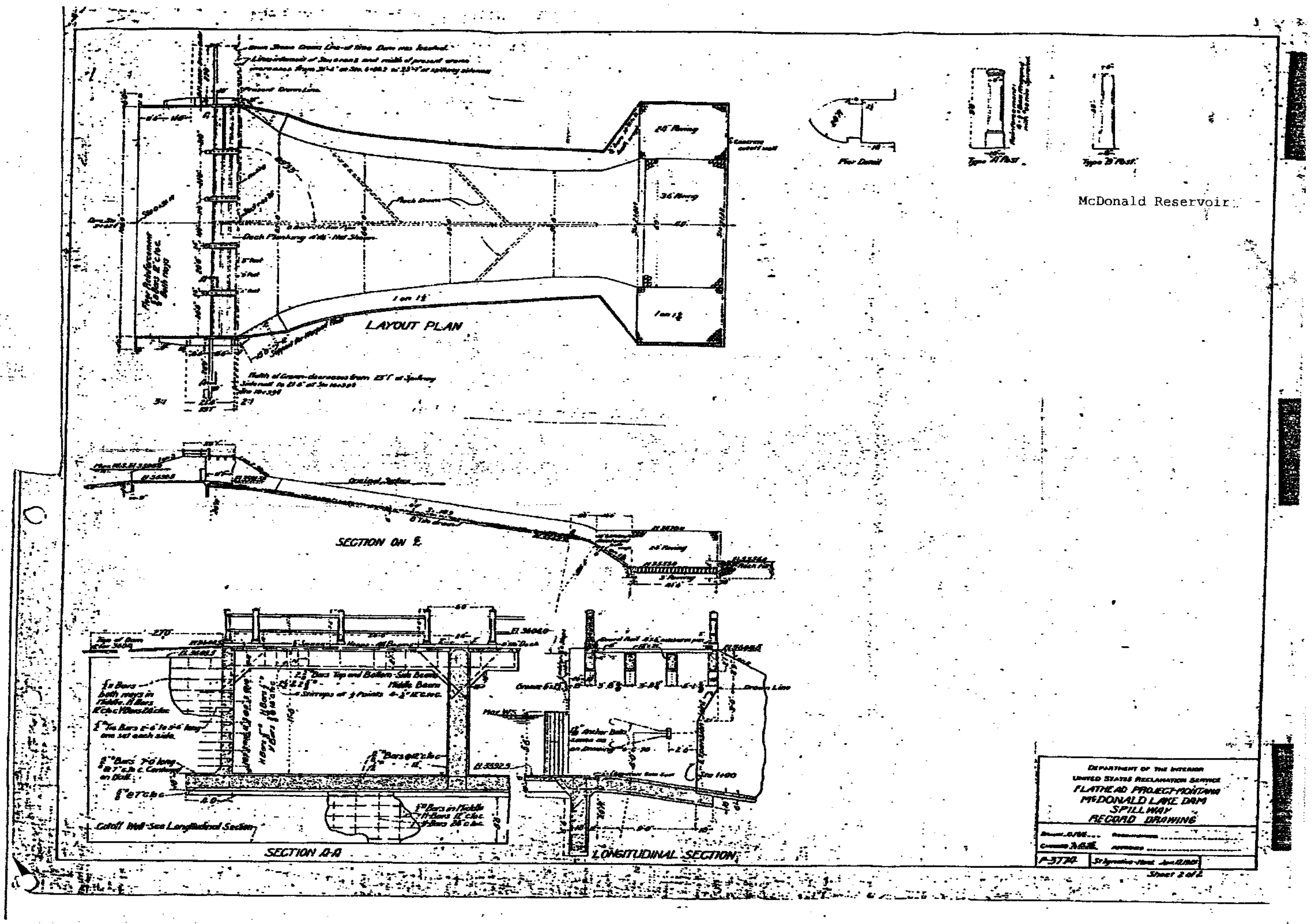
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT - MONT.
McDONALD LAKE RESERVOIR
OUTLET
PROFILE, PLAN AND SECTIONS.

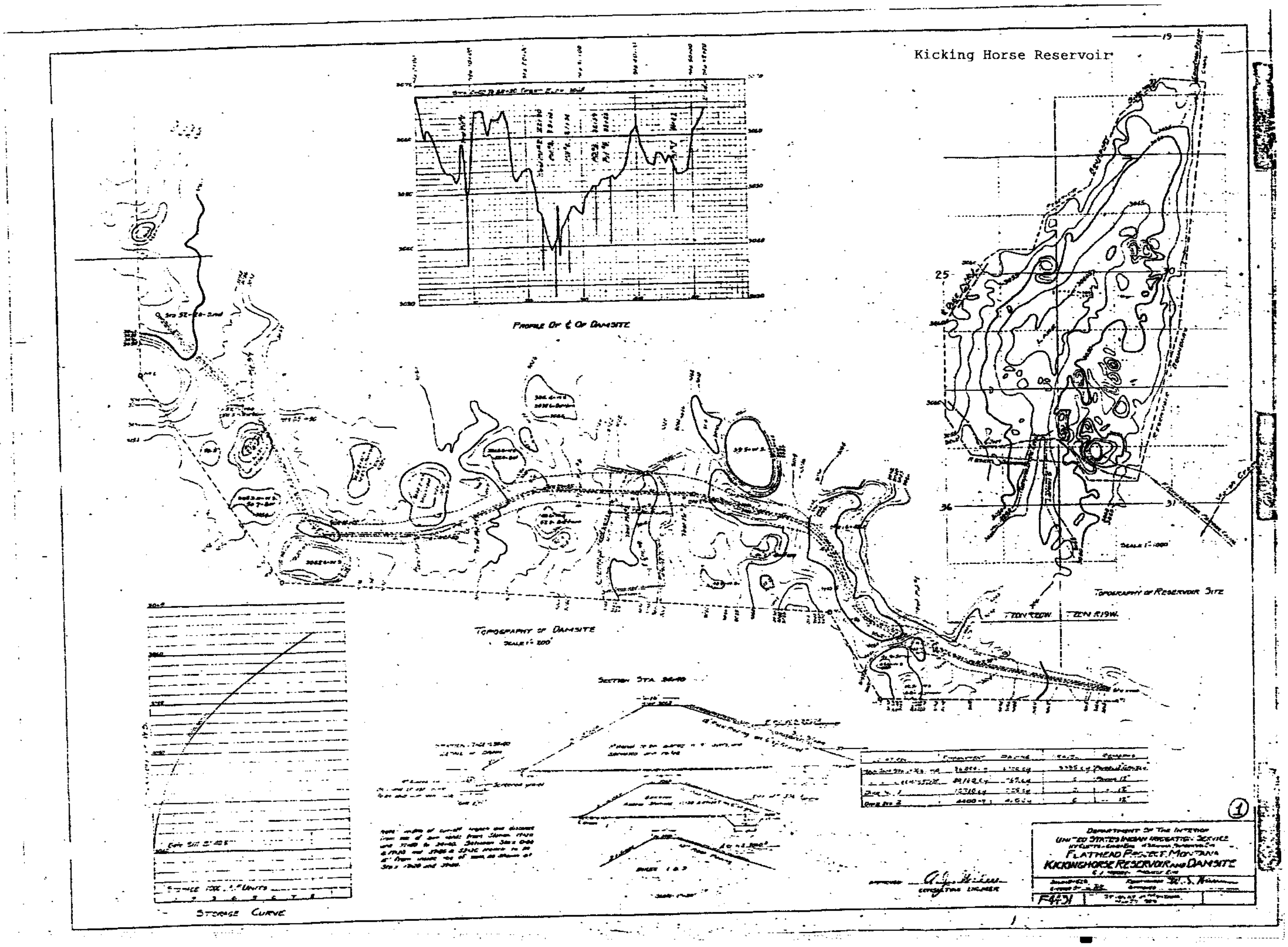
Recommended

Approved

F-2356

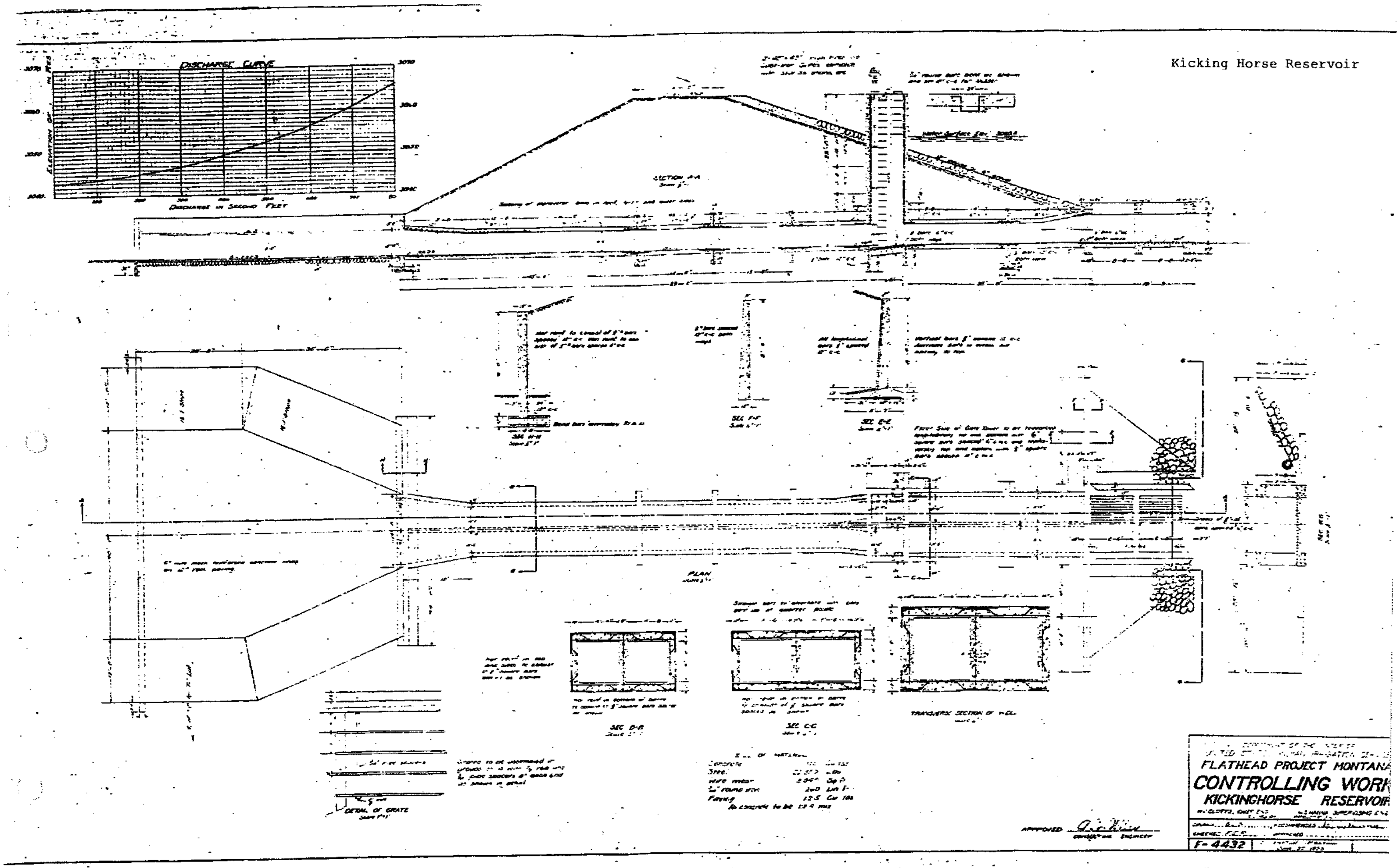
McDonald Reservoir


LAYOUT PLAN
Pier Detail
Type "A" Post
Type "B" Post
Deck Planking
Rock Drain
26' Paving
36' Paving
1 on 1½
SECTION ON ℄
Ogeed Surface
SECTION A-A
LONGITUDINAL SECTION
Cutoff Wall - See Longitudinal Section
Drain Line
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT-MONTANA
McDONALD LAKE DAM
SPILLWAY
RECORD DRAWING
P-3774
Sheet 2 of 2

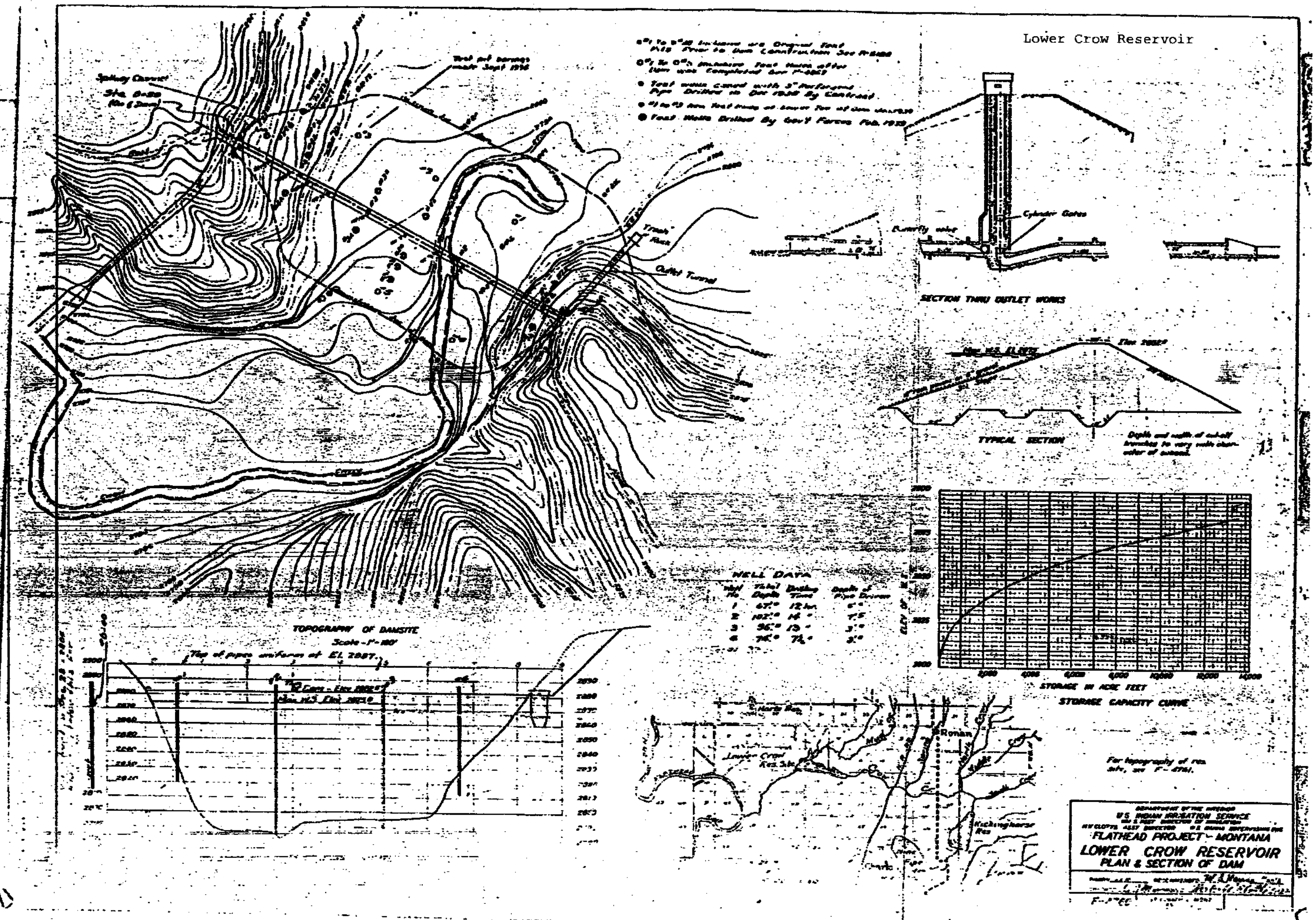

Profile of ℄ of Damsite
Topography of Damsite
Scale 1" = 200'
Section Sta. 36+90
Storage Curve
Topography of Reservoir Site
Scale 1" = 1000'
T.20N.R.20W.
T.20N.R.19W.
25
30
36
31
19
①
Department of the Interior
United States Indian Irrigation Service
Flathead Project, Montana
Kickinghorse Reservoir and Damsite
Consulting Engineer
F4431

Kicking Horse Reservoir

Kicking Horse Reservoir


DISCHARGE CURVE
ELEVATION OF ... IN FEET
DISCHARGE IN SECOND FEET
SECTION A-A
PLAN
SEC F-F
SEC E-E
SEC D-D
SEC C-C
TRANSVERSE SECTION OF WELL
DETAIL OF GRATE
APPROVED
FLATHEAD PROJECT MONTAN
CONTROLLING WOR
KICKINGHORSE RESERVOI
F-4432

Lower Crow Reservoir


Spillway Channel
Sta. 0+00
Test pit borings made Sept 1936
Trash Rack
Outlet Tunnel
Cylinder Gates
Butterfly valve
SECTION THRU OUTLET WORKS
Max. W.S. El. 2875
Elev 2882
TYPICAL SECTION
Depth and width of cut-off trenches to vary with character of material.
TOPOGRAPHY OF DAMSITE
Scale 1" = 100'
Top of pipes uniform at El. 2887.
Top of Dam - Elev 2882
Max. W.S. Elev 2875
STORAGE IN ACRE FEET
STORAGE CAPACITY CURVE
Lower Crow Res.
Ronan
Mud
Hart's Res.
Kicking Horse Res.
Post
For topography of res. site, see F-4761.

●1 to ●20 Inclusive are Original Test Pits Prior to Dam Construction See F-2400

○1 to ○5 Washbore Test Holes after Dam was Completed See F-4853

● Test wells cased with 3" Perforated Pipe Drilled in Dec 1938 By Contract

● #1 to #3 are Test wells at Lower Toe of Dam Jan 1939

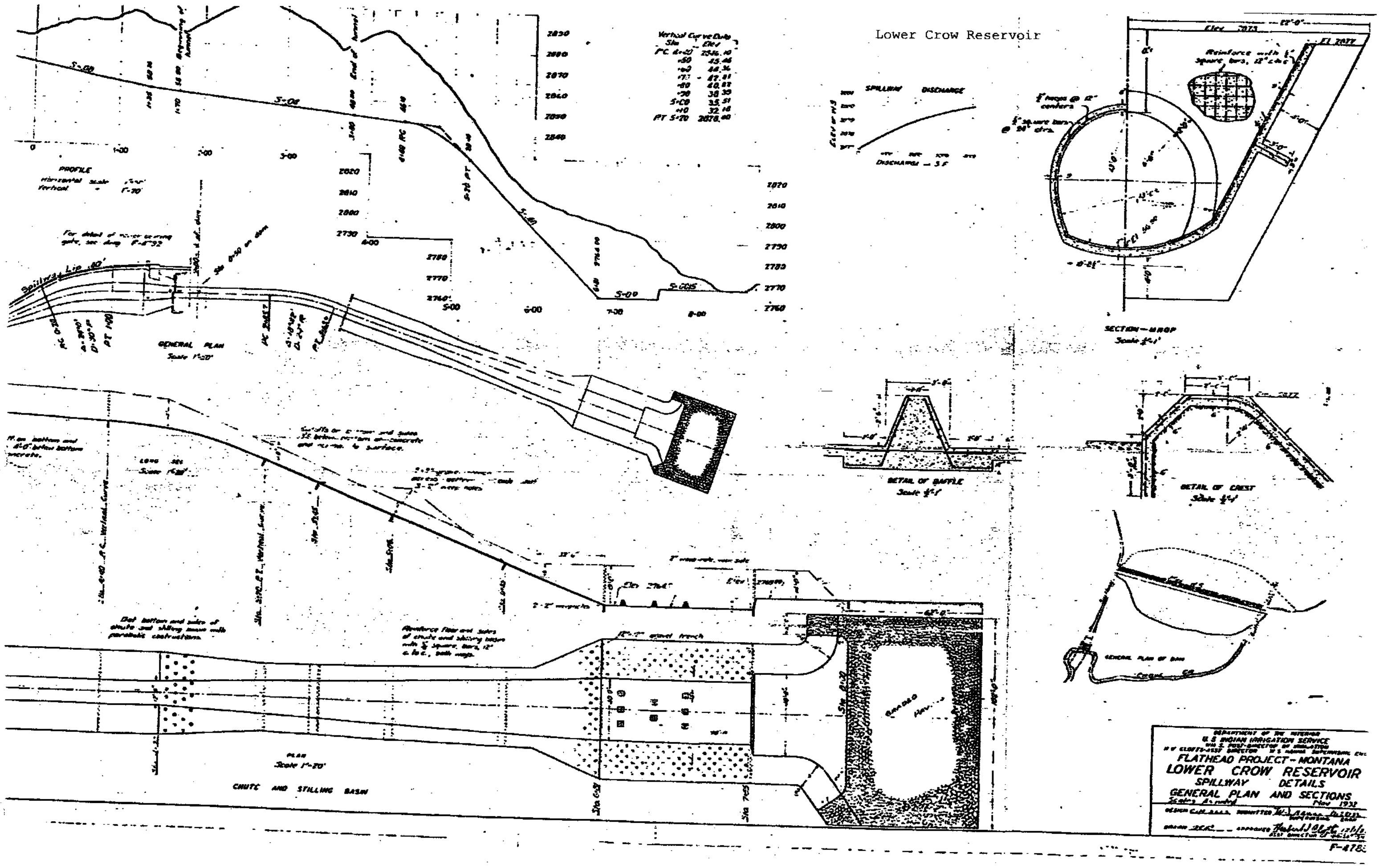
● Test Wells Drilled By Gov't Forces Feb. 1939

WELL DATA

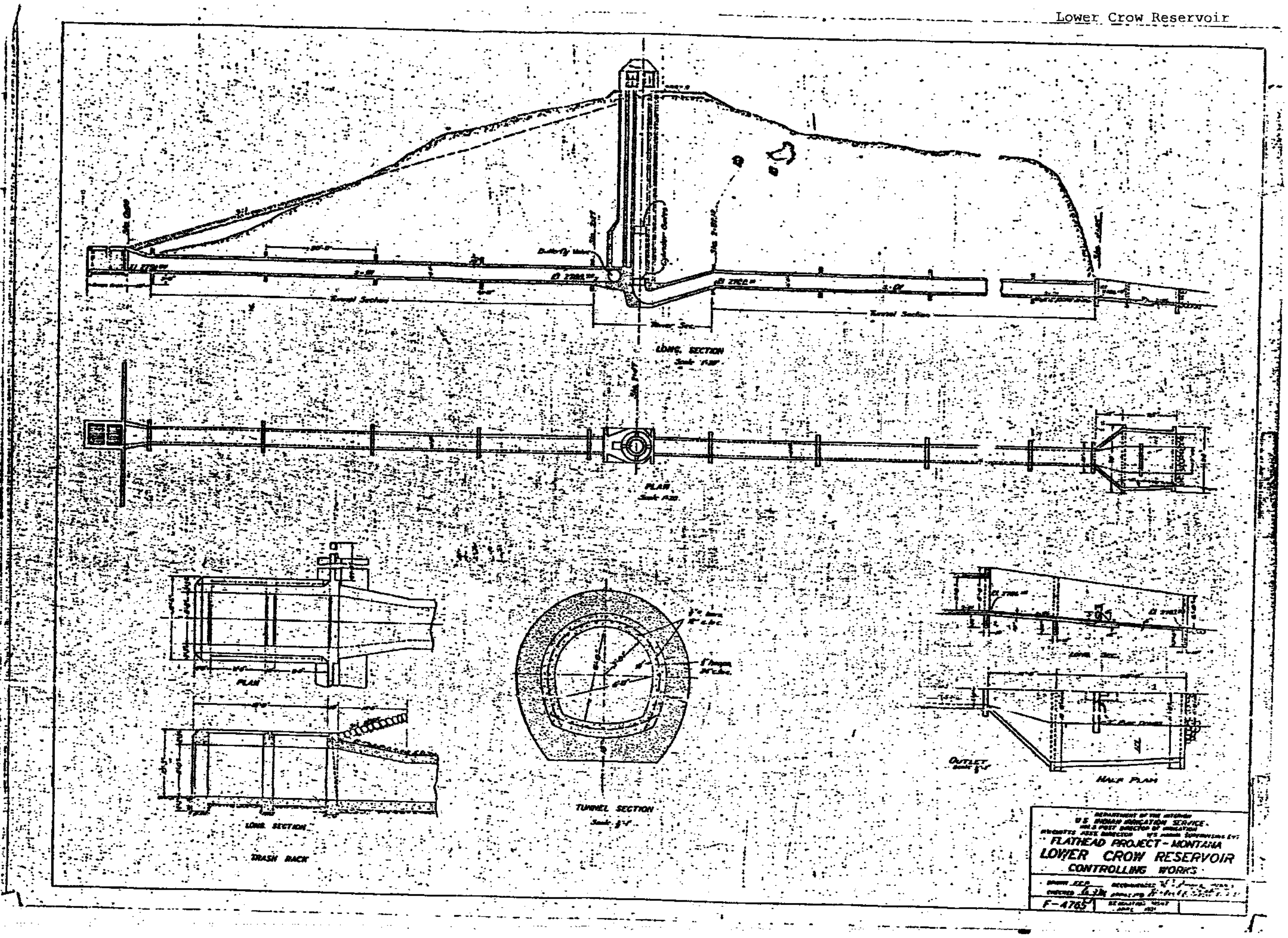
Well No	Total Depth	Drilling Time	Depth of Pipe Driven
1	67.0	12 hr.	6.0
2	102.0	14 "	7.5
3	56.0	13 "	3.0
4	74.0	7½ "	3.0

DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
LOWER CROW RESERVOIR
PLAN & SECTION OF DAM

Lower Crow Reservoir


PROFILE
Horizontal scale
Vertical 1"=10'
Beginning of tunnel
End of tunnel
Vertical Curve Data
Sta Elev
PC 4+20 2836.10
+50 45.46
+60 44.36
+75 42.81
+80 40.87
+90 38.30
5+00 35.51
+10 32.16
PT 5+20 2828.40
0
1+00
2+00
3+00
4+00
5+00
6+00
7+00
8+00
2830
2880
2870
2860
2850
2840
2820
2810
2800
2790
2780
2770
2760
S=.0015
S=.09
SPILLWAY DISCHARGE
Elev of W.S.
Discharge — S.F.
SECTION—WRAP
Scale ½"=1'
Elev 2073
El 2077
Reinforce with ¾" square bars, 12" c to c
¾" hoops @ 12" centers
¾" square bars @ 24" ctrs.
For detail of … gate, see dwg F-4792
Spillway Lip 80'
GENERAL PLAN
Scale 1"=20'
LONG SEC
Scale 1"=20'
DETAIL OF BAFFLE
Scale ½"=1'
DETAIL OF CREST
Scale ½"=1'
GENERAL PLAN OF DAM
Reinforce floor and sides of chute and stilling basin with ¾" square bars, 12" c to c, both ways.
Gravel trench
PLAN
Scale 1"=20'
CHUTE AND STILLING BASIN

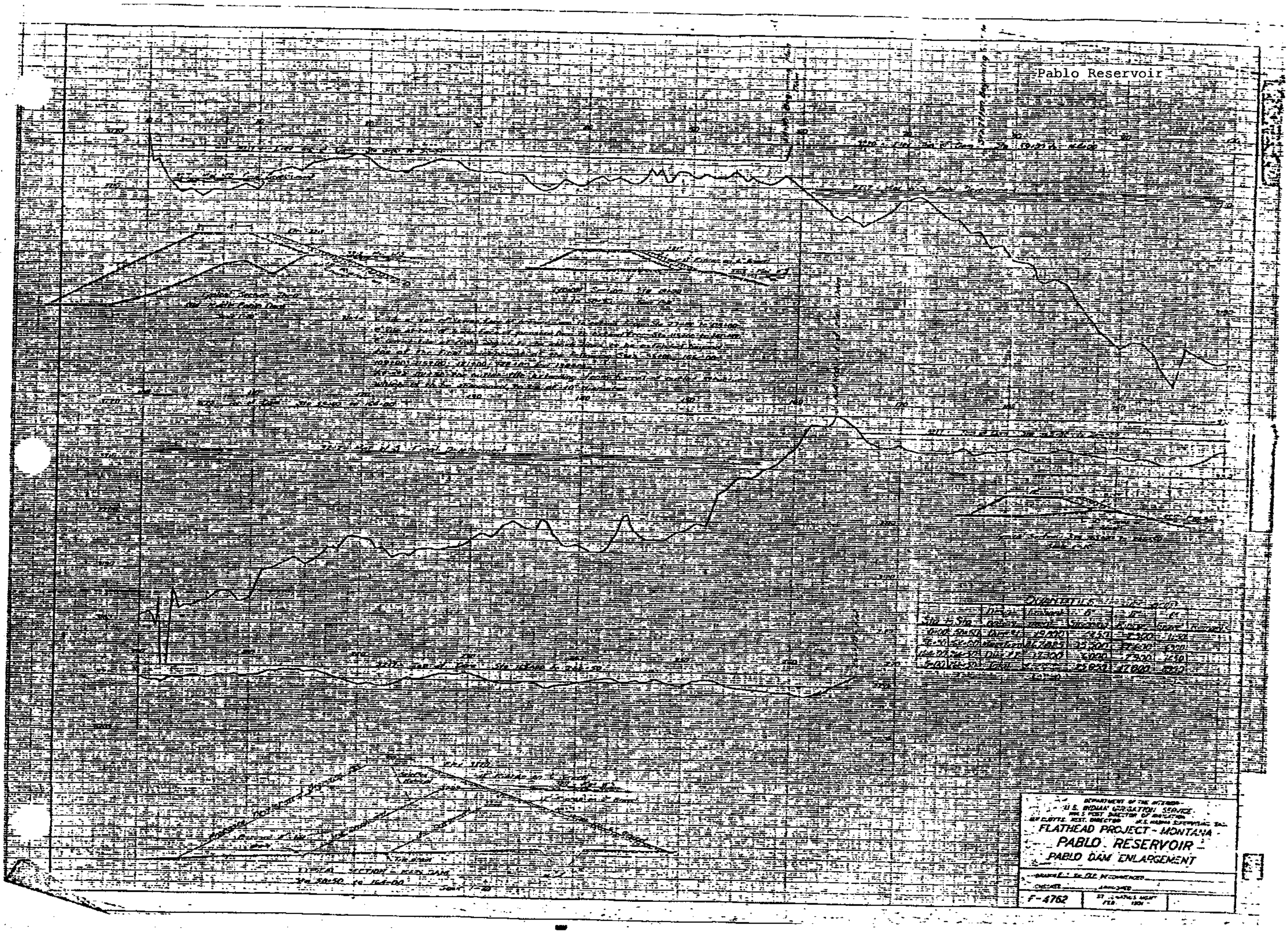
DEPARTMENT OF THE INTERIOR
U. S. INDIAN IRRIGATION SERVICE
W. M. S. POST—DIRECTOR OF IRRIGATION
H. W. CLOTTS—ASST DIRECTOR W. S. HANNA SUPERVISING ENG.
FLATHEAD PROJECT – MONTANA
LOWER CROW RESERVOIR
SPILLWAY DETAILS
GENERAL PLAN AND SECTIONS
Scales As noted Nov 1932
DESIGN C.J.M. Barr SUBMITTED W. S. Hanna 11-1932 SUPERVISING ENGR
DRAWN JCK APPROVED Herbert J Clotts 12-1-3… ASST DIRECTOR OF IRRIGATION
F-478


Butterfly Valve
Tunnel Section
Tower Sec.
Tunnel Section
LONG. SECTION
PLAN
PLAN
LONG. SECTION
TRASH RACK
TUNNEL SECTION
OUTLET
HALF PLAN

DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE.
FLATHEAD PROJECT - MONTANA
LOWER CROW RESERVOIR
CONTROLLING WORKS

F-4765

Pablo Reservoir

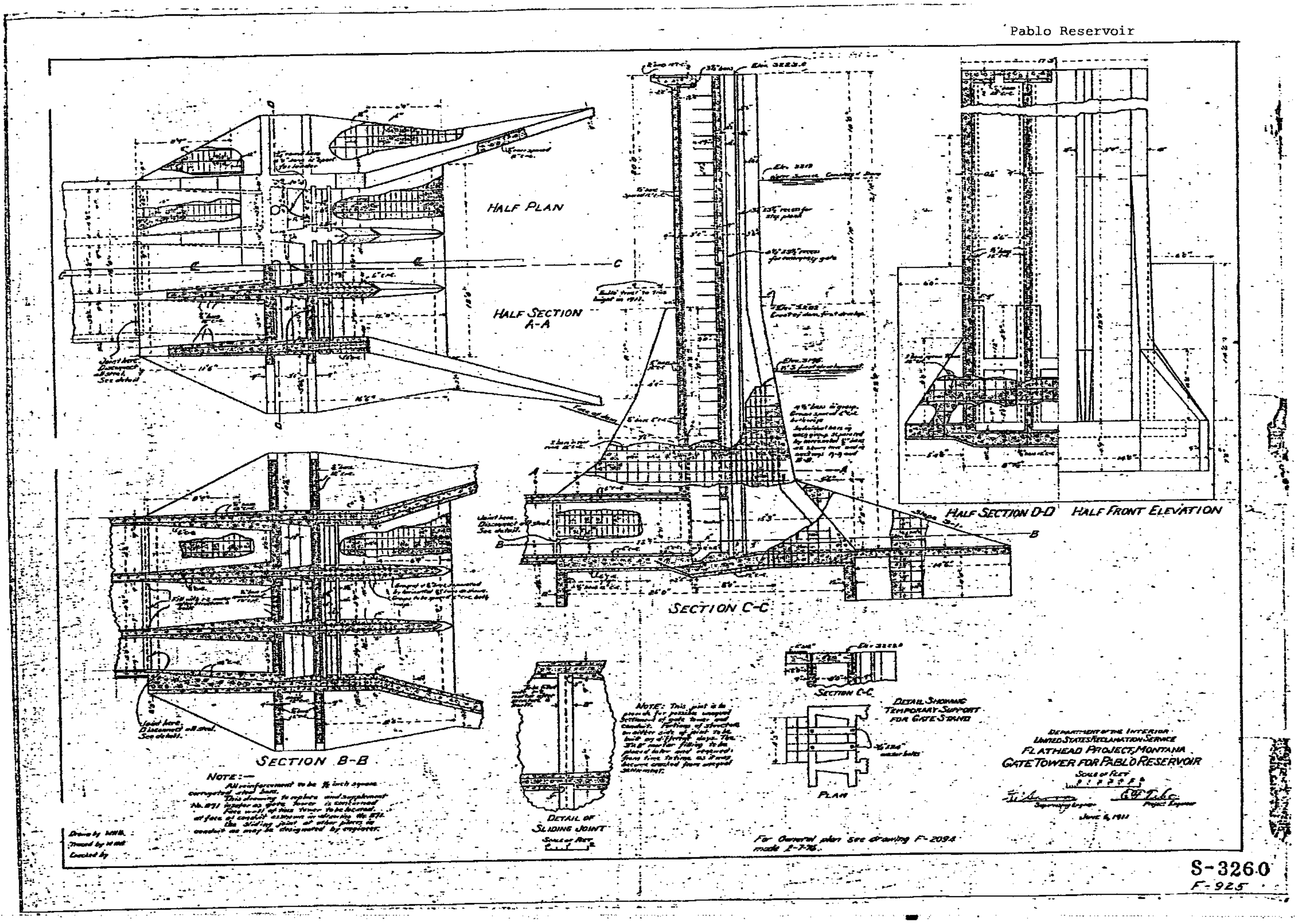

Quantities
Typical Section – Main Dam
Sta 58+50 to 164+00

DEPARTMENT OF THE INTERIOR
U.S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT - MONTANA
PABLO RESERVOIR
PABLO DAM ENLARGEMENT

F-4762

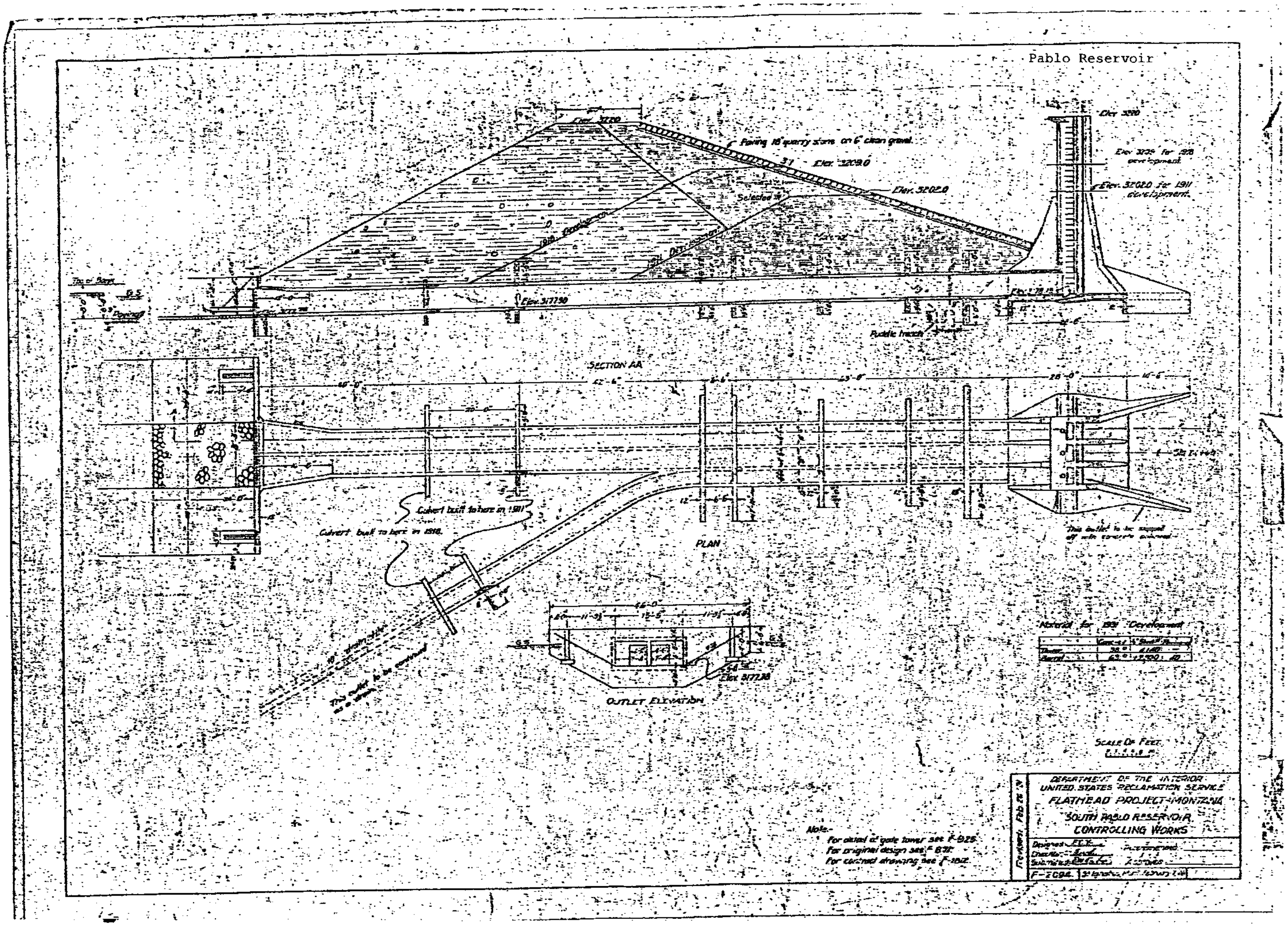
ST. IGNATIUS MONT
FEB. 1931

Pablo Reservoir

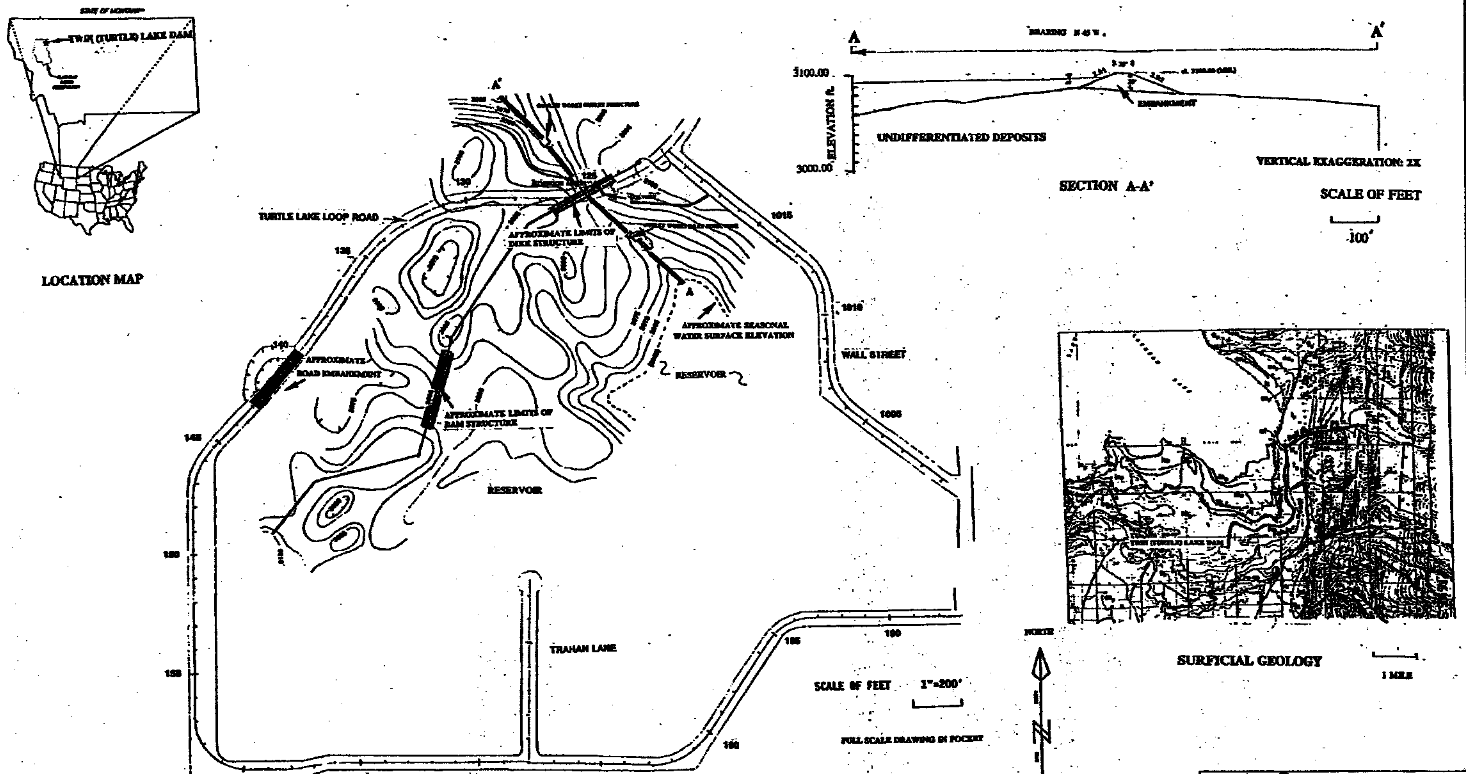

HALF PLAN
HALF SECTION A-A
SECTION B-B
SECTION C-C
HALF SECTION D-D
HALF FRONT ELEVATION
DETAIL OF SLIDING JOINT
SCALE OF FEET
SECTION C-C
DETAIL SHOWING TEMPORARY SUPPORT FOR GATE STAND
PLAN
NOTE: This joint is to provide for possible unequal settlement of gate tower and conduit. Portions of structure on either side of joint to be built on different days. The mortar filling to be placed later and renewed from time to time as it may become cracked from unequal settlement.
NOTE:— All reinforcement to be ½ inch square corrugated steel bars. This drawing to replace and supplement No. 871 insofar as gate tower is concerned. Face wall of this tower to be located at face of conduit as shown in drawing No. 871. The sliding joint at other places in conduit as may be designated by engineer.
Joint here. Disconnect all steel. See detail.
Drawn by W.H.B.
Traced by W.H.B.
Checked by
For General plan see drawing F-2094 made 2-7-16.
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT, MONTANA
GATE TOWER FOR PABLO RESERVOIR
SCALE OF FEET
Supervising Engineer
Project Engineer
June 6, 1911

S-3260
F-925

Pablo Reservoir


Elev. 3220
Paving 18" quarry stone on 6" clean gravel.
Elev. 3209.0
Elev. 3202.0
Selected
1910 Development
Elev. 3177.90
Top of Bank
G.S.
Puddle trench
Elev. 3220
Elev. 3205 for 1918 development.
Elev. 3202.0 for 1911 development.
SECTION AA
42'-6"
23'-6"
28'-0"
16'-6"
Culvert built to here in 1911
Culvert built to here in 1918.
10" drain tile
This outlet to be continued
PLAN
This outlet to be sealed off with concrete
46'-0"
11'-9½"
15'-5"
Elev. 3177.38
OUTLET ELEVATION
Material for 1918 Development
Tower
Barrel
SCALE OF FEET
Note:-
For detail of gate tower see F-925.
For original design see F-838.
For contract drawing see F-1012.
DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
FLATHEAD PROJECT–MONTANA
SOUTH PABLO RESERVOIR
CONTROLLING WORKS
Designed
Checked
Submitted
Recommended
Approved
F-2094.
Revised Feb 26 '19

Turtle (Twin) Reservoir


STATE OF MONTANA
TWIN (TURTLE) LAKE DAM
LOCATION MAP
A
A'
BEARING N 45 W.
3100.00
3000.00
ELEVATION ft.
EMBANKMENT
UNDIFFERENTIATED DEPOSITS
VERTICAL EXAGGERATION: 2X
SECTION A-A'
SCALE OF FEET
100'
TURTLE LAKE LOOP ROAD
APPROXIMATE LIMITS OF DIKE STRUCTURE
APPROXIMATE SEASONAL WATER SURFACE ELEVATION
RESERVOIR
APPROXIMATE ROAD EMBANKMENT
APPROXIMATE LIMITS OF DAM STRUCTURE
WALL STREET
TRAHAN LANE
125
135
140
145
150
155
160
165
170
175
180
185
190
1015
1010
1005
SCALE OF FEET 1"=200'
NORTH
FULL SCALE DRAWING IN POCKET
TURTLE LAKE LOOP ROAD
GENERAL PLAN AND TOPOGRAPHY
SURFICIAL GEOLOGY
1 MILE

NOTE: 1. TOPOGRAPHIC CONTOURS FROM F-4751 SEPT.,1930

2. ROAD ALIGNMENT AND STATIONING FROM BIA ROADS DRAWINGS

3. STRUCTURE LOCATIONS ARE FROM F-4751 AND SHOULD BE CONSIDERED APPROXIMATE.

4. DWG F-4751 REFERENCED IS TITLED "TWIN RESERVOIR AND DAMSITE" AND IS LOCATED IN THE ST. IGNATIUS PROJECT OFFICE.

ALWAYS THINK SAFETY

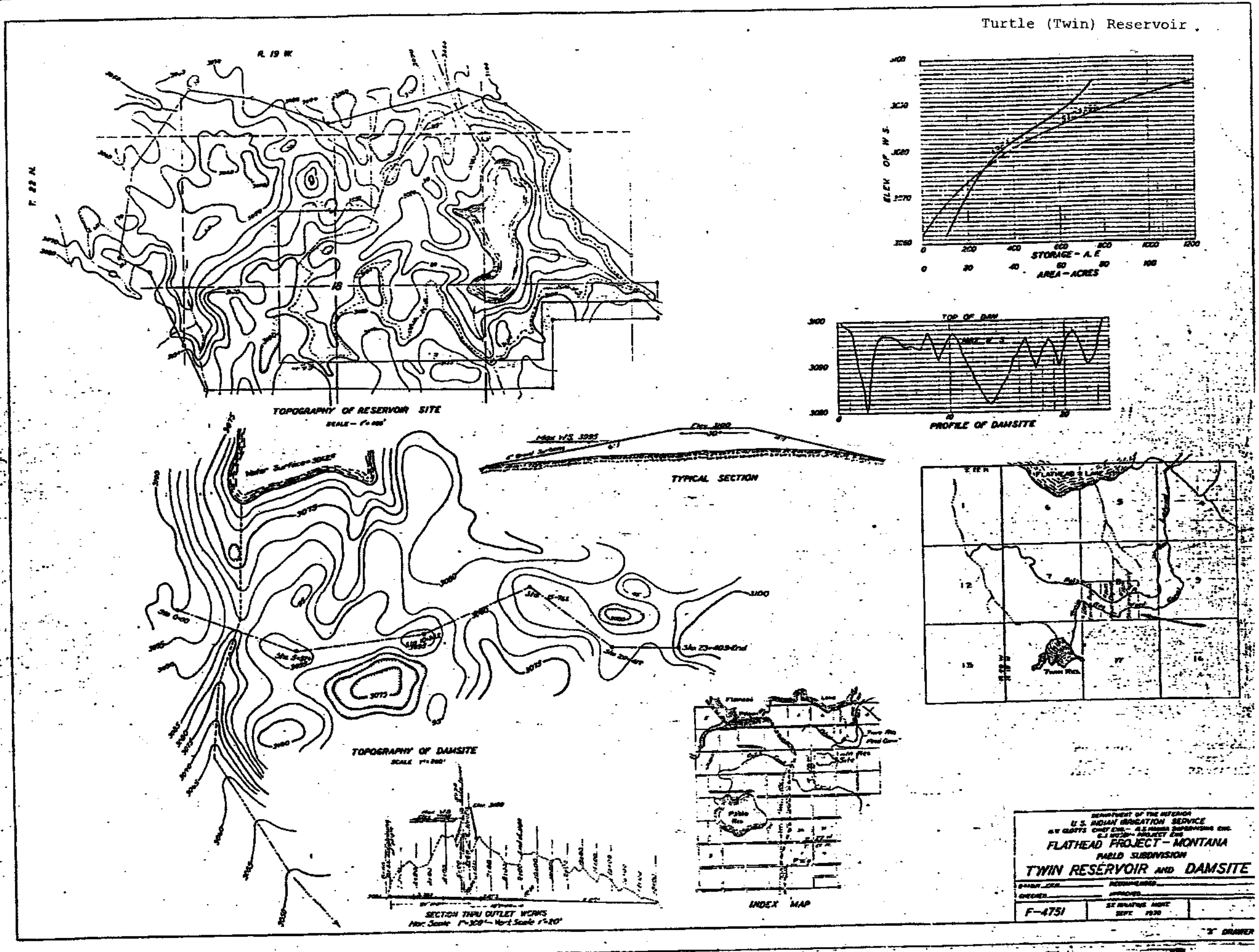
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

TWIN (TURTLE)-FAID-BIA-SOD

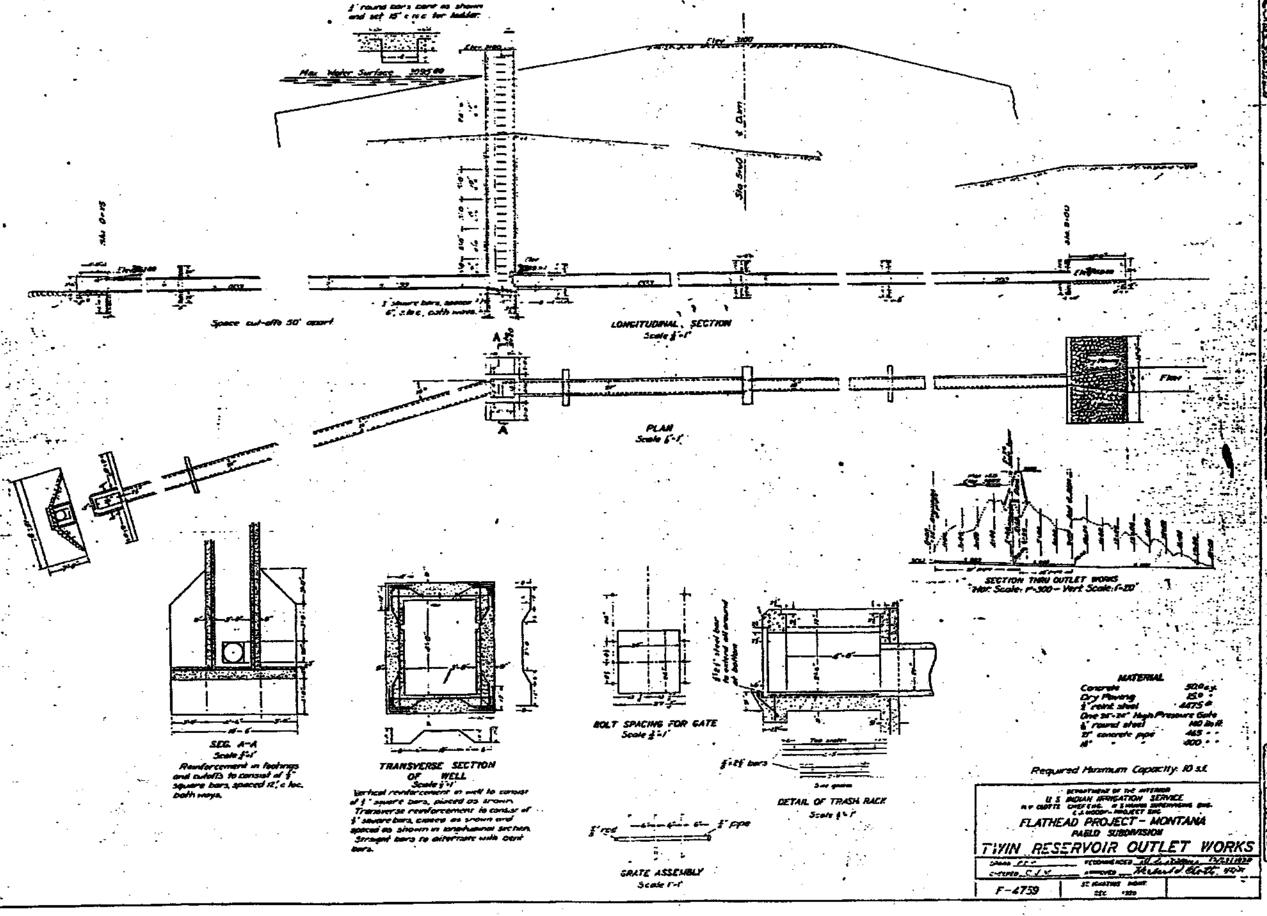
GENERAL PLAN, LOCATION, AND GEOLOGY MAP

DESIGNED ________ TECHNICAL APPROVAL ________
DRAWN ________ SUBMITTED ________
CHECKED ________ APPROVED ________
DENVER, COLORADO NOVEMBER 30, 1994 | 981-D-50

Turtle (Twin) Reservoir


R. 19 W.
T. 22 N.
18
TOPOGRAPHY OF RESERVOIR SITE
SCALE – 1"=400'
ELEV. OF W.S.
3100
3090
3080
3070
3060
0 200 400 600 800 1000 1200
STORAGE – A.F.
0 20 40 60 80 100
AREA – ACRES
TOP OF DAM
MAX. W.S.
3100
3090
3080
0 10 20
PROFILE OF DAMSITE
Max W.S. 3095
Elev. 3100
TYPICAL SECTION
Water Surface 3062
3075
3080
3100
TOPOGRAPHY OF DAMSITE
SCALE 1"=200'
SECTION THRU OUTLET WORKS
Hor. Scale 1"=300' – Vert. Scale 1"=20'
Flathead
Pablo Res.
Twin Res.
INDEX MAP
DEPARTMENT OF THE INTERIOR
U. S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT – MONTANA
PABLO SUBDIVISION
TWIN RESERVOIR AND DAMSITE
DRAWN
CHECKED
RECOMMENDED
APPROVED
F-4751
ST. IGNATIUS, MONT.
SEPT. 1930
"X" DRAWER

Turtle (Twin) Reservoir



¾" round bars bent as shown and set 15" c to c for ladder.
Max. Water Surface 3095.00
Elev. 3100
℄ Dam
Sta 5+40
Space cut-offs 50' apart
¾" square bars, spaced 6" c to c, both ways.
LONGITUDINAL SECTION
Scale ⅛"=1'
A
A
Flow
PLAN
Scale ⅛"=1'
SECTION THRU OUTLET WORKS
Hor. Scale: 1"=300 – Vert. Scale: 1"=20'
SEC. A–A
Scale ½"=1'
Reinforcement in footings and cutoffs to consist of ¾" square bars, spaced 12" c to c, both ways.
TRANSVERSE SECTION OF WELL
Scale ½"=1'
Vertical reinforcement in well to consist of ¾" square bars, placed as shown. Transverse reinforcement to consist of ¾" square bars, placed as shown and spaced as shown in longitudinal section. Straight bars to alternate with bent bars.
BOLT SPACING FOR GATE
Scale ½"=1'
DETAIL OF TRASH RACK
Scale ½"=1'
GRATE ASSEMBLY
Scale 1"=1'
⅜" rod
¾" pipe
MATERIAL
Concrete 50.0 c.y.
Dry Paving 15.0 "
¾" round steel 4475 #
One 24"×24" High Pressure Gate
¾" round steel 140 lin ft
21" concrete pipe 465 " "
18" " " 400 " "
Required Maximum Capacity: 10 s.f.
DEPARTMENT OF THE INTERIOR
U. S. INDIAN IRRIGATION SERVICE
FLATHEAD PROJECT – MONTANA
PABLO SUBDIVISION
TWIN RESERVOIR OUTLET WORKS
CHECKED C.J.V.
F-4759

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052661 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 274.43

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO CAMAS CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INWETLAND

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				8	19N	23W	SANDERS
2				18	19N	23W	SANDERS
3				19	19N	23W	SANDERS
4				20	19N	23W	SANDERS
5				30	19N	23W	SANDERS
6				31	19N	23W	SANDERS
7				4	19N	24W	SANDERS
8				9	19N	24W	SANDERS
9				10	19N	24W	SANDERS
10				15	19N	24W	SANDERS
11				24	19N	24W	SANDERS
12				25	19N	24W	SANDERS
13				19	20N	23W	SANDERS
14				29	20N	23W	SANDERS
15				4	20N	24W	SANDERS
16				7	20N	24W	SANDERS
17				19	20N	24W	SANDERS
18				20	20N	24W	SANDERS
19				22	20N	24W	SANDERS
20				23	20N	24W	SANDERS
21				26	20N	24W	SANDERS
22				27	20N	24W	SANDERS
23				29	20N	24W	SANDERS
24				32	20N	24W	SANDERS
25				35	20N	24W	SANDERS
26				1	20N	25W	SANDERS
27				2	20N	25W	SANDERS
28				3	20N	25W	SANDERS
29				4	20N	25W	SANDERS

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
30				12	20N	25W	SANDERS
31				28	21N	24W	SANDERS
32				29	21N	24W	SANDERS
33				31	21N	24W	SANDERS
34				32	21N	24W	SANDERS
35				33	21N	24W	SANDERS
36				34	21N	24W	SANDERS
37				35	21N	25W	SANDERS
38				36	21N	25W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052661 MAP EXHIBIT(S) 1 THROUGH 8.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052662 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 1,707.04

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO CROW CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INWETLAND

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	20N	18W	LAKE
2				6	20N	18W	LAKE
3				7	20N	18W	LAKE
4				8	20N	18W	LAKE
5				18	20N	18W	LAKE
6				1	20N	19W	LAKE
7				3	20N	19W	LAKE
8				5	20N	19W	LAKE
9				6	20N	19W	LAKE
10				7	20N	19W	LAKE
11				8	20N	19W	LAKE
12				9	20N	19W	LAKE
13				10	20N	19W	LAKE
14				11	20N	19W	LAKE
15				12	20N	19W	LAKE
16				17	20N	19W	LAKE
17				18	20N	19W	LAKE
18				19	20N	19W	LAKE
19				20	20N	19W	LAKE
20				30	20N	19W	LAKE
21				1	20N	20W	LAKE
22				2	20N	20W	LAKE
23				3	20N	20W	LAKE
24				4	20N	20W	LAKE
25				6	20N	20W	LAKE
26				7	20N	20W	LAKE
27				8	20N	20W	LAKE
28				10	20N	20W	LAKE
29				12	20N	20W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
30				13	20N	20W	LAKE
31				14	20N	20W	LAKE
32				15	20N	20W	LAKE
33				16	20N	20W	LAKE
34				17	20N	20W	LAKE
35				18	20N	20W	LAKE
36				24	20N	20W	LAKE
37				25	20N	20W	LAKE
38				1	20N	21W	LAKE
39				10	20N	21W	LAKE
40				11	20N	21W	LAKE
41				12	20N	21W	LAKE
42				14	20N	21W	LAKE
43				22	20N	21W	LAKE
44				28	20N	21W	LAKE
45				6	21N	18W	LAKE
46				7	21N	18W	LAKE
47				8	21N	18W	LAKE
48				17	21N	18W	LAKE
49				18	21N	18W	LAKE
50				19	21N	18W	LAKE
51				20	21N	18W	LAKE
52				29	21N	18W	LAKE
53				30	21N	18W	LAKE
54				31	21N	18W	LAKE
55				32	21N	18W	LAKE
56				1	21N	19W	LAKE
57				2	21N	19W	LAKE
58				4	21N	19W	LAKE
59				5	21N	19W	LAKE
60				6	21N	19W	LAKE
61				7	21N	19W	LAKE
62				8	21N	19W	LAKE
63				11	21N	19W	LAKE
64				12	21N	19W	LAKE
65				21	21N	19W	LAKE
66				24	21N	19W	LAKE
67				25	21N	19W	LAKE
68				28	21N	19W	LAKE
69				30	21N	19W	LAKE
70				31	21N	19W	LAKE
71				33	21N	19W	LAKE
72				36	21N	19W	LAKE
73				3	21N	20W	LAKE
74				4	21N	20W	LAKE
75				12	21N	20W	LAKE
76				13	21N	20W	LAKE
77				14	21N	20W	LAKE
78				15	21N	20W	LAKE
79				22	21N	20W	LAKE
80				23	21N	20W	LAKE
81				24	21N	20W	LAKE
82				25	21N	20W	LAKE
83				26	21N	20W	LAKE
84				28	21N	20W	LAKE
85				29	21N	20W	LAKE
86				35	21N	20W	LAKE
87				36	21N	20W	LAKE
88				25	21N	21W	LAKE
89				26	21N	21W	LAKE
90				11	22N	19W	LAKE
91				13	22N	19W	LAKE
92				20	22N	19W	LAKE
93				21	22N	19W	LAKE
94				23	22N	19W	LAKE
95				24	22N	19W	LAKE
96				25	22N	19W	LAKE
97				31	22N	19W	LAKE
98				32	22N	19W	LAKE
99				35	22N	19W	LAKE
100				36	22N	19W	LAKE
101				21	22N	20W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
102				22	22N	20W	LAKE
103				26	22N	20W	LAKE
104				27	22N	20W	LAKE
105				28	22N	20W	LAKE
106				29	22N	20W	LAKE
107				32	22N	20W	LAKE
108				33	22N	20W	LAKE
109				34	22N	20W	LAKE
110				35	22N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

SEE 30052662 MAP EXHIBIT(S) 1 THROUGH 16.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052663 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 1,789.98

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO FLATHEAD RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2						SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				4	17N	22W	SANDERS
2				9	17N	22W	SANDERS
3				17	17N	22W	SANDERS
4				20	17N	22W	SANDERS
5				26	17N	22W	SANDERS
6				27	17N	22W	SANDERS
7				28	17N	22W	SANDERS
8				34	17N	22W	SANDERS
9				35	17N	22W	SANDERS
10				4	17N	23W	SANDERS
11				5	17N	23W	SANDERS
12				6	17N	23W	SANDERS
13				9	17N	23W	SANDERS
14				1	17N	24W	SANDERS
15				2	17N	24W	SANDERS
16				4	18N	21W	SANDERS
17				5	18N	21W	SANDERS
18				6	18N	21W	SANDERS
19				7	18N	21W	SANDERS
20				8	18N	21W	SANDERS
21				17	18N	21W	SANDERS
22				18	18N	21W	SANDERS
23				2	18N	22W	SANDERS
24				4	18N	22W	SANDERS

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
25				5	18N	22W	SANDERS
26				6	18N	22W	SANDERS
27				7	18N	22W	SANDERS
28				8	18N	22W	SANDERS
29				9	18N	22W	SANDERS
30				10	18N	22W	SANDERS
31				11	18N	22W	SANDERS
32				12	18N	22W	SANDERS
33				13	18N	22W	SANDERS
34				14	18N	22W	SANDERS
35				15	18N	22W	SANDERS
36				16	18N	22W	SANDERS
37				17	18N	22W	SANDERS
38				18	18N	22W	SANDERS
39				20	18N	22W	SANDERS
40				21	18N	22W	SANDERS
41				23	18N	22W	SANDERS
42				27	18N	22W	SANDERS
43				28	18N	22W	SANDERS
44				29	18N	22W	SANDERS
45				32	18N	22W	SANDERS
46				33	18N	22W	SANDERS
47				3	18N	23W	SANDERS
48				4	18N	23W	SANDERS
49				5	18N	23W	SANDERS
50				6	18N	23W	SANDERS
51				8	18N	23W	SANDERS
52				9	18N	23W	SANDERS
53				10	18N	23W	SANDERS
54				11	18N	23W	SANDERS
55				12	18N	23W	SANDERS
56				13	18N	23W	SANDERS
57				14	18N	23W	SANDERS
58				15	18N	23W	SANDERS
59				1	18N	24W	SANDERS
60				2	18N	24W	SANDERS
61				3	18N	24W	SANDERS
62				4	18N	24W	SANDERS
63				5	18N	24W	SANDERS
64				6	18N	24W	SANDERS
65				8	18N	24W	SANDERS
66				9	18N	24W	SANDERS
67				10	18N	24W	SANDERS
68				16	18N	24W	SANDERS
69				28	18N	24W	SANDERS
70				32	18N	24W	SANDERS
71				34	18N	24W	SANDERS
72				35	18N	24W	SANDERS
73				29	19N	21W	LAKE
74				30	19N	21W	LAKE
75				30	19N	21W	SANDERS
76				31	19N	21W	LAKE
77				31	19N	21W	SANDERS
78				32	19N	21W	LAKE
79				32	19N	21W	SANDERS
80				1	19N	22W	SANDERS
81				11	19N	22W	SANDERS
82				12	19N	22W	SANDERS
83				13	19N	22W	SANDERS
84				14	19N	22W	SANDERS
85				15	19N	22W	SANDERS
86				19	19N	22W	SANDERS
87				21	19N	22W	SANDERS
88				22	19N	22W	SANDERS
89				23	19N	22W	SANDERS
90				24	19N	22W	SANDERS
91				25	19N	22W	LAKE
92				25	19N	22W	SANDERS
93				26	19N	22W	SANDERS
94				27	19N	22W	SANDERS
95				31	19N	22W	SANDERS
96				32	19N	22W	SANDERS

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
97				34	19N	22W	SANDERS
98				35	19N	22W	SANDERS
99				36	19N	22W	SANDERS
100				10	19N	23W	SANDERS
101				13	19N	23W	SANDERS
102				14	19N	23W	SANDERS
103				15	19N	23W	SANDERS
104				23	19N	23W	SANDERS
105				24	19N	23W	SANDERS
106				26	19N	23W	SANDERS
107				27	19N	23W	SANDERS
108				31	19N	23W	SANDERS
109				32	19N	23W	SANDERS
110				33	19N	23W	SANDERS
111				34	19N	23W	SANDERS
112				35	19N	23W	SANDERS
113				25	19N	24W	SANDERS
114				26	19N	24W	SANDERS
115				32	19N	24W	SANDERS
116				33	19N	24W	SANDERS
117				35	19N	24W	SANDERS
118				36	19N	24W	SANDERS
119				17	20N	21W	LAKE
120				18	20N	21W	LAKE
121				18	20N	21W	SANDERS
122				21	20N	21W	LAKE
123				28	20N	21W	LAKE
124				29	20N	21W	LAKE
125				29	20N	21W	SANDERS
126				30	20N	21W	LAKE
127				30	20N	21W	SANDERS
128				31	20N	21W	LAKE
129				2	20N	22W	LAKE
130				11	20N	22W	LAKE
131				11	20N	22W	SANDERS
132				13	20N	22W	SANDERS
133				22	20N	22W	LAKE
134				35	20N	22W	SANDERS
135				36	20N	22W	SANDERS
136				6	21N	21W	LAKE
137				7	21N	21W	LAKE
138				7	21N	21W	SANDERS
139				8	21N	21W	LAKE
140				8	21N	21W	SANDERS
141				18	21N	21W	SANDERS
142				19	21N	21W	LAKE
143				19	21N	21W	SANDERS
144				20	21N	21W	LAKE
145				27	21N	21W	LAKE
146				28	21N	21W	LAKE
147				30	21N	21W	LAKE
148				30	21N	21W	SANDERS
149				34	21N	21W	LAKE
150				1	21N	22W	LAKE
151				10	21N	22W	SANDERS
152				22	21N	22W	SANDERS
153				23	21N	22W	SANDERS
154				26	21N	22W	SANDERS
155				27	21N	22W	SANDERS
156				4	22N	20W	LAKE
157				5	22N	20W	LAKE
158				10	22N	21W	LAKE
159				11	22N	21W	LAKE
160				12	22N	21W	LAKE
161				15	22N	21W	LAKE
162				19	22N	21W	LAKE
163				20	22N	21W	LAKE
164				21	22N	21W	LAKE
165				22	22N	21W	LAKE
166				25	22N	21W	LAKE
167				26	22N	21W	LAKE
168				28	22N	21W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
169				30	22N	21W	LAKE
170				24	22N	22W	LAKE
171				25	22N	22W	LAKE
172				26	22N	22W	LAKE
173				34	22N	22W	LAKE
174				36	22N	22W	LAKE
175				34	23N	21W	LAKE
176				2	23N	22W	LAKE
177				10	23N	22W	LAKE
178				15	23N	22W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052663 MAP EXHIBIT(S) 1 THROUGH 26.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052664 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 3,252.88

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO JOCKO RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2						MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3						SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	14N	19W	MISSOULA
2				1	14N	20W	MISSOULA
3				3	15N	17W	MISSOULA
4				4	15N	17W	MISSOULA
5				5	15N	17W	MISSOULA
6				10	15N	17W	MISSOULA
7				2	15N	18W	MISSOULA
8				3	15N	18W	MISSOULA
9				6	15N	18W	MISSOULA
10				1	15N	19W	MISSOULA
11				2	15N	19W	MISSOULA
12				3	15N	19W	MISSOULA
13				4	15N	19W	MISSOULA
14				5	15N	19W	MISSOULA
15				6	15N	19W	MISSOULA
16				7	15N	19W	MISSOULA
17				8	15N	19W	MISSOULA
18				11	15N	19W	MISSOULA

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
19				14	15N	19W	MISSOULA
20				15	15N	19W	MISSOULA
21				17	15N	19W	MISSOULA
22				18	15N	19W	MISSOULA
23				19	15N	19W	MISSOULA
24				22	15N	19W	MISSOULA
25				30	15N	19W	MISSOULA
26				31	15N	19W	MISSOULA
27				12	15N	20W	MISSOULA
28				13	15N	20W	MISSOULA
29				14	15N	20W	MISSOULA
30				23	15N	20W	MISSOULA
31				24	15N	20W	MISSOULA
32				25	15N	20W	MISSOULA
33				19	16N	16W	MISSOULA
34				30	16N	16W	MISSOULA
35				3	16N	17W	MISSOULA
36				4	16N	17W	MISSOULA
37				5	16N	17W	MISSOULA
38				6	16N	17W	MISSOULA
39				7	16N	17W	MISSOULA
40				8	16N	17W	MISSOULA
41				9	16N	17W	MISSOULA
42				13	16N	17W	MISSOULA
43				14	16N	17W	MISSOULA
44				15	16N	17W	MISSOULA
45				17	16N	17W	MISSOULA
46				18	16N	17W	MISSOULA
47				19	16N	17W	MISSOULA
48				20	16N	17W	MISSOULA
49				21	16N	17W	MISSOULA
50				22	16N	17W	MISSOULA
51				23	16N	17W	MISSOULA
52				24	16N	17W	MISSOULA
53				25	16N	17W	MISSOULA
54				28	16N	17W	MISSOULA
55				29	16N	17W	MISSOULA
56				31	16N	17W	MISSOULA
57				32	16N	17W	MISSOULA
58				33	16N	17W	MISSOULA
59				34	16N	17W	MISSOULA
60				1	16N	18W	MISSOULA
61				2	16N	18W	MISSOULA
62				3	16N	18W	MISSOULA
63				4	16N	18W	MISSOULA
64				5	16N	18W	MISSOULA
65				8	16N	18W	MISSOULA
66				9	16N	18W	MISSOULA
67				10	16N	18W	MISSOULA
68				11	16N	18W	MISSOULA
69				12	16N	18W	MISSOULA
70				13	16N	18W	MISSOULA
71				14	16N	18W	MISSOULA
72				15	16N	18W	MISSOULA
73				17	16N	18W	MISSOULA
74				18	16N	18W	MISSOULA
75				19	16N	18W	MISSOULA
76				20	16N	18W	MISSOULA
77				21	16N	18W	MISSOULA
78				22	16N	18W	MISSOULA
79				24	16N	18W	MISSOULA
80				26	16N	18W	MISSOULA
81				27	16N	18W	MISSOULA
82				28	16N	18W	MISSOULA
83				29	16N	18W	MISSOULA
84				30	16N	18W	MISSOULA
85				31	16N	18W	MISSOULA
86				32	16N	18W	MISSOULA
87				33	16N	18W	MISSOULA
88				34	16N	18W	MISSOULA
89				35	16N	18W	MISSOULA
90				1	16N	19W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
91				2	16N	19W	LAKE
92				4	16N	19W	LAKE
93				5	16N	19W	LAKE
94				7	16N	19W	LAKE
95				9	16N	19W	LAKE
96				10	16N	19W	LAKE
97				11	16N	19W	LAKE
98				14	16N	19W	LAKE
99				15	16N	19W	LAKE
100				16	16N	19W	LAKE
101				17	16N	19W	LAKE
102				18	16N	19W	LAKE
103				19	16N	19W	MISSOULA
104				21	16N	19W	MISSOULA
105				22	16N	19W	MISSOULA
106				25	16N	19W	MISSOULA
107				26	16N	19W	MISSOULA
108				27	16N	19W	MISSOULA
109				28	16N	19W	MISSOULA
110				29	16N	19W	MISSOULA
111				30	16N	19W	MISSOULA
112				31	16N	19W	MISSOULA
113				32	16N	19W	MISSOULA
114				33	16N	19W	MISSOULA
115				36	16N	19W	MISSOULA
116				1	16N	20W	LAKE
117				2	16N	20W	LAKE
118				3	16N	20W	LAKE
119				4	16N	20W	LAKE
120				7	16N	20W	LAKE
121				8	16N	20W	LAKE
122				9	16N	20W	LAKE
123				10	16N	20W	LAKE
124				11	16N	20W	LAKE
125				12	16N	20W	LAKE
126				13	16N	20W	LAKE
127				14	16N	20W	LAKE
128				15	16N	20W	LAKE
129				23	16N	20W	MISSOULA
130				24	16N	20W	LAKE
131				24	16N	20W	MISSOULA
132				36	16N	20W	MISSOULA
133				1	16N	21W	SANDERS
134				2	16N	21W	SANDERS
135				3	16N	21W	SANDERS
136				10	16N	21W	SANDERS
137				11	16N	21W	SANDERS
138				12	16N	21W	SANDERS
139				15	16N	21W	SANDERS
140				1	16N	22W	SANDERS
141				2	16N	22W	SANDERS
142				11	16N	22W	SANDERS
143				12	16N	22W	SANDERS
144				13	16N	22W	SANDERS
145				14	16N	22W	SANDERS
146				2	17N	17W	MISSOULA
147				3	17N	17W	MISSOULA
148				4	17N	17W	MISSOULA
149				6	17N	17W	MISSOULA
150				8	17N	17W	MISSOULA
151				9	17N	17W	MISSOULA
152				11	17N	17W	MISSOULA
153				15	17N	17W	MISSOULA
154				16	17N	17W	MISSOULA
155				17	17N	17W	MISSOULA
156				18	17N	17W	MISSOULA
157				19	17N	17W	MISSOULA
158				20	17N	17W	MISSOULA
159				21	17N	17W	MISSOULA
160				22	17N	17W	MISSOULA
161				28	17N	17W	MISSOULA
162				29	17N	17W	MISSOULA

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
163				30	17N	17W	MISSOULA
164				31	17N	17W	MISSOULA
165				32	17N	17W	MISSOULA
166				35	17N	17W	MISSOULA
167				1	17N	18W	LAKE
168				2	17N	18W	LAKE
169				3	17N	18W	LAKE
170				7	17N	18W	LAKE
171				10	17N	18W	LAKE
172				12	17N	18W	LAKE
173				14	17N	18W	LAKE
174				15	17N	18W	LAKE
175				17	17N	18W	LAKE
176				18	17N	18W	LAKE
177				19	17N	18W	LAKE
178				20	17N	18W	LAKE
179				21	17N	18W	LAKE
180				22	17N	18W	LAKE
181				23	17N	18W	LAKE
182				24	17N	18W	LAKE
183				24	17N	18W	MISSOULA
184				25	17N	18W	LAKE
185				25	17N	18W	MISSOULA
186				26	17N	18W	LAKE
187				27	17N	18W	LAKE
188				28	17N	18W	LAKE
189				29	17N	18W	LAKE
190				30	17N	18W	LAKE
191				31	17N	18W	LAKE
192				34	17N	18W	LAKE
193				35	17N	18W	LAKE
194				36	17N	18W	LAKE
195				36	17N	18W	MISSOULA
196				7	17N	19W	LAKE
197				13	17N	19W	LAKE
198				14	17N	19W	LAKE
199				15	17N	19W	LAKE
200				18	17N	19W	LAKE
201				19	17N	19W	LAKE
202				20	17N	19W	LAKE
203				22	17N	19W	LAKE
204				23	17N	19W	LAKE
205				24	17N	19W	LAKE
206				25	17N	19W	LAKE
207				26	17N	19W	LAKE
208				29	17N	19W	LAKE
209				30	17N	19W	LAKE
210				32	17N	19W	LAKE
211				33	17N	19W	LAKE
212				36	17N	19W	LAKE
213				4	17N	20W	LAKE
214				5	17N	20W	LAKE
215				7	17N	20W	LAKE
216				7	17N	20W	SANDERS
217				8	17N	20W	LAKE
218				9	17N	20W	LAKE
219				10	17N	20W	LAKE
220				11	17N	20W	LAKE
221				12	17N	20W	LAKE
222				13	17N	20W	LAKE
223				14	17N	20W	LAKE
224				15	17N	20W	LAKE
225				16	17N	20W	LAKE
226				17	17N	20W	LAKE
227				18	17N	20W	LAKE
228				19	17N	20W	LAKE
229				20	17N	20W	LAKE
230				21	17N	20W	LAKE
231				22	17N	20W	LAKE
232				23	17N	20W	LAKE
233				24	17N	20W	LAKE
234				25	17N	20W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
235				26	17N	20W	LAKE
236				27	17N	20W	LAKE
237				28	17N	20W	LAKE
238				30	17N	20W	LAKE
239				31	17N	20W	LAKE
240				32	17N	20W	LAKE
241				33	17N	20W	LAKE
242				34	17N	20W	LAKE
243				35	17N	20W	LAKE
244				36	17N	20W	LAKE
245				1	17N	21W	SANDERS
246				2	17N	21W	SANDERS
247				4	17N	21W	SANDERS
248				9	17N	21W	SANDERS
249				10	17N	21W	SANDERS
250				12	17N	21W	SANDERS
251				13	17N	21W	SANDERS
252				15	17N	21W	SANDERS
253				16	17N	21W	SANDERS
254				18	17N	21W	SANDERS
255				21	17N	21W	SANDERS
256				22	17N	21W	SANDERS
257				23	17N	21W	SANDERS
258				24	17N	21W	SANDERS
259				25	17N	21W	SANDERS
260				26	17N	21W	SANDERS
261				27	17N	21W	SANDERS
262				36	17N	21W	SANDERS
263				27	18N	17W	MISSOULA
264				28	18N	17W	MISSOULA
265				31	18N	17W	MISSOULA
266				32	18N	17W	MISSOULA
267				33	18N	17W	MISSOULA
268				34	18N	17W	MISSOULA
269				35	18N	17W	MISSOULA
270				26	18N	18W	LAKE
271				34	18N	18W	LAKE
272				35	18N	18W	LAKE
273				36	18N	18W	LAKE
274				29	18N	20W	LAKE
275				31	18N	20W	LAKE
276				31	18N	20W	SANDERS
277				32	18N	20W	LAKE
278				33	18N	20W	LAKE
279				17	18N	21W	SANDERS
280				20	18N	21W	SANDERS
281				21	18N	21W	SANDERS
282				22	18N	21W	SANDERS
283				25	18N	21W	SANDERS
284				26	18N	21W	SANDERS
285				27	18N	21W	SANDERS
286				33	18N	21W	SANDERS
287				36	18N	21W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

SEE 30052664 MAP EXHIBIT(S) 1 THROUGH 32.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052665 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 1,309.44

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO LITTLE BITTERROOT RIVER.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						FLATHEAD

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3						SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				18	20N	21W	SANDERS
2				6	20N	22W	SANDERS
3				7	20N	22W	SANDERS
4				13	20N	22W	SANDERS
5				23	20N	22W	SANDERS
6				24	20N	22W	SANDERS
7				26	20N	22W	SANDERS
8				27	20N	22W	SANDERS
9				28	20N	22W	SANDERS
10				29	20N	22W	SANDERS
11				32	20N	22W	SANDERS
12				33	20N	22W	SANDERS
13				1	20N	23W	SANDERS
14				12	20N	23W	SANDERS
15				13	20N	23W	SANDERS
16				4	21N	22W	LAKE
17				5	21N	22W	LAKE
18				6	21N	22W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
19				7	21N	22W	SANDERS
20				8	21N	22W	SANDERS
21				9	21N	22W	SANDERS
22				19	21N	22W	SANDERS
23				20	21N	22W	SANDERS
24				21	21N	22W	SANDERS
25				28	21N	22W	SANDERS
26				30	21N	22W	SANDERS
27				31	21N	22W	SANDERS
28				1	21N	23W	LAKE
29				4	21N	23W	LAKE
30				10	21N	23W	SANDERS
31				14	21N	23W	SANDERS
32				15	21N	23W	SANDERS
33				25	21N	23W	SANDERS
34				1	21N	24W	SANDERS
35				2	21N	24W	SANDERS
36				3	21N	24W	SANDERS
37				4	21N	24W	SANDERS
38				5	21N	24W	SANDERS
39				13	21N	24W	SANDERS
40				15	21N	24W	SANDERS
41				18	22N	23W	SANDERS
42				28	22N	23W	LAKE
43				32	22N	23W	LAKE
44				33	22N	23W	LAKE
45				34	22N	23W	LAKE
46				35	22N	23W	LAKE
47				1	22N	24W	SANDERS
48				4	22N	24W	SANDERS
49				18	22N	24W	SANDERS
50				20	22N	24W	SANDERS
51				21	22N	24W	SANDERS
52				22	22N	24W	SANDERS
53				34	22N	24W	SANDERS
54				35	22N	24W	SANDERS
55				6	23N	23W	LAKE
56				7	23N	23W	LAKE
57				7	23N	23W	SANDERS
58				9	23N	23W	LAKE
59				15	23N	23W	LAKE
60				16	23N	23W	LAKE
61				20	23N	23W	LAKE
62				21	23N	23W	LAKE
63				30	23N	23W	SANDERS
64				31	23N	23W	SANDERS
65				2	23N	24W	SANDERS
66				3	23N	24W	SANDERS
67				10	23N	24W	SANDERS
68				11	23N	24W	SANDERS
69				12	23N	24W	SANDERS
70				13	23N	24W	SANDERS
71				15	23N	24W	SANDERS
72				16	23N	24W	SANDERS
73				17	23N	24W	SANDERS
74				20	23N	24W	SANDERS
75				21	23N	24W	SANDERS
76				22	23N	24W	SANDERS
77				23	23N	24W	SANDERS
78				24	23N	24W	SANDERS
79				25	23N	24W	SANDERS
80				26	23N	24W	SANDERS
81				27	23N	24W	SANDERS
82				28	23N	24W	SANDERS
83				29	23N	24W	SANDERS
84				33	23N	24W	SANDERS
85				34	23N	24W	SANDERS
86				35	23N	24W	SANDERS
87				36	23N	24W	SANDERS
88				1	24N	23W	FLATHEAD
89				8	24N	23W	FLATHEAD
90				9	24N	23W	FLATHEAD

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
91				10	24N	23W	FLATHEAD
92				12	24N	23W	FLATHEAD
93				15	24N	23W	FLATHEAD
94				16	24N	23W	FLATHEAD
95				17	24N	23W	FLATHEAD
96				18	24N	23W	FLATHEAD
97				18	24N	23W	SANDERS
98				21	24N	23W	FLATHEAD
99				25	24N	23W	FLATHEAD
100				30	24N	23W	FLATHEAD
101				31	24N	23W	FLATHEAD
102				31	24N	23W	LAKE
103				2	24N	24W	SANDERS
104				4	24N	24W	SANDERS
105				9	24N	24W	SANDERS
106				10	24N	24W	SANDERS
107				11	24N	24W	SANDERS
108				12	24N	24W	SANDERS
109				13	24N	24W	SANDERS
110				16	24N	24W	SANDERS
111				18	24N	24W	SANDERS
112				19	24N	24W	SANDERS
113				21	24N	24W	SANDERS
114				22	24N	24W	SANDERS
115				23	24N	24W	SANDERS
116				24	24N	24W	SANDERS
117				25	24N	24W	SANDERS
118				26	24N	24W	SANDERS
119				34	24N	24W	SANDERS
120				35	24N	24W	SANDERS
121				34	25N	24W	FLATHEAD

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

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SEE 30052665 MAP EXHIBIT(S) 1 THROUGH 22.

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STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052666 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 1,940.79

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO MISSION CREEK.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2						SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INWETLAND
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	17N	18W	LAKE
2				2	17N	19W	LAKE
3				4	17N	19W	LAKE
4				9	17N	19W	LAKE
5				4	18N	18W	LAKE
6				5	18N	18W	LAKE
7				6	18N	18W	LAKE
8				8	18N	18W	LAKE
9				9	18N	18W	LAKE
10				16	18N	18W	LAKE
11				17	18N	18W	LAKE
12				19	18N	18W	LAKE
13				20	18N	18W	LAKE
14				21	18N	18W	LAKE
15				22	18N	18W	LAKE
16				27	18N	18W	LAKE
17				29	18N	18W	LAKE
18				3	18N	19W	LAKE
19				4	18N	19W	LAKE
20				6	18N	19W	LAKE
21				7	18N	19W	LAKE
22				9	18N	19W	LAKE
23				10	18N	19W	LAKE
24				11	18N	19W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
25				12	18N	19W	LAKE
26				13	18N	19W	LAKE
27				14	18N	19W	LAKE
28				19	18N	19W	LAKE
29				21	18N	19W	LAKE
30				22	18N	19W	LAKE
31				23	18N	19W	LAKE
32				24	18N	19W	LAKE
33				26	18N	19W	LAKE
34				27	18N	19W	LAKE
35				28	18N	19W	LAKE
36				29	18N	19W	LAKE
37				30	18N	19W	LAKE
38				31	18N	19W	LAKE
39				32	18N	19W	LAKE
40				33	18N	19W	LAKE
41				1	18N	20W	LAKE
42				2	18N	20W	LAKE
43				4	18N	20W	LAKE
44				9	18N	20W	LAKE
45				11	18N	20W	LAKE
46				12	18N	20W	LAKE
47				13	18N	20W	LAKE
48				14	18N	20W	LAKE
49				15	18N	20W	LAKE
50				16	18N	20W	LAKE
51				21	18N	20W	LAKE
52				22	18N	20W	LAKE
53				23	18N	20W	LAKE
54				24	18N	20W	LAKE
55				25	18N	20W	LAKE
56				27	18N	20W	LAKE
57				28	18N	20W	LAKE
58				34	18N	20W	LAKE
59				35	18N	20W	LAKE
60				4	18N	21W	LAKE
61				4	18N	21W	SANDERS
62				4	19N	18W	LAKE
63				5	19N	18W	LAKE
64				6	19N	18W	LAKE
65				7	19N	18W	LAKE
66				9	19N	18W	LAKE
67				16	19N	18W	LAKE
68				17	19N	18W	LAKE
69				21	19N	18W	LAKE
70				22	19N	18W	LAKE
71				27	19N	18W	LAKE
72				28	19N	18W	LAKE
73				29	19N	18W	LAKE
74				30	19N	18W	LAKE
75				31	19N	18W	LAKE
76				32	19N	18W	LAKE
77				1	19N	19W	LAKE
78				3	19N	19W	LAKE
79				4	19N	19W	LAKE
80				5	19N	19W	LAKE
81				6	19N	19W	LAKE
82				7	19N	19W	LAKE
83				9	19N	19W	LAKE
84				10	19N	19W	LAKE
85				12	19N	19W	LAKE
86				15	19N	19W	LAKE
87				16	19N	19W	LAKE
88				17	19N	19W	LAKE
89				20	19N	19W	LAKE
90				21	19N	19W	LAKE
91				22	19N	19W	LAKE
92				24	19N	19W	LAKE
93				25	19N	19W	LAKE
94				26	19N	19W	LAKE
95				27	19N	19W	LAKE
96				28	19N	19W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
97				31	19N	19W	LAKE
98				34	19N	19W	LAKE
99				35	19N	19W	LAKE
100				36	19N	19W	LAKE
101				1	19N	20W	LAKE
102				2	19N	20W	LAKE
103				3	19N	20W	LAKE
104				6	19N	20W	LAKE
105				8	19N	20W	LAKE
106				9	19N	20W	LAKE
107				10	19N	20W	LAKE
108				11	19N	20W	LAKE
109				14	19N	20W	LAKE
110				15	19N	20W	LAKE
111				16	19N	20W	LAKE
112				17	19N	20W	LAKE
113				19	19N	20W	LAKE
114				20	19N	20W	LAKE
115				23	19N	20W	LAKE
116				24	19N	20W	LAKE
117				25	19N	20W	LAKE
118				33	19N	20W	LAKE
119				35	19N	20W	LAKE
120				36	19N	20W	LAKE
121				11	19N	21W	LAKE
122				12	19N	21W	LAKE
123				27	19N	21W	LAKE
124				28	19N	21W	LAKE
125				33	19N	21W	LAKE
126				19	20N	18W	LAKE
127				30	20N	18W	LAKE
128				31	20N	18W	LAKE
129				32	20N	18W	LAKE
130				13	20N	19W	LAKE
131				14	20N	19W	LAKE
132				15	20N	19W	LAKE
133				16	20N	19W	LAKE
134				17	20N	19W	LAKE
135				19	20N	19W	LAKE
136				20	20N	19W	LAKE
137				21	20N	19W	LAKE
138				23	20N	19W	LAKE
139				24	20N	19W	LAKE
140				25	20N	19W	LAKE
141				26	20N	19W	LAKE
142				27	20N	19W	LAKE
143				29	20N	19W	LAKE
144				30	20N	19W	LAKE
145				31	20N	19W	LAKE
146				32	20N	19W	LAKE
147				33	20N	19W	LAKE
148				36	20N	19W	LAKE
149				16	20N	20W	LAKE
150				25	20N	20W	LAKE
151				27	20N	20W	LAKE
152				28	20N	20W	LAKE
153				33	20N	20W	LAKE
154				34	20N	20W	LAKE
155				35	20N	20W	LAKE
156				36	20N	20W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

Remarks:

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE NATURAL WETLANDS WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE WETLANDS.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

SEE 30052666 MAP EXHIBIT(S) 1 THROUGH 18.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052667 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): WETLAND

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS INWETLAND WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE WETLANDS.

Maximum Acres: 339.19

Source Name: WETLAND

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS WETLANDS TRIBUTARY TO FLATHEAD RIVER (FLATHEAD LAKE).

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INWETLAND

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	22N	18W	LAKE
2				1	22N	19W	LAKE
3				5	22N	19W	LAKE
4				17	22N	19W	LAKE
5				2	22N	20W	LAKE
6				19	23N	18W	LAKE
7				19	23N	19W	LAKE
8				20	23N	19W	LAKE
9				21	23N	19W	LAKE
10				24	23N	19W	LAKE
11				29	23N	19W	LAKE
12				30	23N	19W	LAKE
13				32	23N	19W	LAKE
14				33	23N	19W	LAKE
15				34	23N	19W	LAKE
16				36	23N	19W	LAKE
17				3	23N	20W	LAKE
18				4	23N	20W	LAKE
19				5	23N	20W	LAKE
20				6	23N	20W	LAKE
21				7	23N	20W	LAKE
22				9	23N	20W	LAKE
23				10	23N	20W	LAKE
24				11	23N	20W	LAKE
25				21	23N	20W	LAKE
26				28	23N	20W	LAKE
27				29	23N	20W	LAKE
28				35	23N	20W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
29				36	23N	20W	LAKE
30				1	23N	21W	LAKE
31				2	23N	21W	LAKE
32				3	23N	21W	LAKE
33				9	23N	21W	LAKE
34				10	23N	21W	LAKE
35				11	23N	21W	LAKE
36				14	23N	21W	LAKE
37				17	23N	21W	LAKE
38				20	23N	21W	LAKE
39				18	24N	18W	LAKE
40				31	24N	18W	LAKE
41				1	24N	19W	LAKE
42				10	24N	19W	LAKE
43				13	24N	19W	LAKE
44				15	24N	19W	LAKE
45				23	24N	19W	LAKE
46				31	24N	20W	LAKE
47				2	24N	21W	LAKE
48				3	24N	21W	LAKE
49				4	24N	21W	LAKE
50				5	24N	21W	LAKE
51				7	24N	21W	LAKE
52				9	24N	21W	LAKE
53				10	24N	21W	LAKE
54				19	24N	21W	LAKE
55				25	24N	21W	LAKE
56				35	24N	21W	LAKE
57				1	24N	22W	LAKE
58				11	24N	22W	LAKE
59				13	24N	22W	LAKE
60				24	24N	22W	LAKE
61				25	24N	22W	LAKE
62				31	25N	21W	LAKE
63				32	25N	21W	LAKE
64				35	25N	22W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

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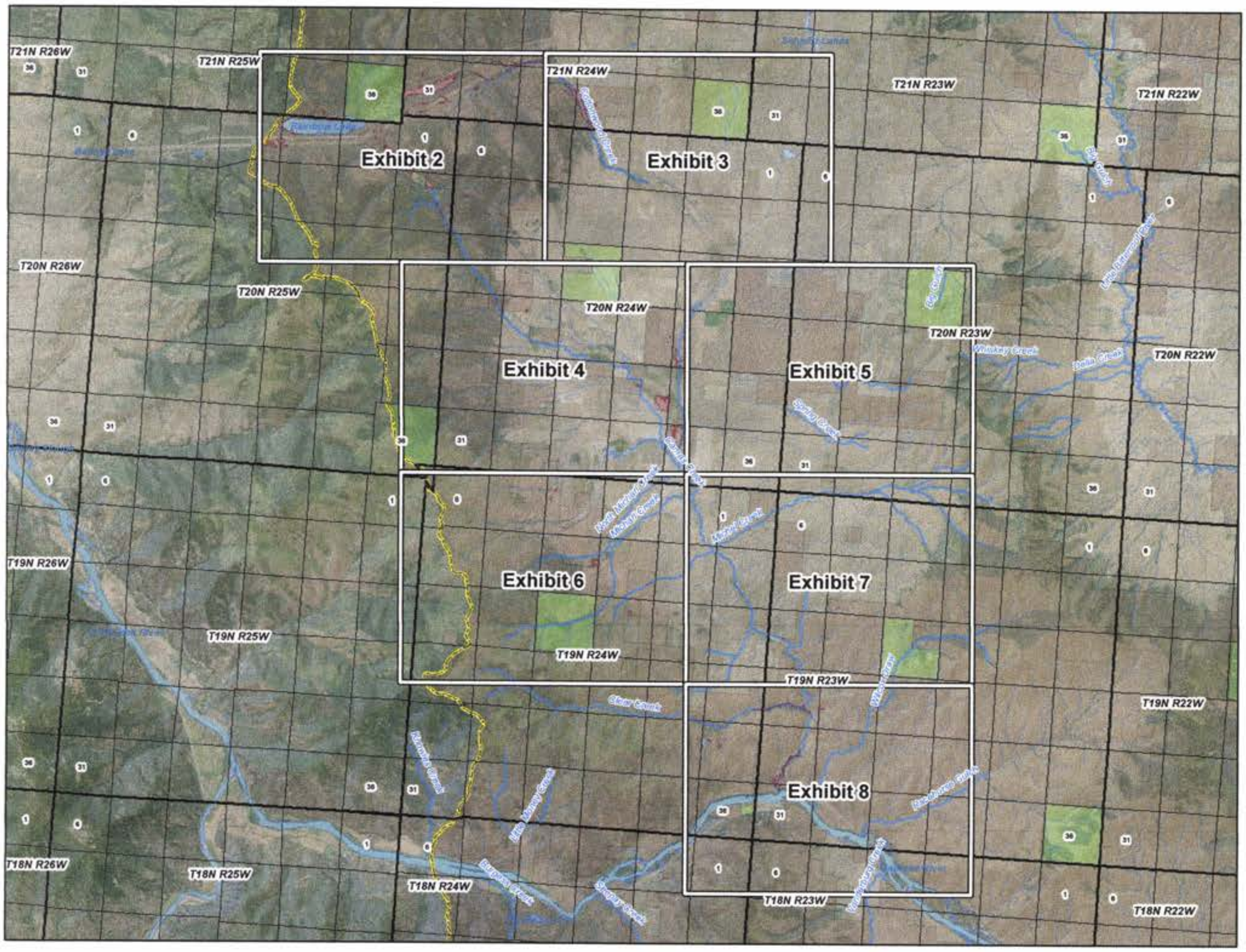
THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

SEE 30052667 MAP EXHIBIT(S) 1 THROUGH 15.

Appx #16

(137) Pages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T21N R25W
T21N R24W
T21N R23W
T21N R22W
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T20N R25W
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T20N R23W
T20N R22W
T19N R26W
T19N R25W
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T19N R23W
T19N R22W
T18N R26W
T18N R25W
T18N R24W
T18N R23W
T18N R22W
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8
Whiskey Creek

Place of Use

CSKT Wetlands

76L
30052661

Exhibit 1

Area
of
Interest
Hot
Springs
2
3
4
5
6
7
8
Polson
Pablo
St
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 1 2 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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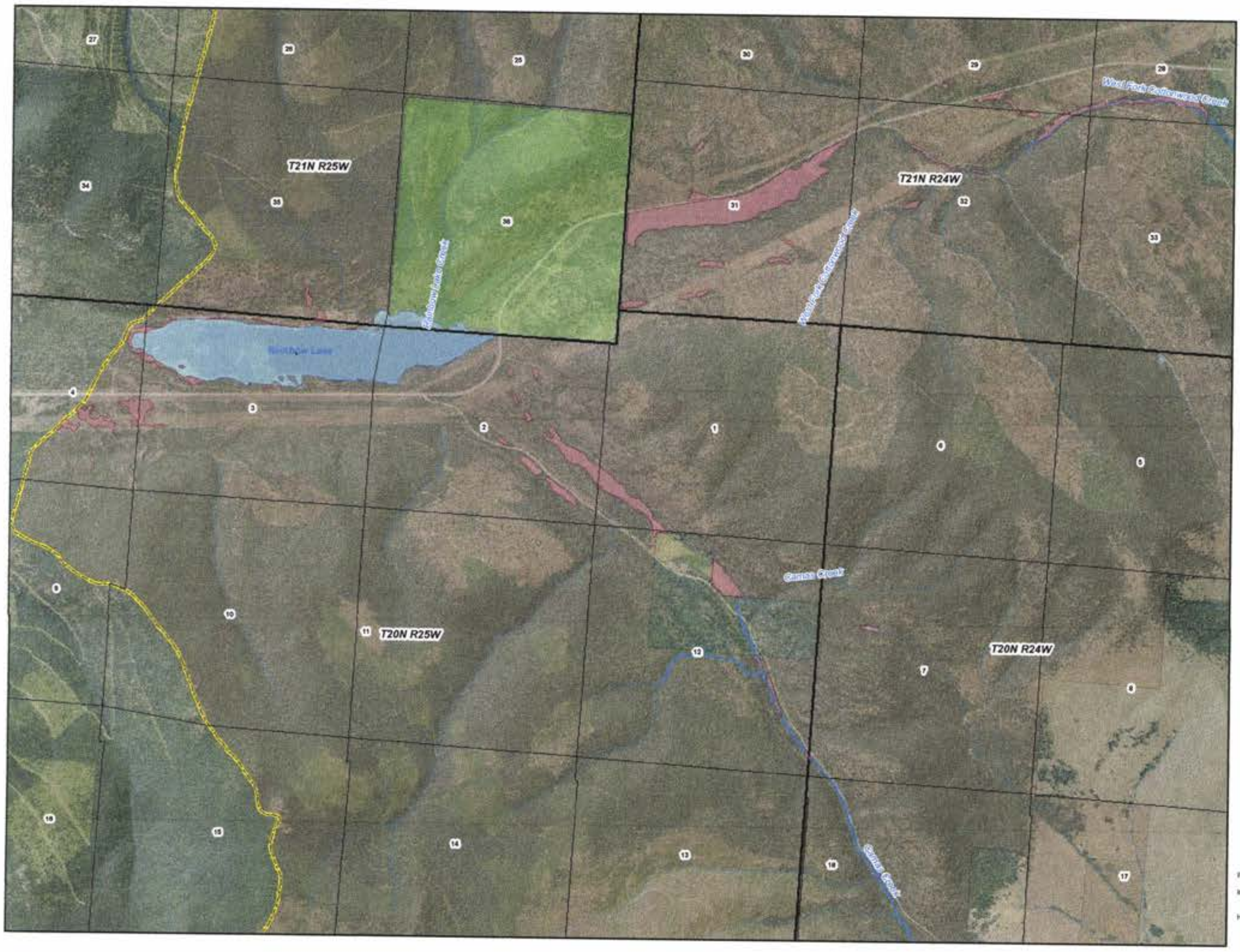
T21N R25W
T21N R24W
T20N R25W
T20N R24W
Rainbow Lake
West Fork Cottonwood Creek
Camas Creek
27
26
25
30
29
28
34
35
36
31
32
33
4
3
2
1
6
5
9
10
11
12
7
8
16
15
14
13
18
17

Place of Use

CSKT Wetlands

76L 30052661

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8

Flathead Indian Reservation

Legend

🟥 Places of Use
▭ Reservation Boundary
Land Owner
🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center
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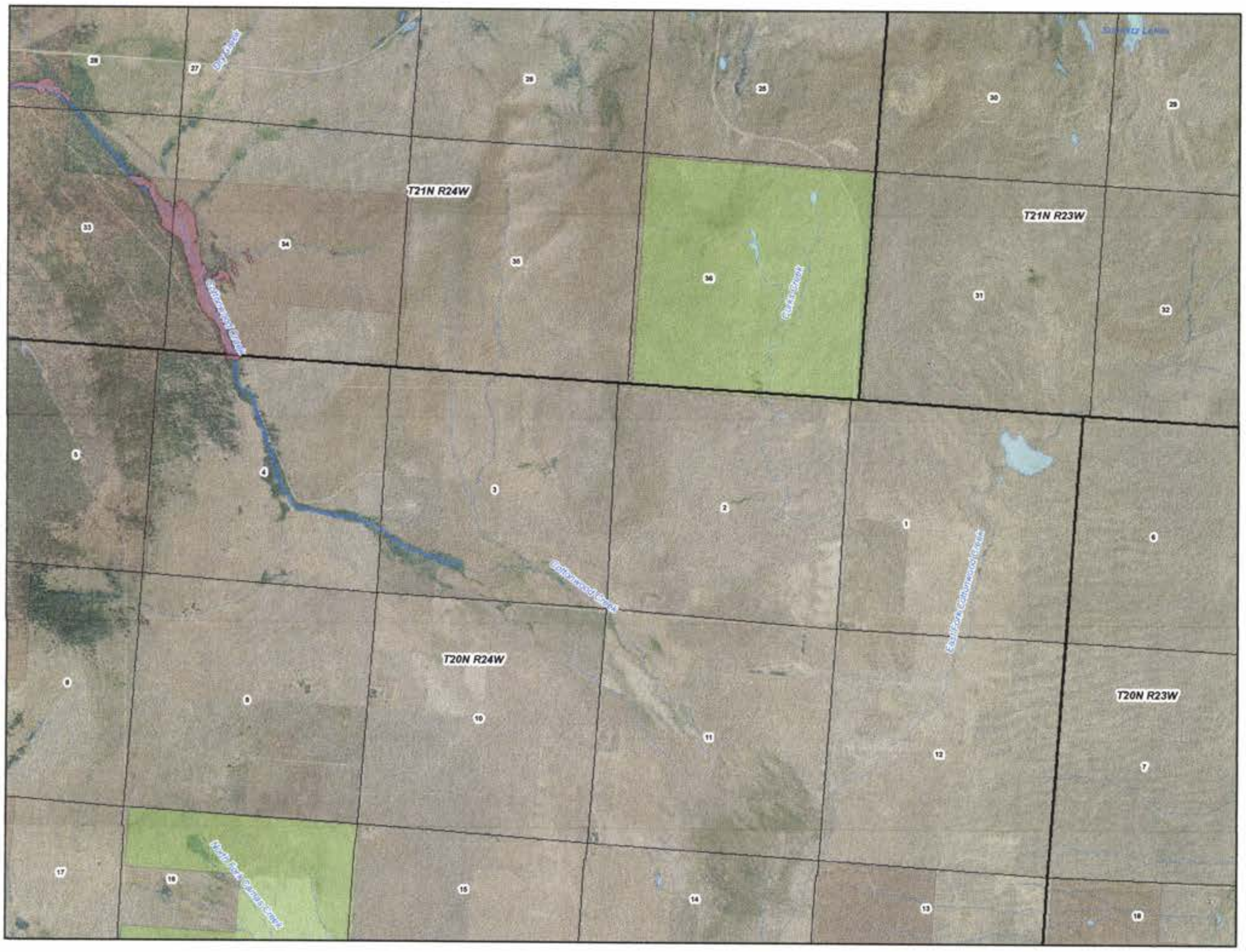
T21N R24W
T21N R23W
T20N R24W
T20N R23W
Cottonwood Creek
East Fork Cottonwood Creek

Place of Use
CSKT Wetlands

76L
30052661

Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
1
2
3
4
5
6
7
8

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
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Hillshade created from: "National Elevation Dataset" courtesy of
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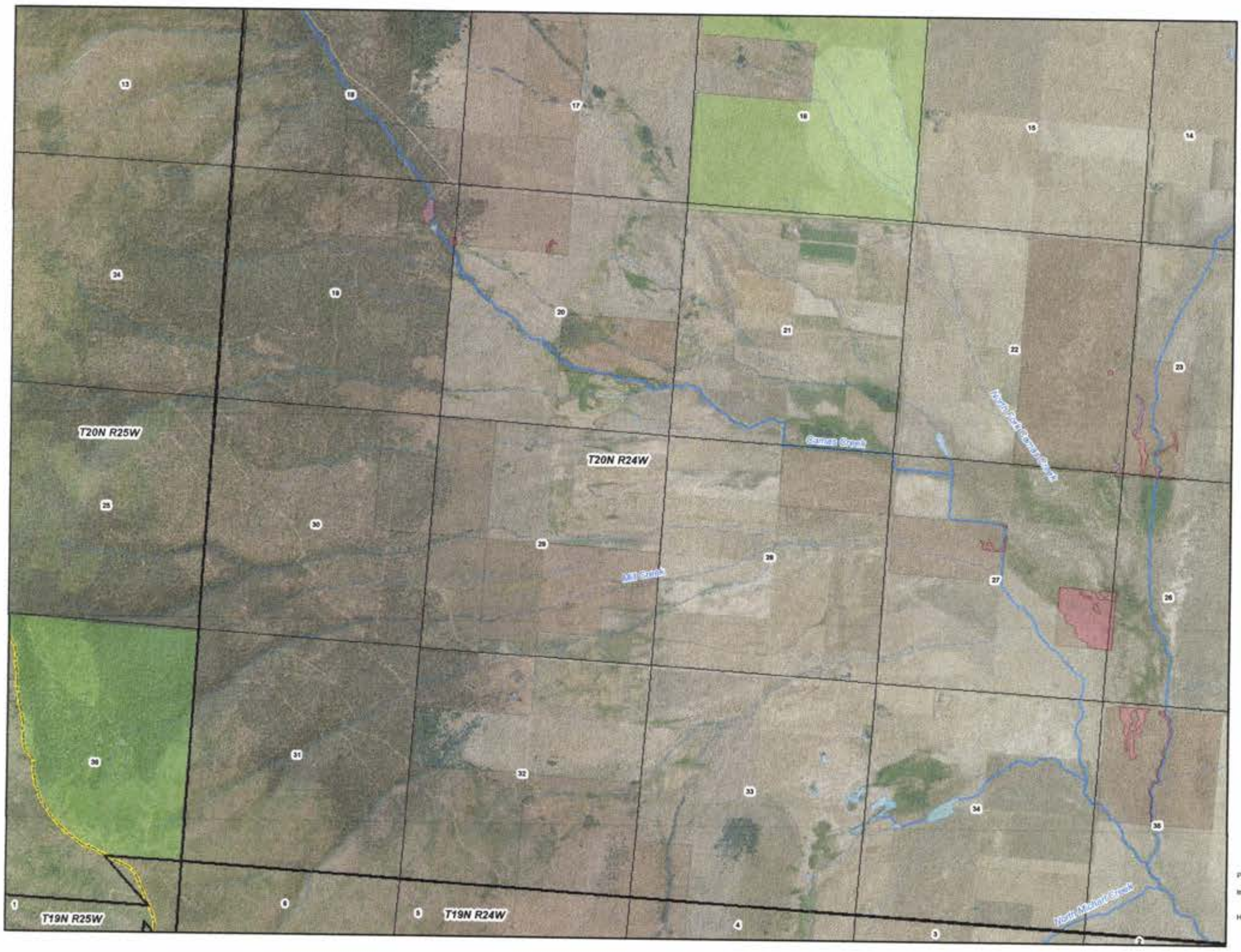
13
18
17
16
15
14
24
19
20
21
22
23
T20N R25W
T20N R24W
Camas Creek
North Fork Camas Creek
25
30
29
28
27
26
Mill Creek
36
31
32
33
34
35
1
6
5
4
3
2
T19N R25W
T19N R24W

Place of Use

CSKT Wetlands

76L
30052661

Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
1
2
3
4
5
6
7
8

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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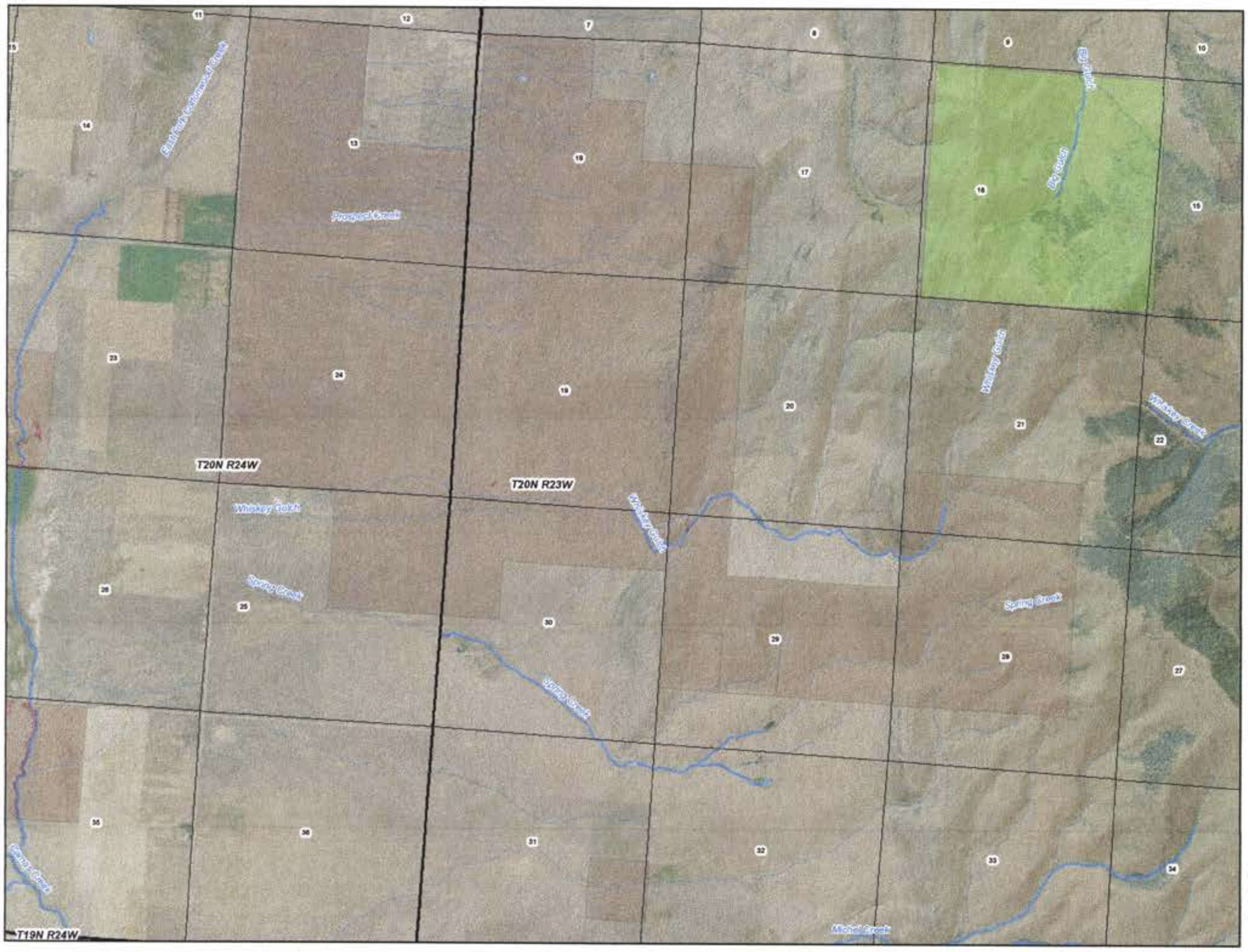
11
12
7
8
9
10
15
14
East Fork Cottonwood Creek
13
18
17
16
Big Gulch
15
Prospect Creek
23
24
19
20
21
22
Whiskey Gulch
Whiskey Creek
T20N R24W
T20N R23W
Whiskey Gulch
Whiskey Gulch
26
25
Spring Creek
30
29
28
27
Spring Creek
Spring Creek
35
36
31
32
33
34
Michel Creek
T19N R24W

Place of Use

CSKT Wetlands

76L
30052661

Exhibit 5

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
Arlee
2
3
4
5
6
7
8

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
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Hillshade created from: "National Elevation Dataset" courtesy of
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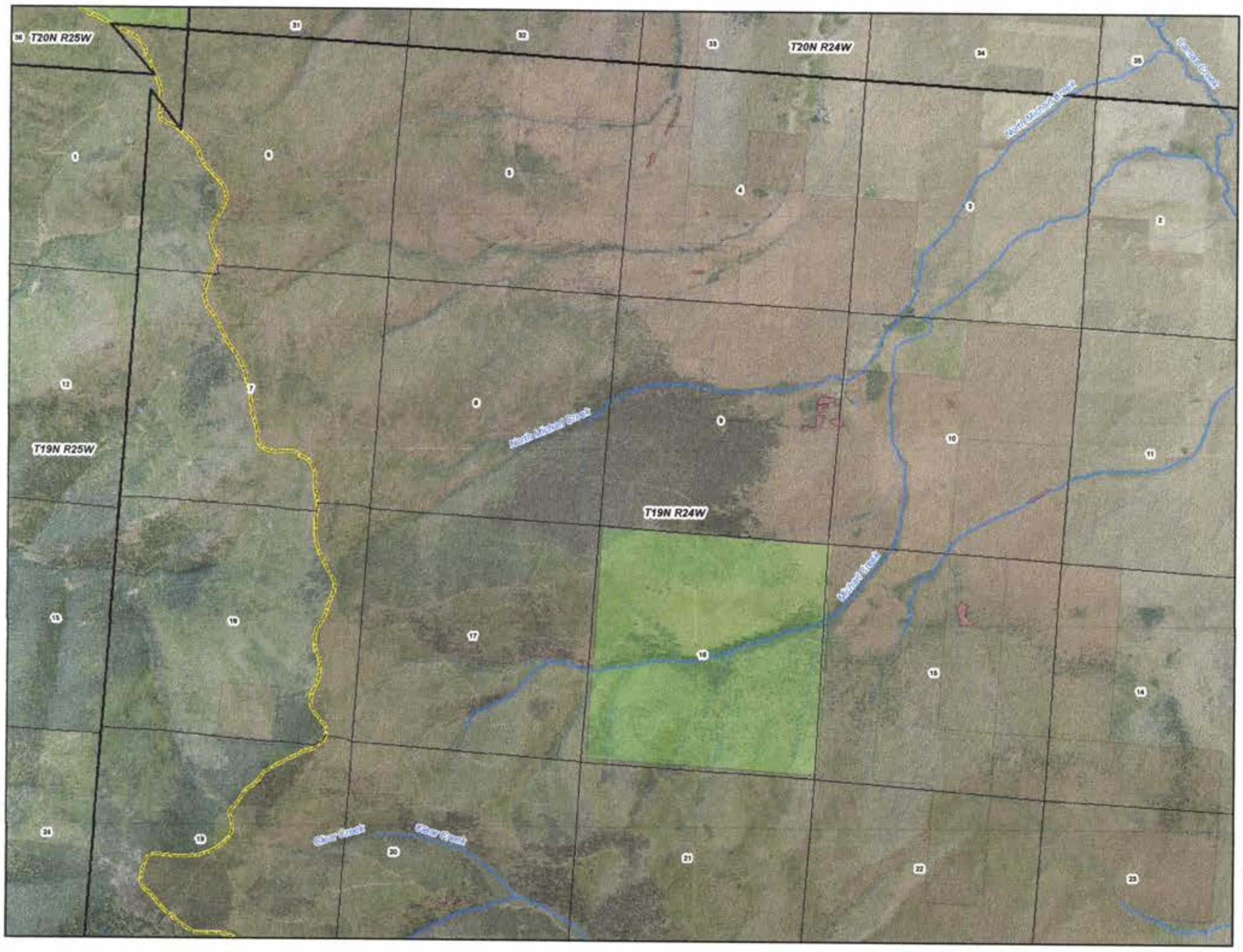

T20N R25W
T20N R24W
T19N R25W
T19N R24W
36
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11
13
18
17
16
15
14
24
19
20
21
22
23

Place of Use

CSKT Wetlands

76L
30052661

Exhibit 6

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2
3
4
5
6
7
8

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

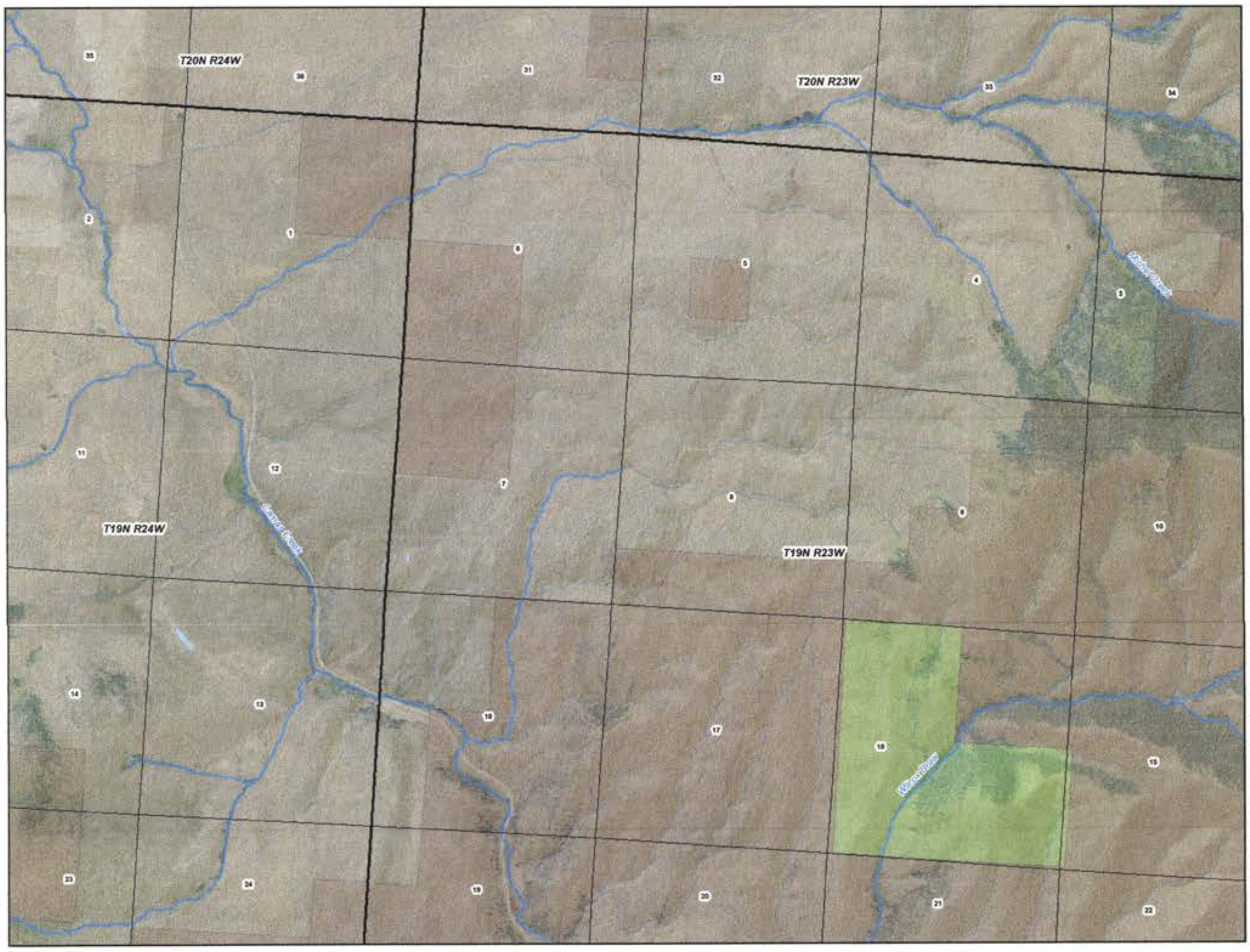
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)



T20N R24W
T20N R23W
T19N R24W
T19N R23W
35
36
31
32
33
34
2
1
6
5
4
3
11
12
7
8
9
10
14
13
18
17
16
15
23
24
19
20
21
22

Place of Use

CSKT Wetlands

76L
30052661

Exhibit 7

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
2
3
4
5
6
7
8

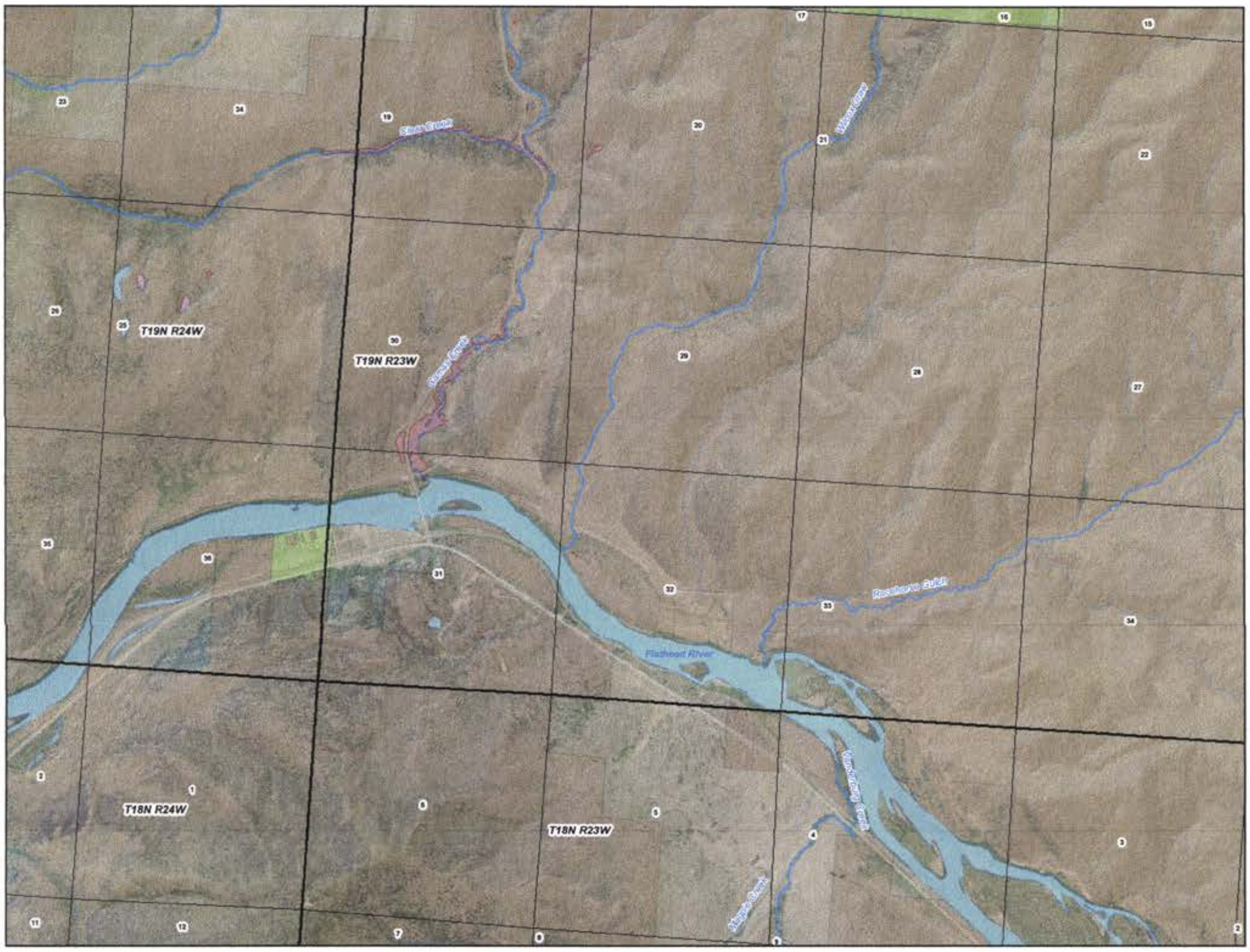
Flathead Indian Reservation

Legend

🟥	Places of Use
☐	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


23
24
19
17
16
15
20
21
22
26
25
T19N R24W
30
T19N R23W
29
28
27
35
36
31
32
33
34
Rocheleau Gulch
Flathead River
2
1
T18N R24W
6
T18N R23W
5
4
3
11
12
7
8
2

Place of Use
CSKT Wetlands

76L
30052661

Exhibit 8

Area
of
Interest
Hot
Springs
Polson
Pablo
2
3
5
6
7
8
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

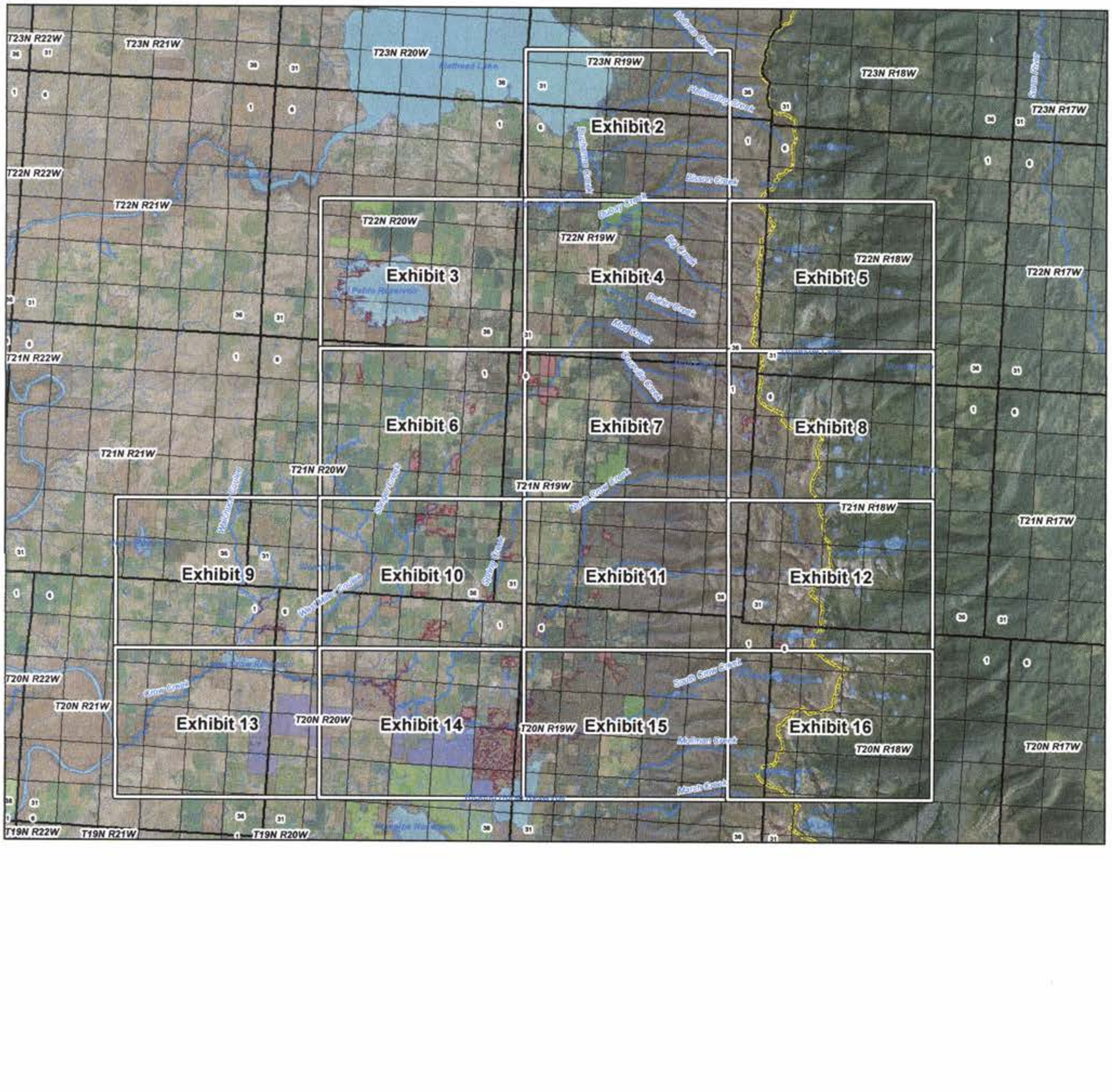
🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R22W
T23N R21W
T23N R20W
Flathead Lake
T23N R19W
T23N R18W
T23N R17W
Exhibit 2
T22N R22W
T22N R21W
T22N R20W
T22N R19W
T22N R18W
T22N R17W
Bisson Creek
Dubay Creek
Big Creek
Pablo Reservoir
Exhibit 3
Exhibit 4
Exhibit 5
Mud Creek
T21N R22W
T21N R21W
T21N R20W
T21N R19W
T21N R18W
T21N R17W
Exhibit 6
Exhibit 7
Exhibit 8
North Crow Creek
Exhibit 9
Exhibit 10
Exhibit 11
Exhibit 12
T20N R22W
T20N R21W
T20N R20W
T20N R19W
T20N R18W
T20N R17W
Crow Creek
South Crow Creek
Exhibit 13
Exhibit 14
Exhibit 15
Exhibit 16
Mollman Creek
Marsh Creek
T19N R22W
T19N R21W
T19N R20W
36
31
1
6

Place of Use

CSKT Wetlands

76L 30052662

Exhibit 1

Area of Interest
Hot Springs
Polson
2
3
5
6
7
8
9
11
12
13
15
16
St Ignatius
Arlee

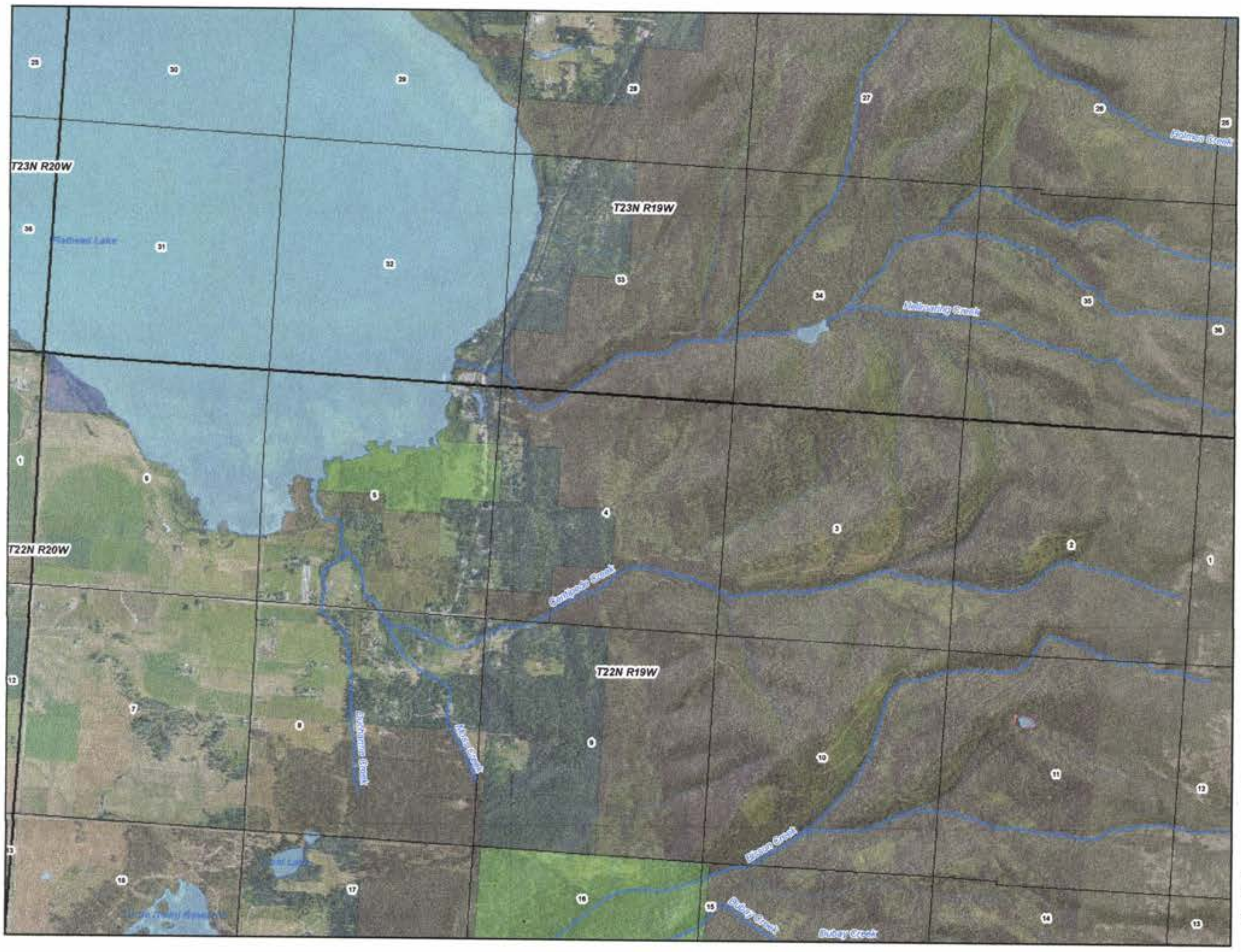
Flathead Indian Reservation

Legend

🟥	Places of Use
▭	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 1.25 2.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R20W
T23N R19W
T22N R20W
T22N R19W
Flathead Lake
Holmes Creek
Hellroaring Creek
Dubay Creek
25
30
29
28
27
26
25
36
31
32
33
34
35
36
1
6
5
4
3
2
1
12
7
8
9
10
11
12
13
18
17
16
15
14
13

Place of Use
CSKT Wetlands
76L 30052662
Exhibit 2

Area
of
Interest
Hot Springs
Polson
St Ignatius
Arlee
2
3
5
6
7
8
9
11
12
13
15
16

Flathead Indian Reservation

Legend

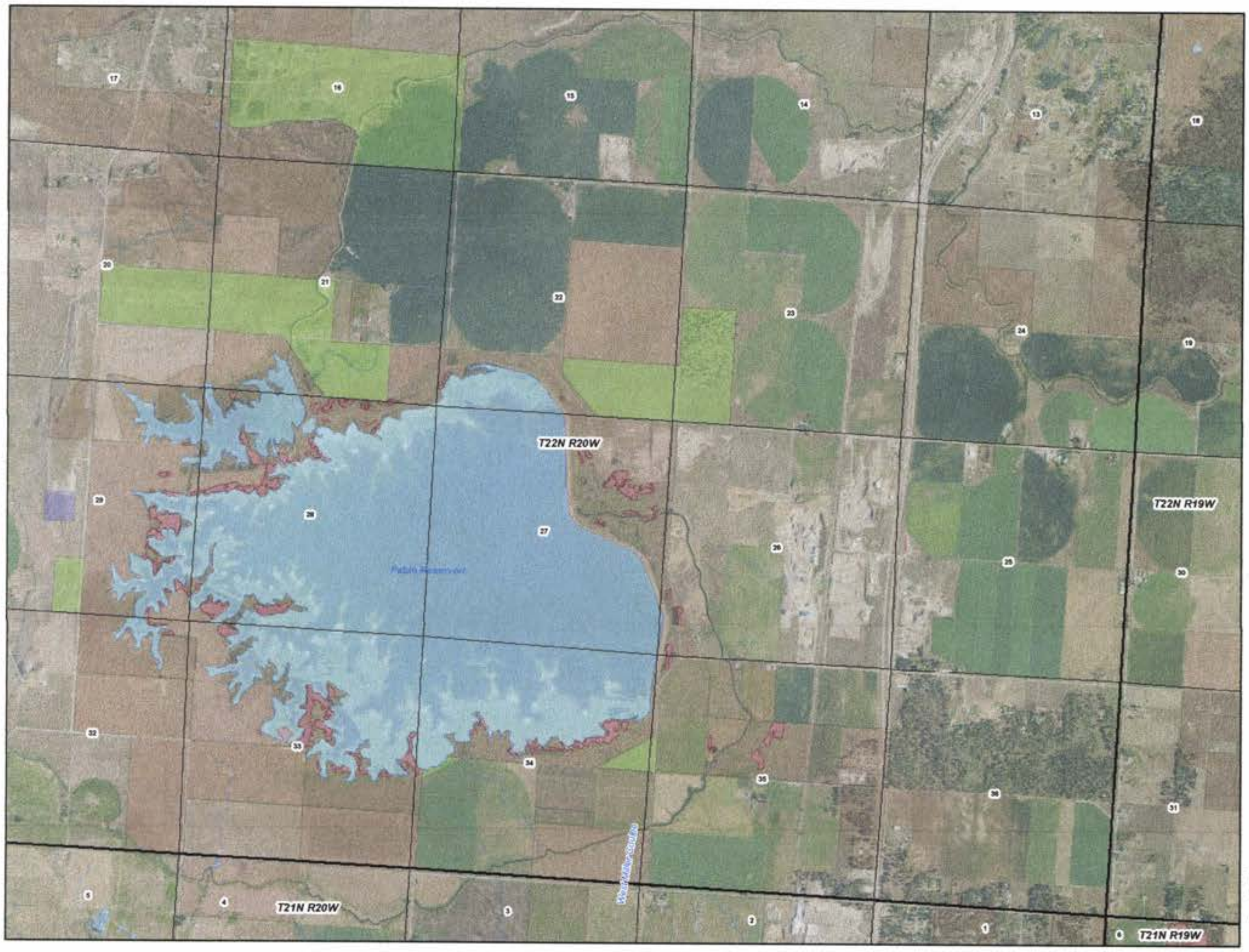
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


17
16
15
14
13
18
20
21
22
23
24
19
T22N R20W
29
28
27
26
25
30
T22N R19W
Pablo Reservoir
32
33
34
35
36
31
5
4
T21N R20W
3
2
1
6
T21N R19W

Place of Use

CSKT Wetlands

76L 30052662

Exhibit 3

Area of Interest
Hot Springs
Polson
2
5
6
7
8
9
11
12
13
15
16
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

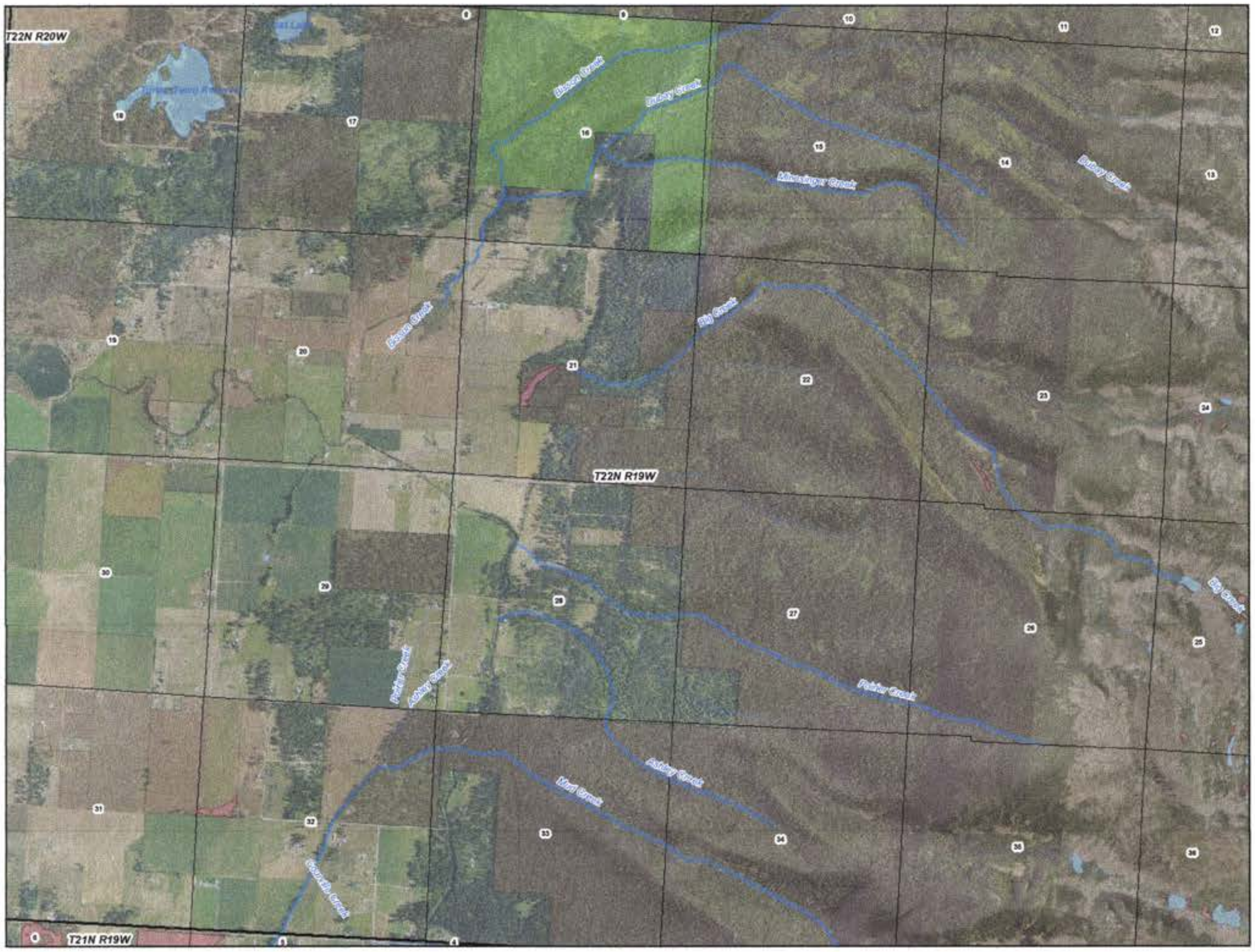
🟫 Tribal

🟦 Federal

🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T22N R20W
T22N R19W
T21N R19W
Bisson Creek
Dubay Creek
Missinger Creek
Big Creek
Ashley Creek
Mud Creek
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
4
5
6

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 4

Area
of
Interest
Hot
Springs
Polson
St.
Ignatius
Arlee
3
5
6
9
11
12
13
15
16

Flathead Indian Reservation

Legend

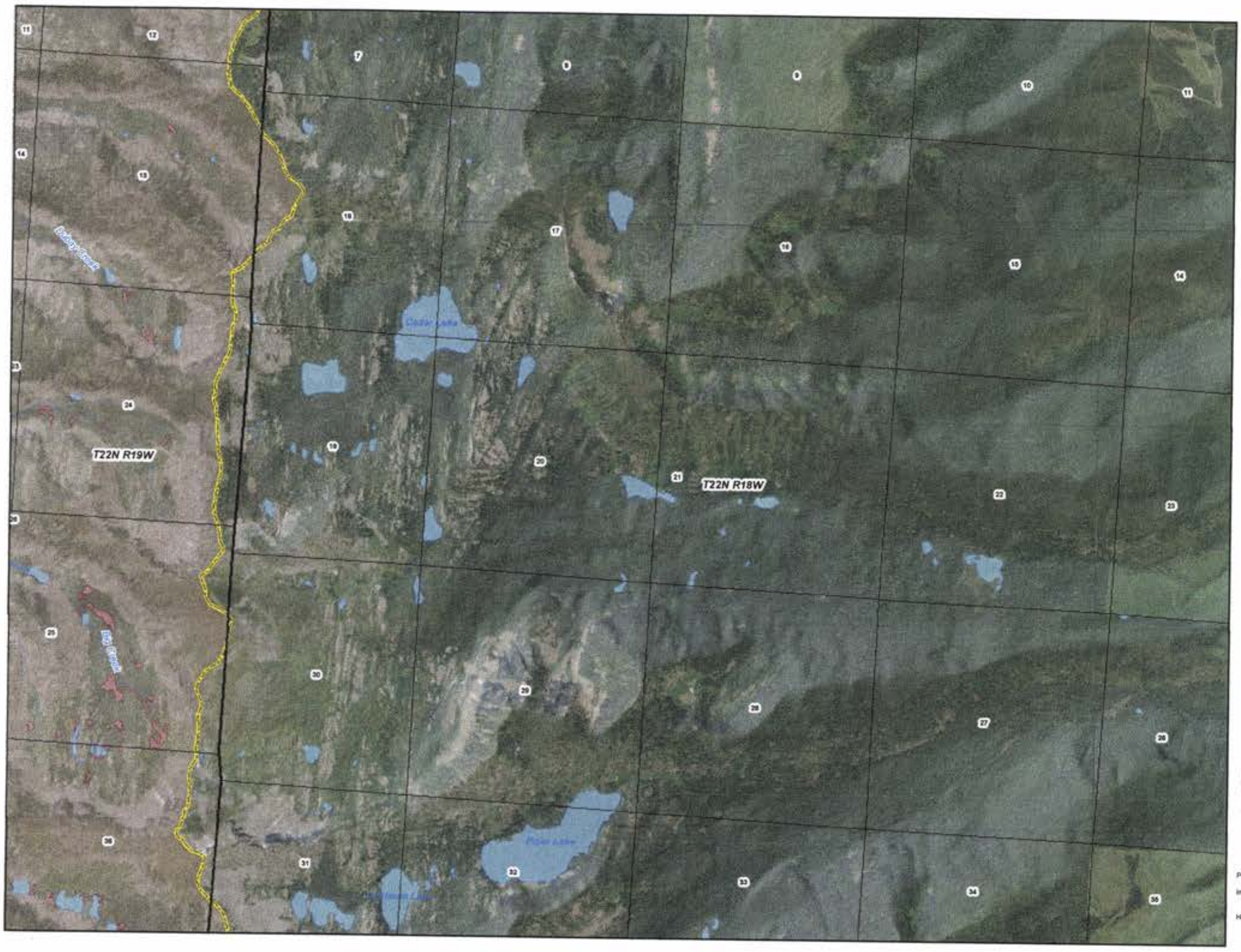
🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R19W
T22N R18W
Cedar Lake
Piper Lake
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 5

Area of Interest
Hot Springs
Polson
St. Ignatius
Arlee
2
6
7
8
9
11
12
13
15

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

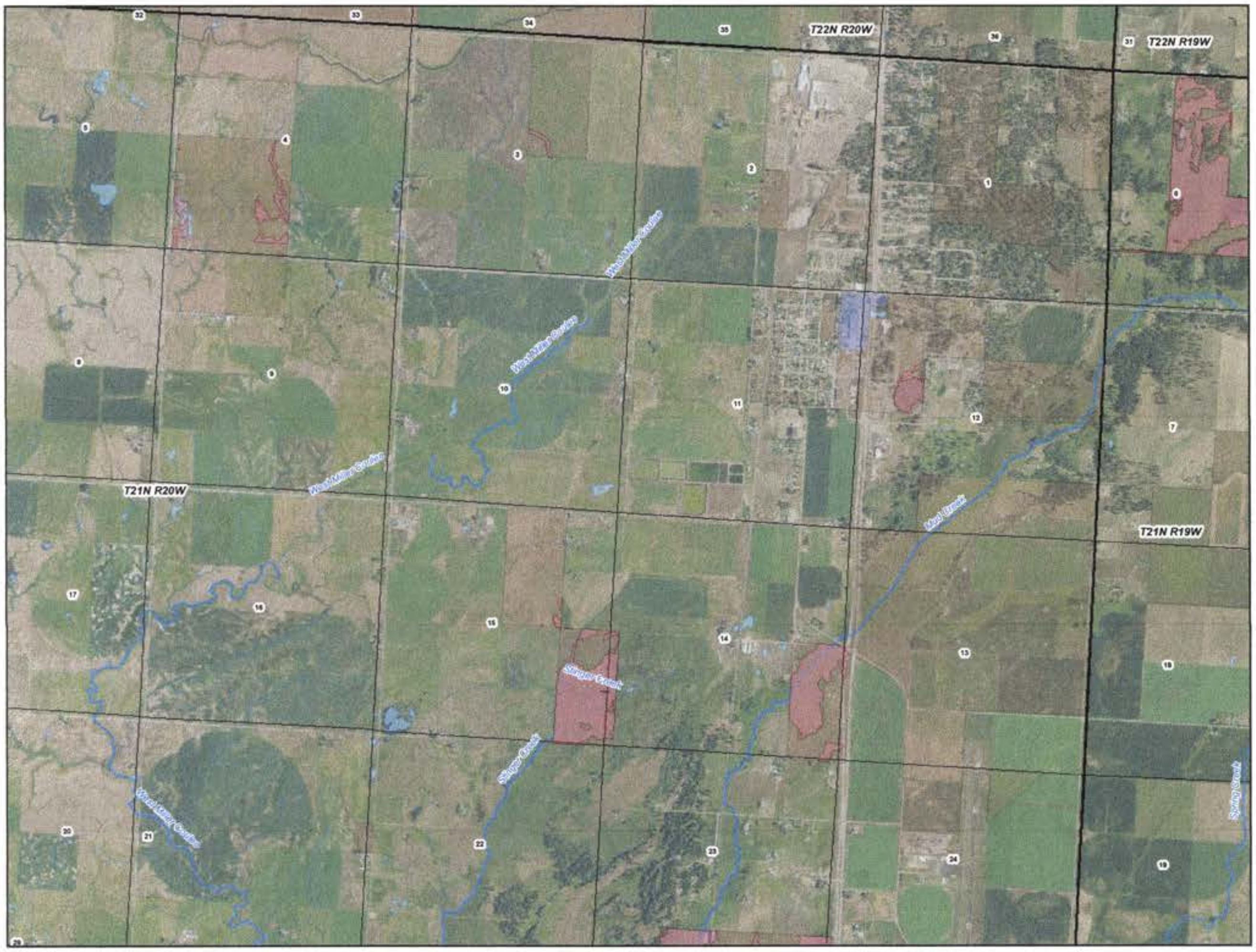
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


32
33
34
35
T22N R20W
36
31
T22N R19W
5
4
3
2
1
6
8
9
10
11
12
7
T21N R20W
T21N R19W
Mud Creek
17
16
15
14
13
18
20
21
22
23
24
19
29
Spring Creek

Place of Use

CSKT Wetlands

76L 30052662

Exhibit 6

Area of Interest
Hot Springs
Polson
St. Ignatius
Arlee
2
3
5
6
7
8
9
11
12
13
15
16

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

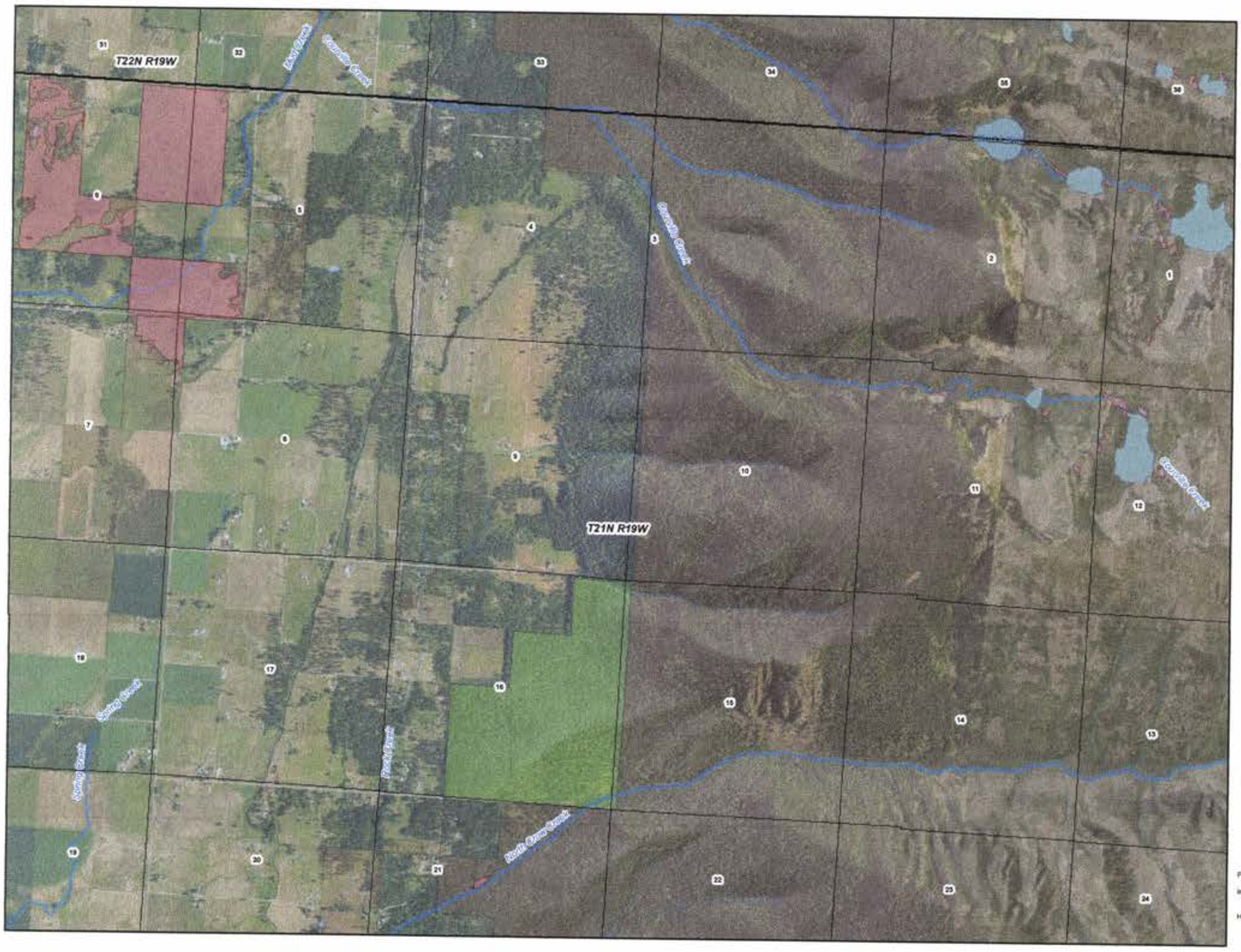
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R19W
T21N R19W
Mud Creek
Spring Creek
North Crow Creek
31
32
33
34
35
36
6
5
4
3
2
1
7
8
9
10
11
12
18
17
16
15
14
13
19
20
21
22
23
24

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 7

Area
of
Interest
Hot Springs
Polson
St. Ignatius
Arlee
2
3
5
6
7
8
9
11
12
13
15
16

Flathead Indian Reservation

Legend

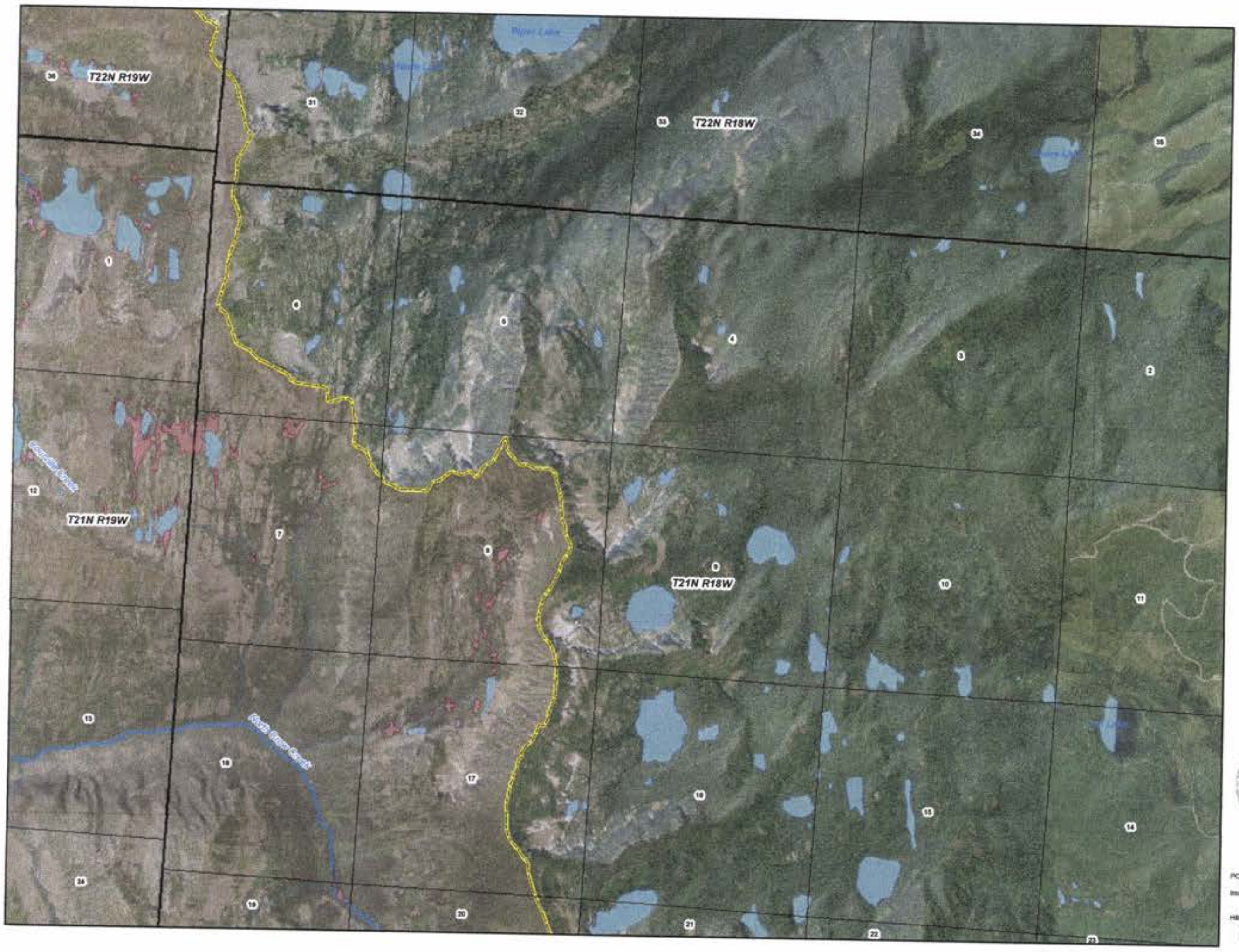
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R19W
T22N R18W
T21N R19W
T21N R18W
Piper Lake
North Crow Creek
36
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11
13
18
17
16
15
14
24
19
20
21
22
23

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 8

Area of Interest
Hot Springs
Polson
St. Ignatius
Arlee
2
3
5
6
7
8
9
11
12
13
15
16

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

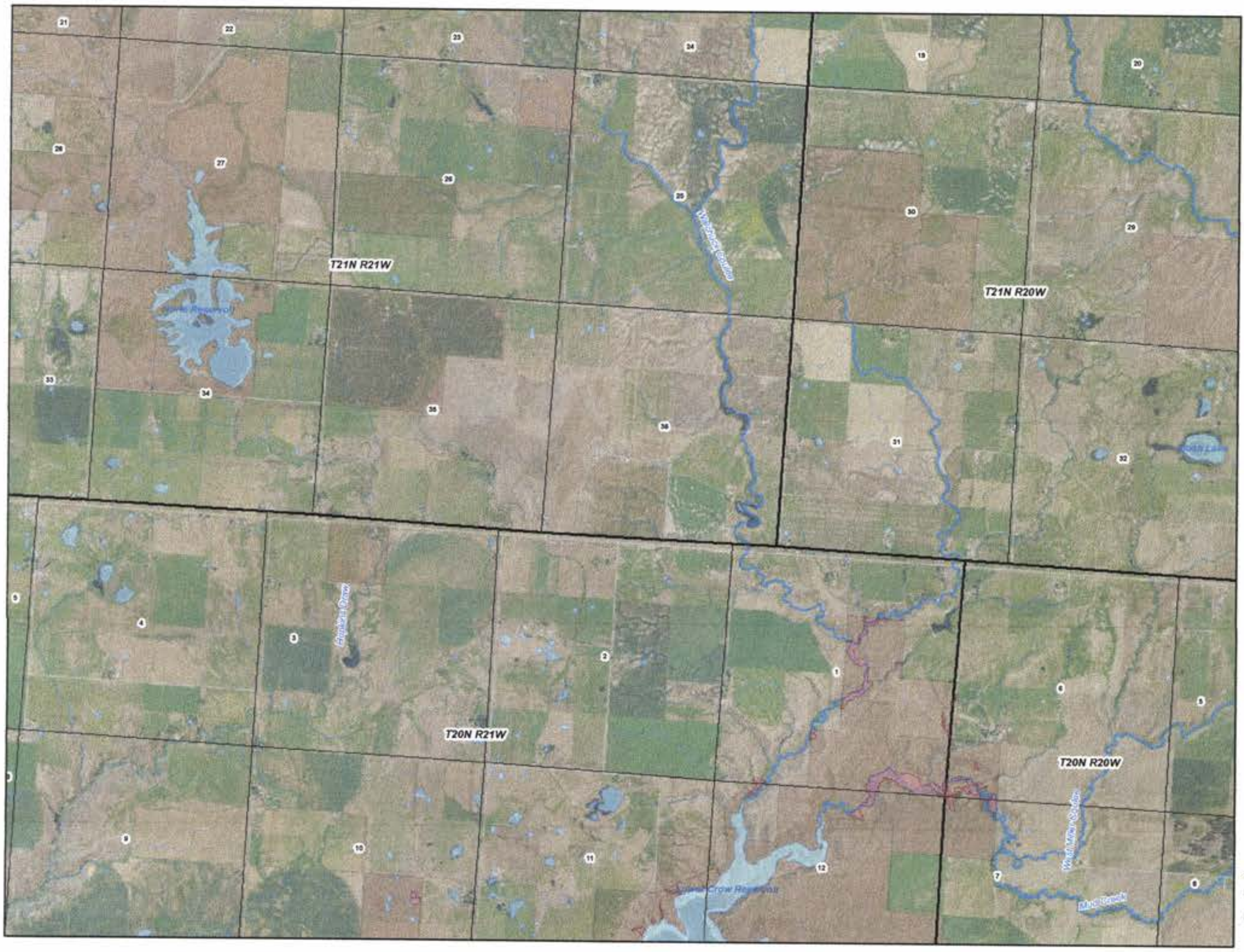
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2005 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


21
22
23
24
19
20
28
27
26
25
30
29
T21N R21W
T21N R20W
33
34
35
36
31
32
5
4
3
2
1
6
5
T20N R21W
T20N R20W
9
10
11
12
7
8
Crow Reservoir
Mud Creek

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 9

Area
of
Interest
Hot
Springs
Polson
2
3
5
6
7
8
9
11
12
13
15
16
St
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

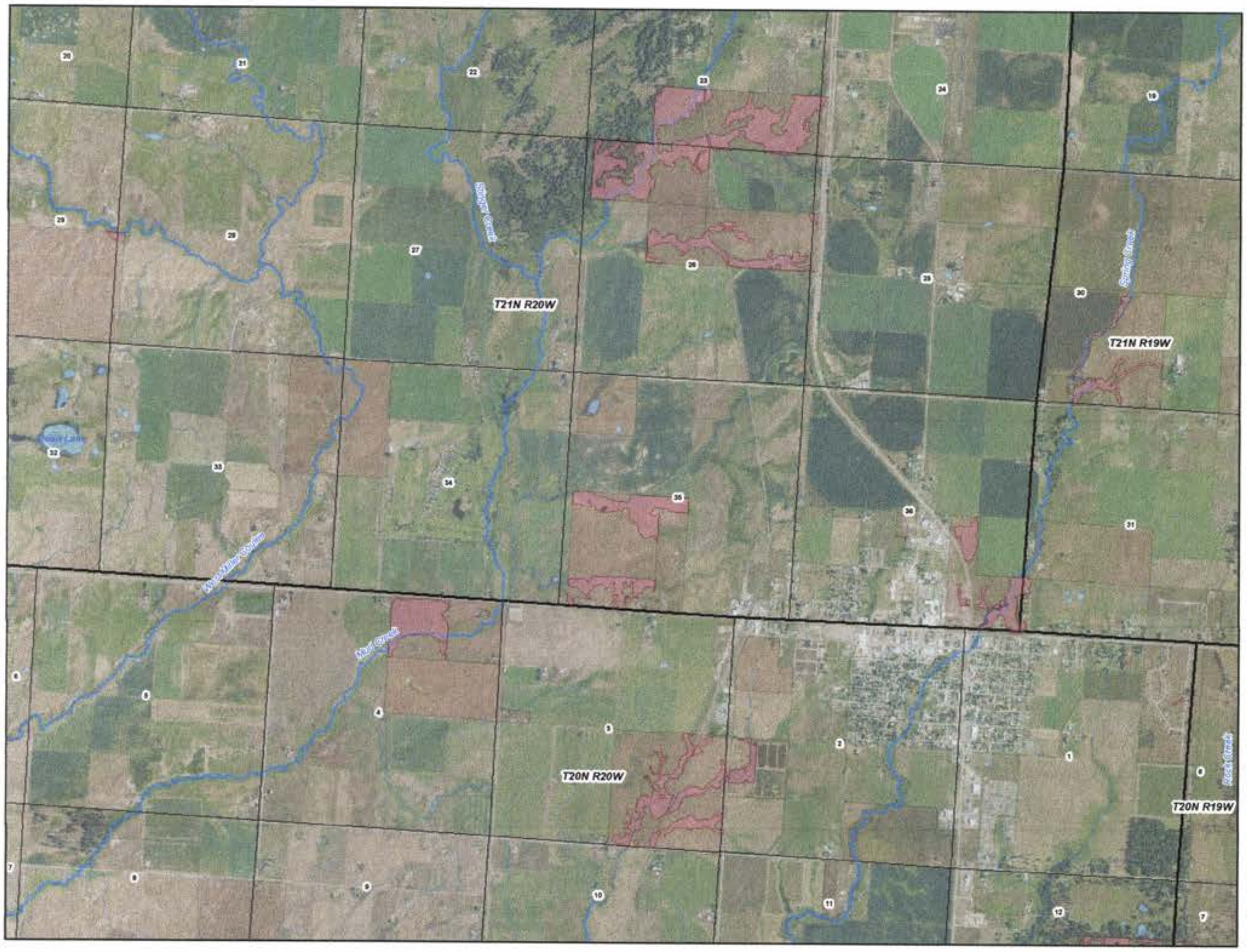
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second).


T21N R20W
T21N R19W
T20N R20W
T20N R19W
Mud Creek
Spring Creek
20
21
22
23
24
19
29
28
27
26
25
30
32
33
34
35
36
31
6
5
4
3
2
1
6
7
8
9
10
11
12
7

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 10

Area of Interest
Hot Springs
Polson
St Ignatius
Arlee
2
3
5
7
8
9
11
12
13
15
16

Flathead Indian Reservation

Legend

🟥 Places of Use

▢ Reservation Boundary

Land Owner

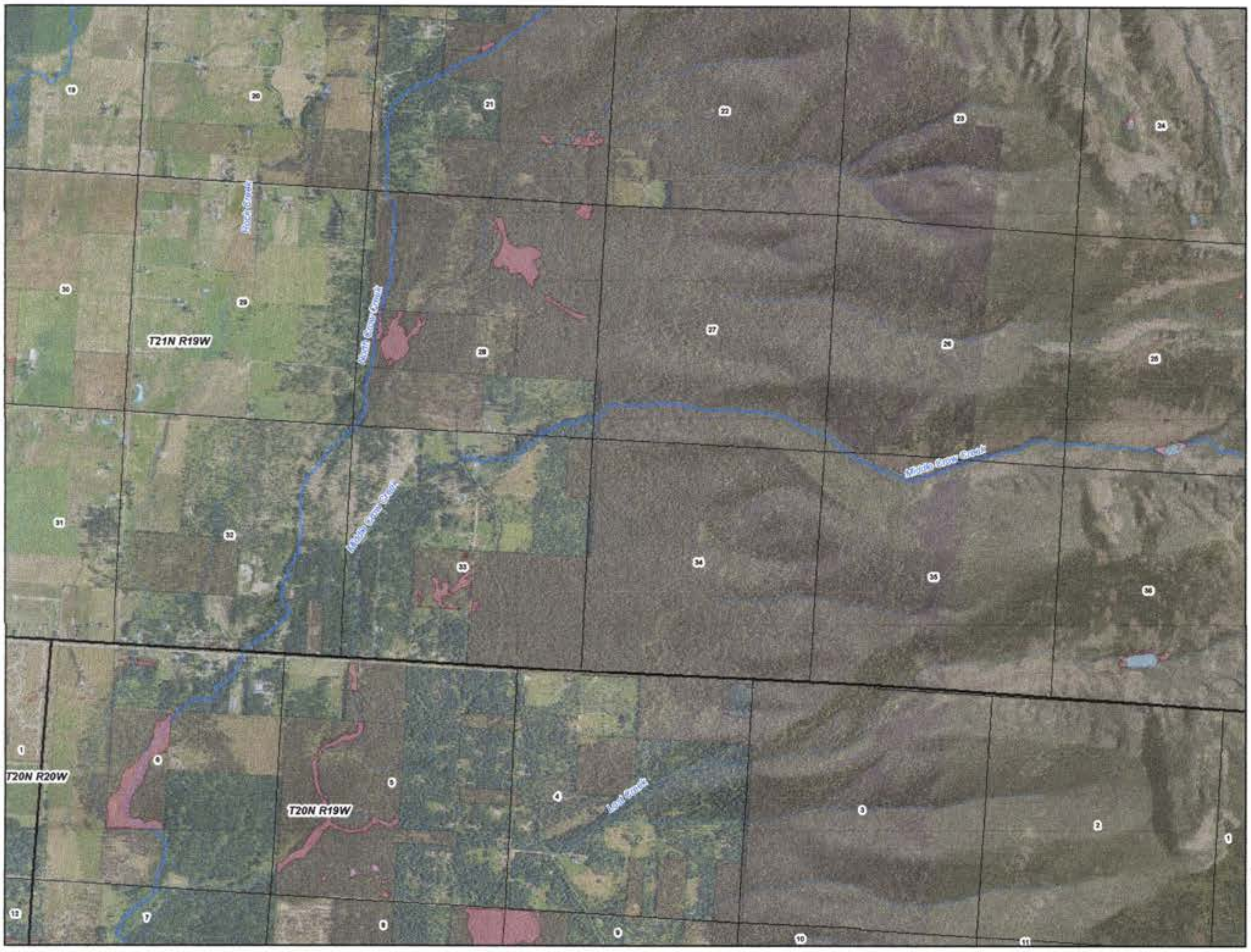
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


19
20
21
22
23
24
30
29
28
27
26
25
T21N R19W
North Crow Creek
Middle Crow Creek
31
32
33
34
35
36
T20N R20W
1
6
5
4
3
2
1
T20N R19W
Lost Creek
12
7
8
9
10
11

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 11

Area
of
Interest
Hot
Springs
Polson
2
3
5
6
7
8
9
11
12
13
15
16
St
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

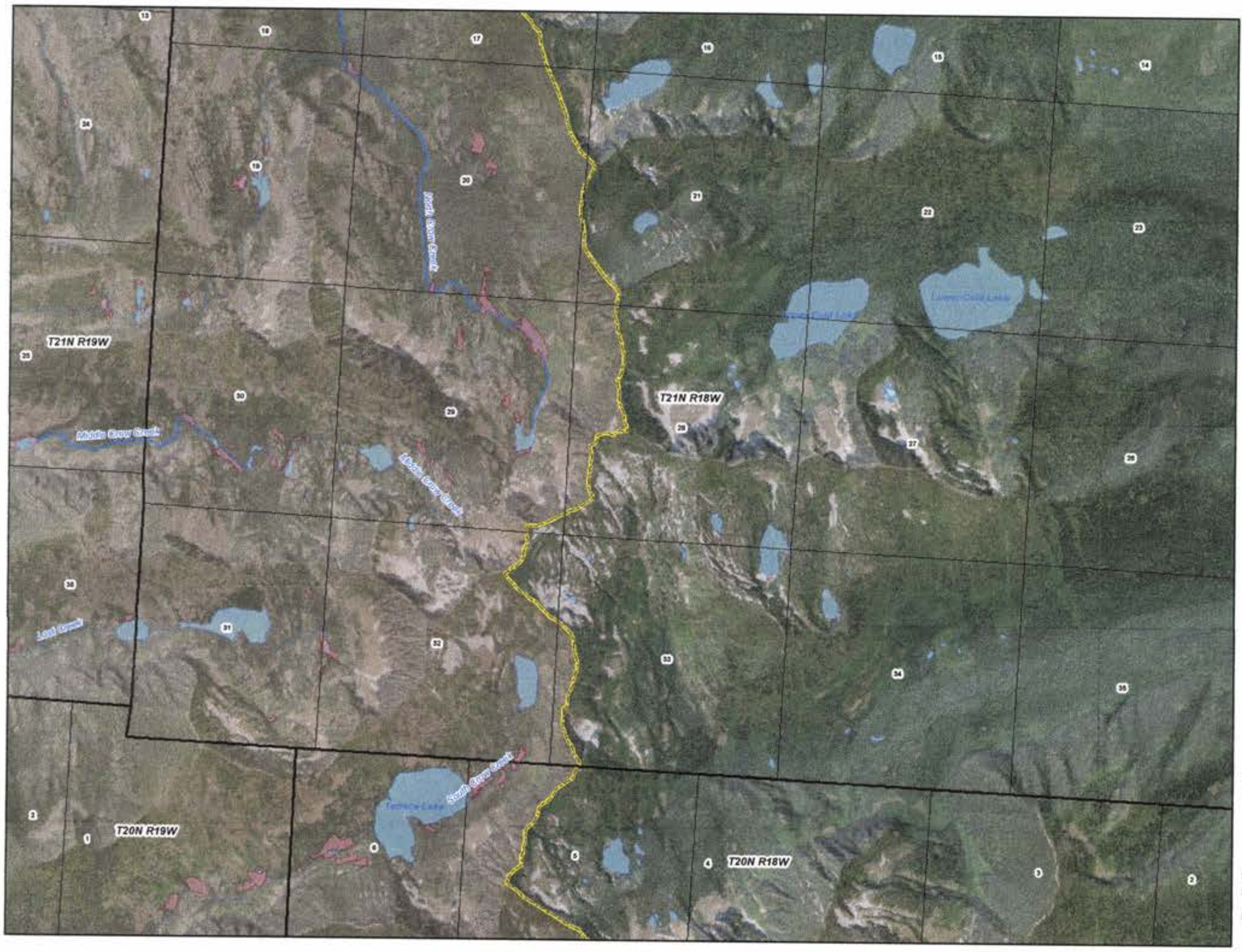
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R19W
T21N R18W
T20N R19W
T20N R18W
North Crow Creek
Middle Crow Creek
Middle Crow Creek
South Crow Creek
Lost Creek
Terrace Lake
Upper Cold Lake
Lower Cold Lake
13
18
17
16
15
14
24
19
20
21
22
23
25
30
29
28
27
26
36
31
32
33
34
35
2
1
6
5
4
3
2

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 12

Area of Interest
Hot Springs
Polson
St Ignatius
Arlee
2
3
5
6
7
9
11
12
13
15
16

Flathead Indian Reservation

Legend

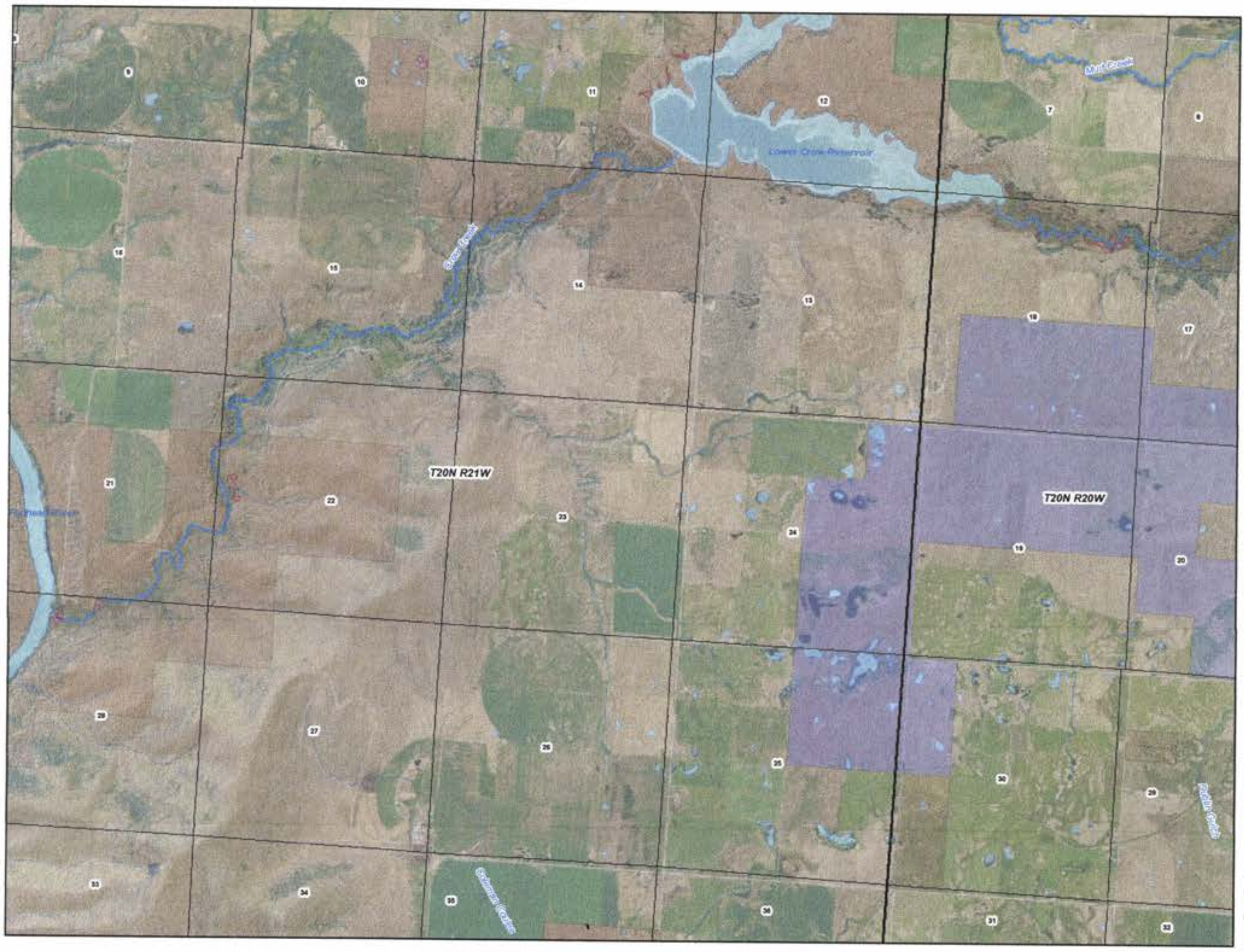
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


9
10
11
12
7
8
Mud Creek
Lower Crow Reservoir
16
15
Crow Creek
14
13
18
17
T20N R21W
T20N R20W
Flathead River
21
22
23
24
19
20
28
27
26
25
30
29
33
34
35
36
31
32

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 13

Area
of
Interest
Hot Springs
Polson
St Ignatius
Arlee
2
3
5
6
7
8
9
11
12
13
15
16

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

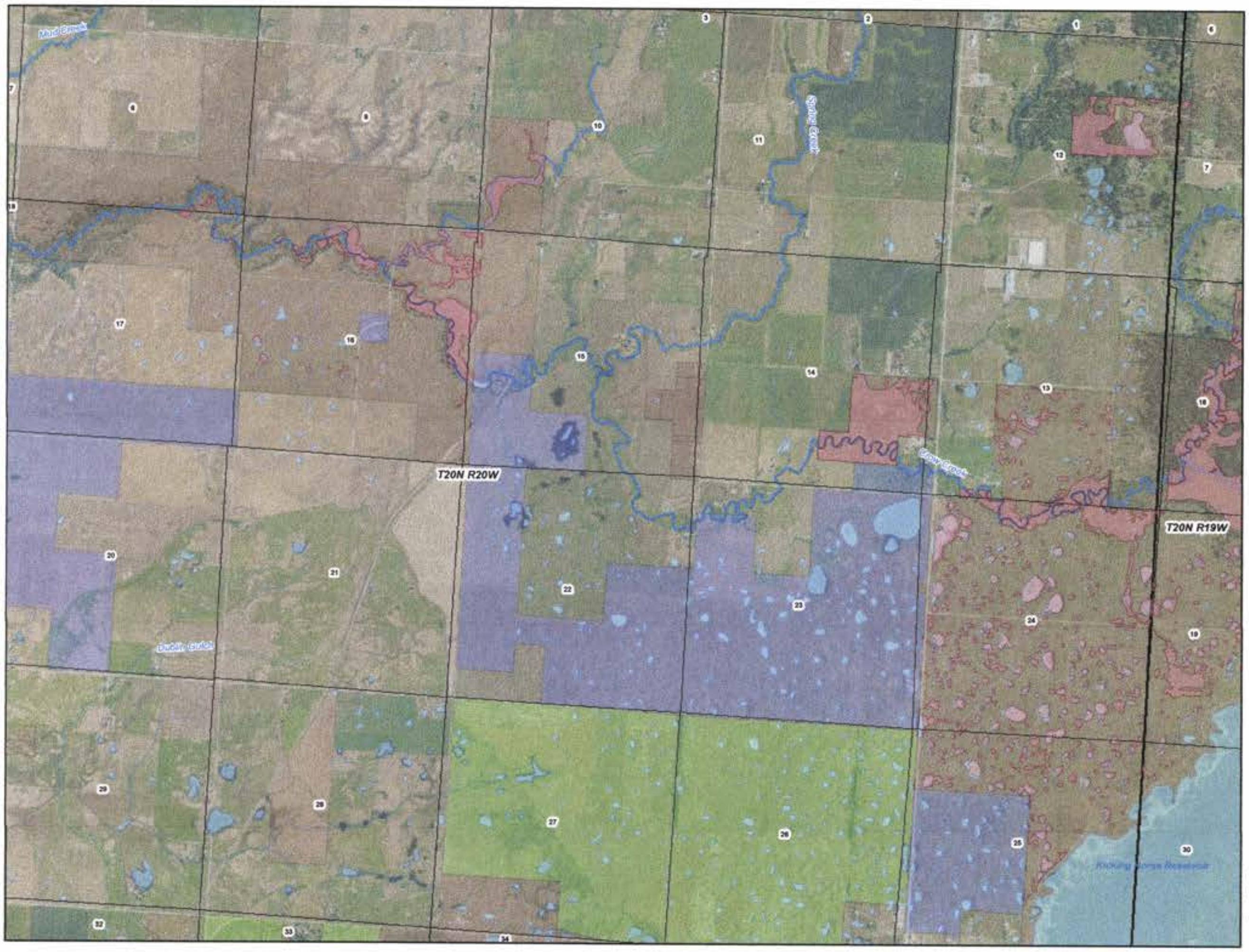
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Mud Creek
Spring Creek
Crow Creek
Dublin Gulch
Kicking Horse Reservoir
T20N R20W
T20N R19W
3
2
1
6
7
8
9
10
11
12
17
16
15
14
13
18
20
21
22
23
24
19
29
28
27
26
25
30
32
33
34

Place of Use
CSKT Wetlands

76L
30052662

Exhibit 14

Area of Interest
Hot Springs
Polson
St Ignatius
Arlee
1
2
3
5
6
7
9
11
12
13
15

Flathead Indian Reservation

Legend

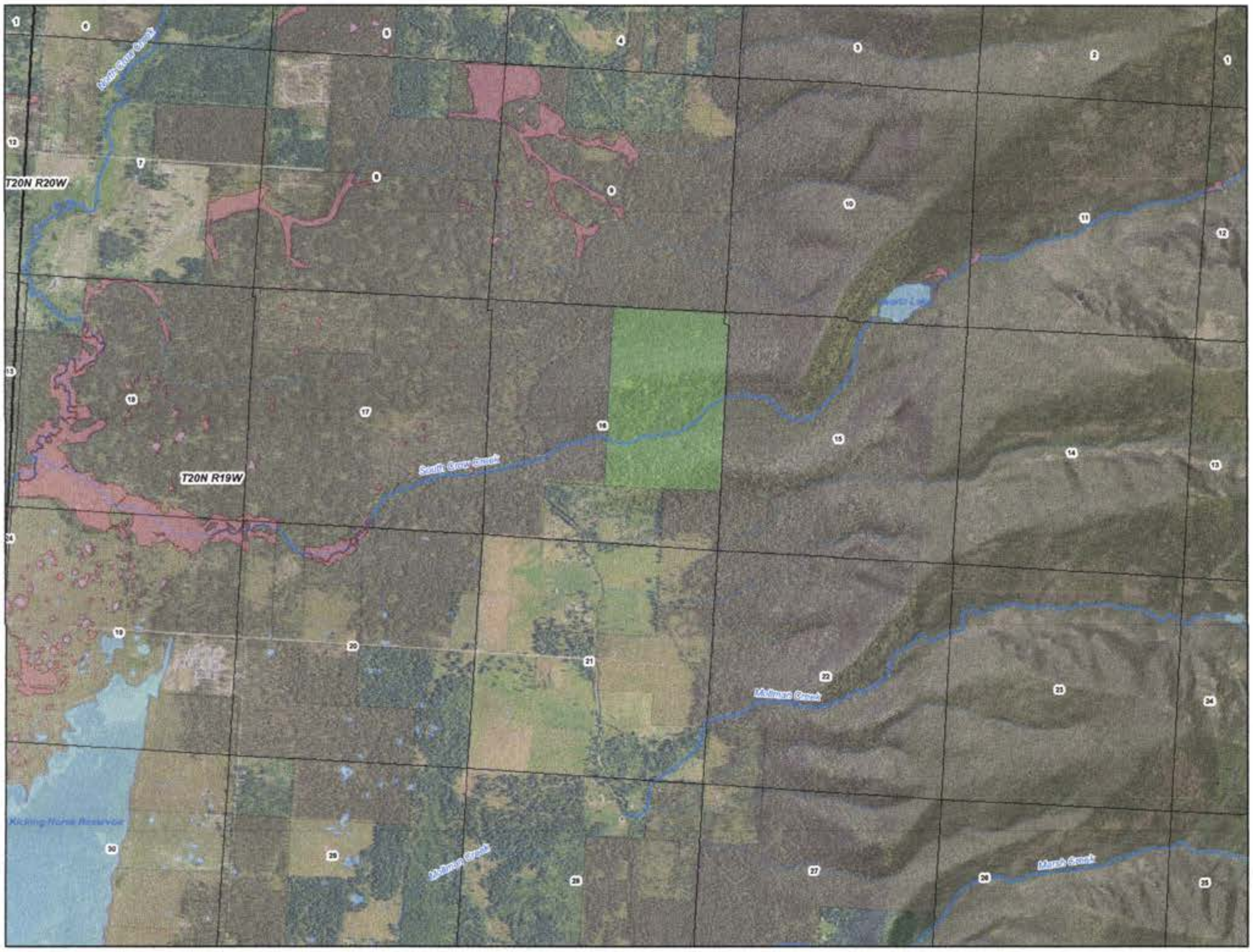
🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


1
6
5
4
3
2
1
North Crow Creek
12
7
8
9
10
11
12
T20N R20W
13
18
17
16
15
14
13
T20N R19W
South Crow Creek
24
19
20
21
22
23
24
Mollman Creek
Kicking Horse Reservoir
30
29
Mollman Creek
28
27
26
Marsh Creek
25

Place of Use

CSKT Wetlands

76L
30052662

Exhibit 15

Area
of
Interest
Hot Springs
Polson
2
3
5
6
7
8
9
11
12
13
15
16
St Ignatius
Arlee

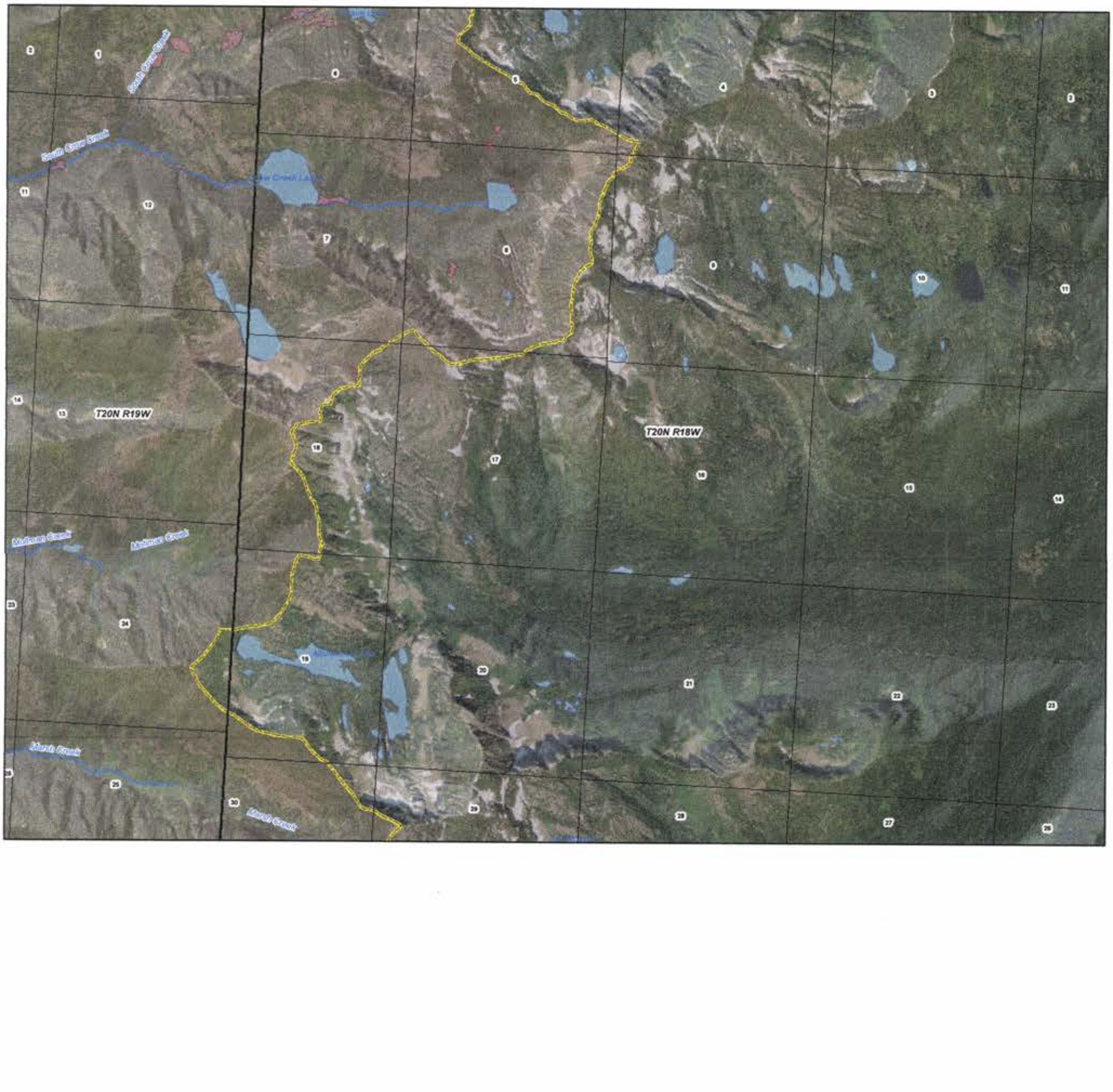
Flathead Indian Reservation

Legend

🟥	Places of Use
☐	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


2
1
South Crow Creek
6
5
4
3
2
South Crow Creek
Crow Creek Lake
11
12
7
8
9
10
11
14
13
T20N R19W
18
17
T20N R18W
16
15
14
Mollman Creek
Mollman Creek
23
24
19
20
21
22
23
Marsh Creek
25
30
Marsh Creek
29
28
27
26

Place of Use

CSKT Wetlands

76L 30052662

Exhibit 16

Area of Interest
Hot Springs
Polson
2
3
5
6
7
8
9
11
12
13
15
St Ignatius
Arlee

Flathead Indian Reservation

Legend

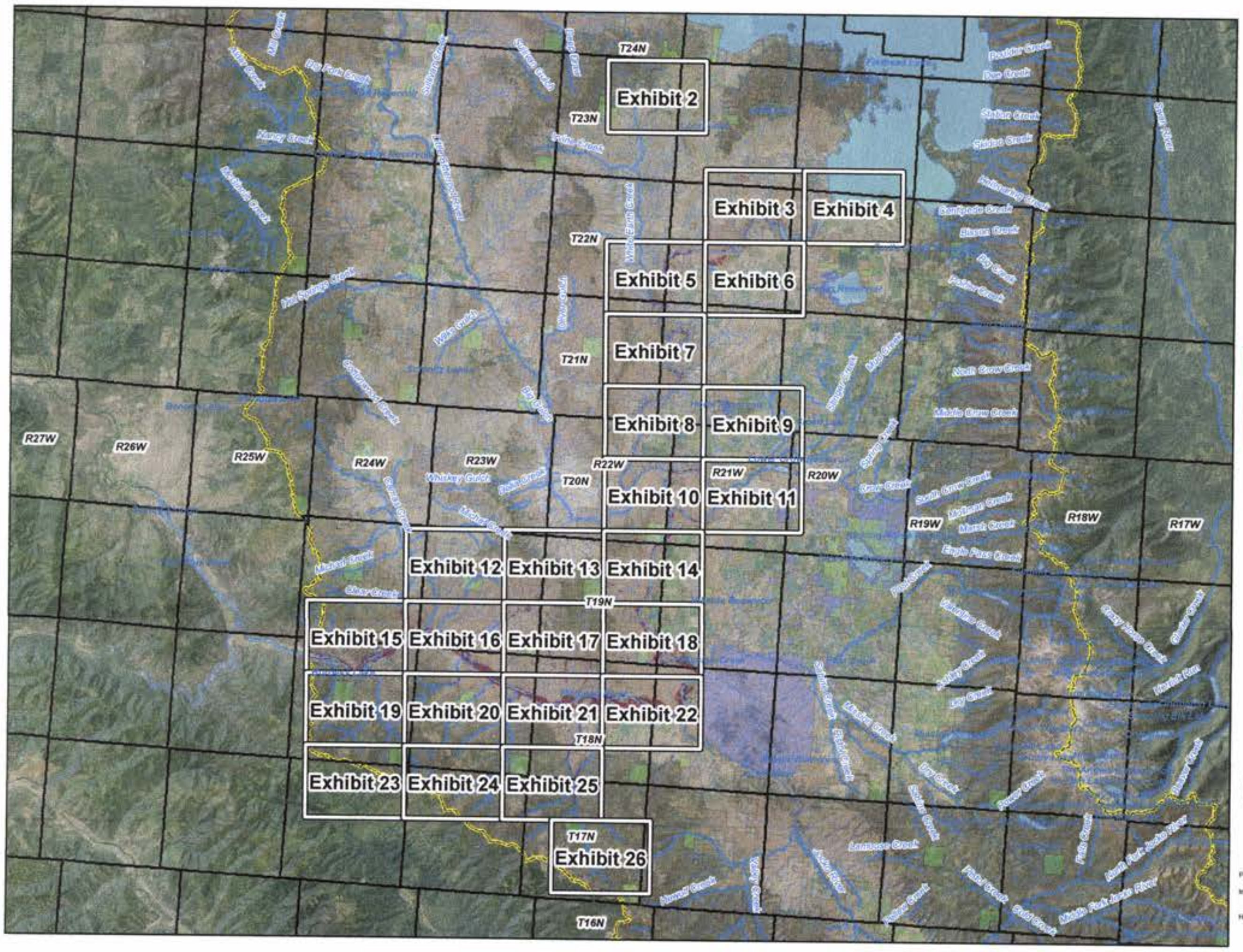
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T24N
Exhibit 2
T23N
T22N
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
T21N
Exhibit 7
Exhibit 8
Exhibit 9
R27W
R26W
R25W
R24W
R23W
R22W
T20N
R21W
R20W
Exhibit 10
Exhibit 11
R19W
R18W
R17W
Exhibit 12
Exhibit 13
Exhibit 14
T19N
Exhibit 15
Exhibit 16
Exhibit 17
Exhibit 18
Exhibit 19
Exhibit 20
Exhibit 21
Exhibit 22
T18N
Exhibit 23
Exhibit 24
Exhibit 25
T17N
Exhibit 26
T16N
Flathead Lake
Whiskey Gulch
Crow Creek
North Crow Creek
Middle Crow Creek
Mud Creek
Dry Creek
Jocko River
Middle Fork Jocko River
South Fork Jocko River

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 1

Area
of
Interest
Hot Springs
2
3
4
5
6
7
8
9
10
11
Pablo
St Ignatius
13
15
16
17
18
20
22
23
24
26
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▨ Reservation Boundary

Land Owner

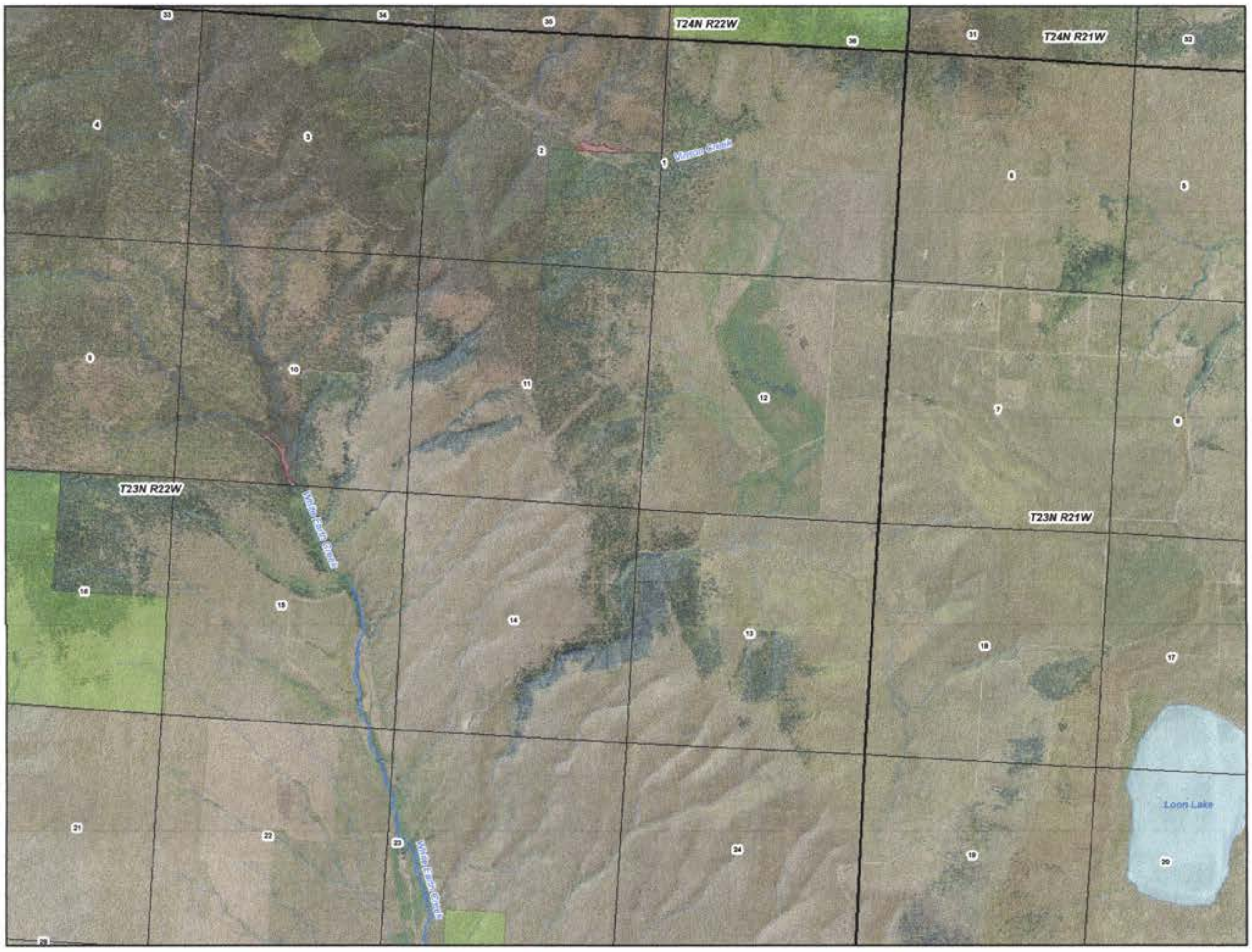
🟫 Tribal

🟦 Federal

🟩 State

0 2.75 5.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

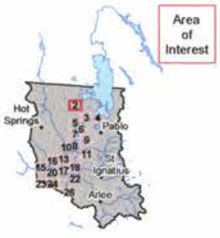

T24N R22W
T24N R21W
T23N R22W
T23N R21W
1
White Earth Creek
White Earth Creek
Loon Lake
33
34
35
36
31
32
4
3
2
6
5
9
10
11
12
7
8
16
15
14
13
18
17
21
22
23
24
19
20
28

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 2


Area
of
Interest
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
23
24
26
Hot Springs
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

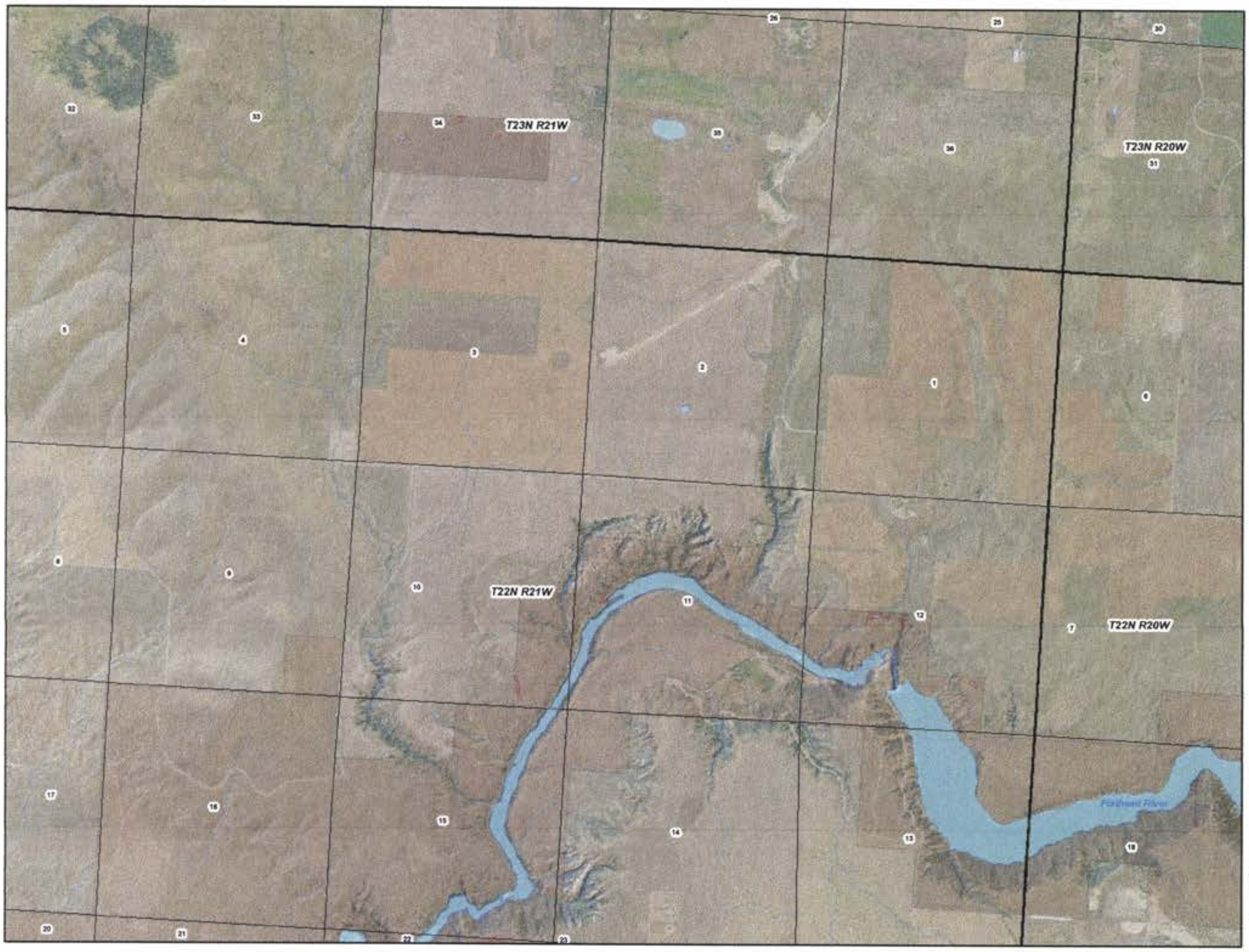
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

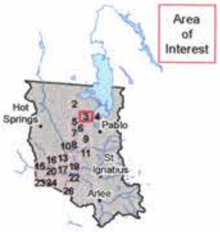

26
25
30
32
33
34
T23N R21W
35
36
T23N R20W
31
5
4
3
2
1
6
8
9
10
T22N R21W
11
12
7
T22N R20W
17
16
15
14
13
Flathead River
18
20
21
22
23

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 3


Area of Interest
Hot Springs
2
3
4
5
6
7
Pablo
9
10
8
11
16
13
15
20
17
18
St Ignatius
22
23
24
26
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

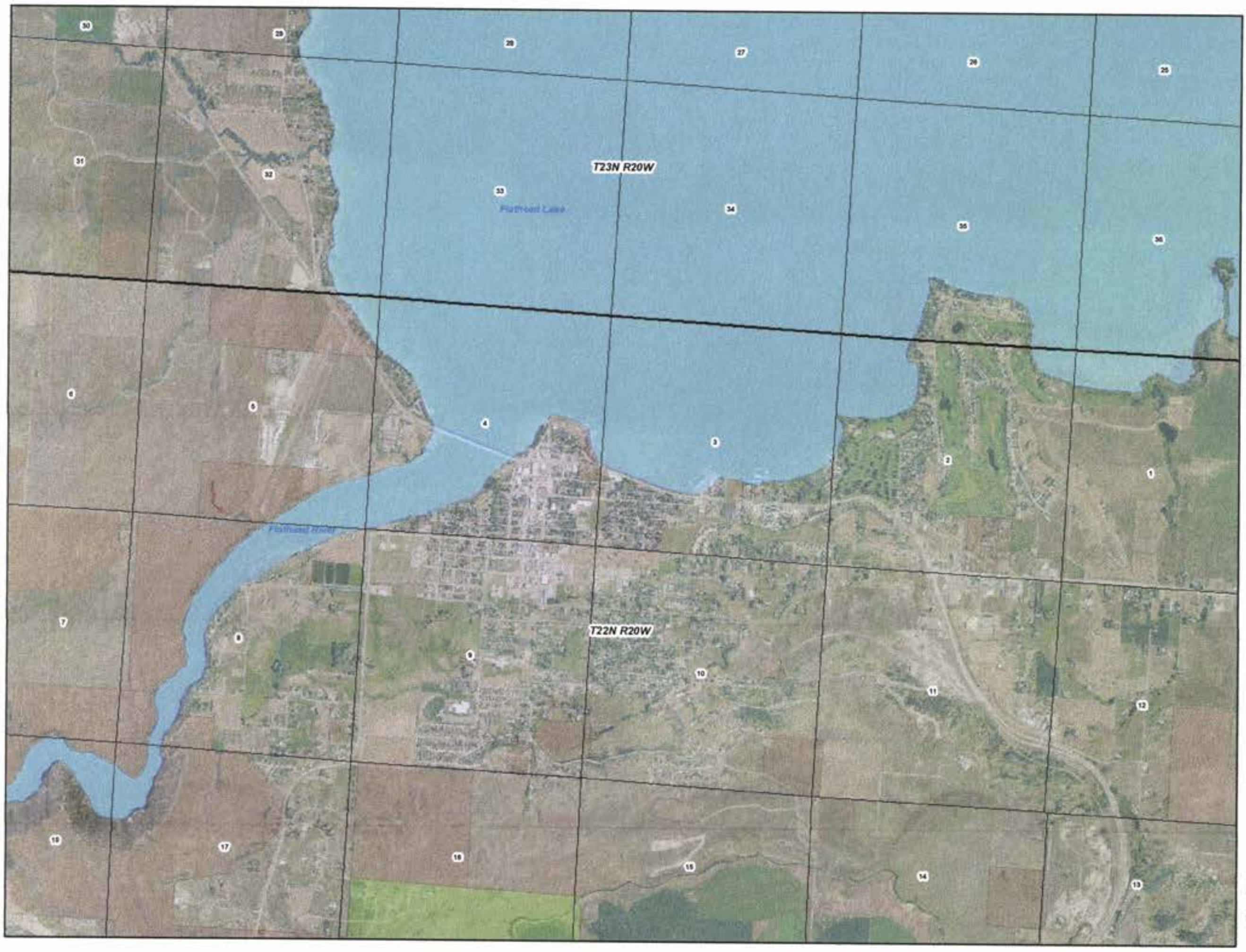
▨ Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


30
29
28
27
26
25
31
32
33
T23N R20W
Flathead Lake
34
35
36
6
5
4
3
2
1
Flathead River
7
8
T22N R20W
9
10
11
12
18
17
16
15
14
13

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 4

Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
23
24
26

Flathead Indian Reservation

Legend

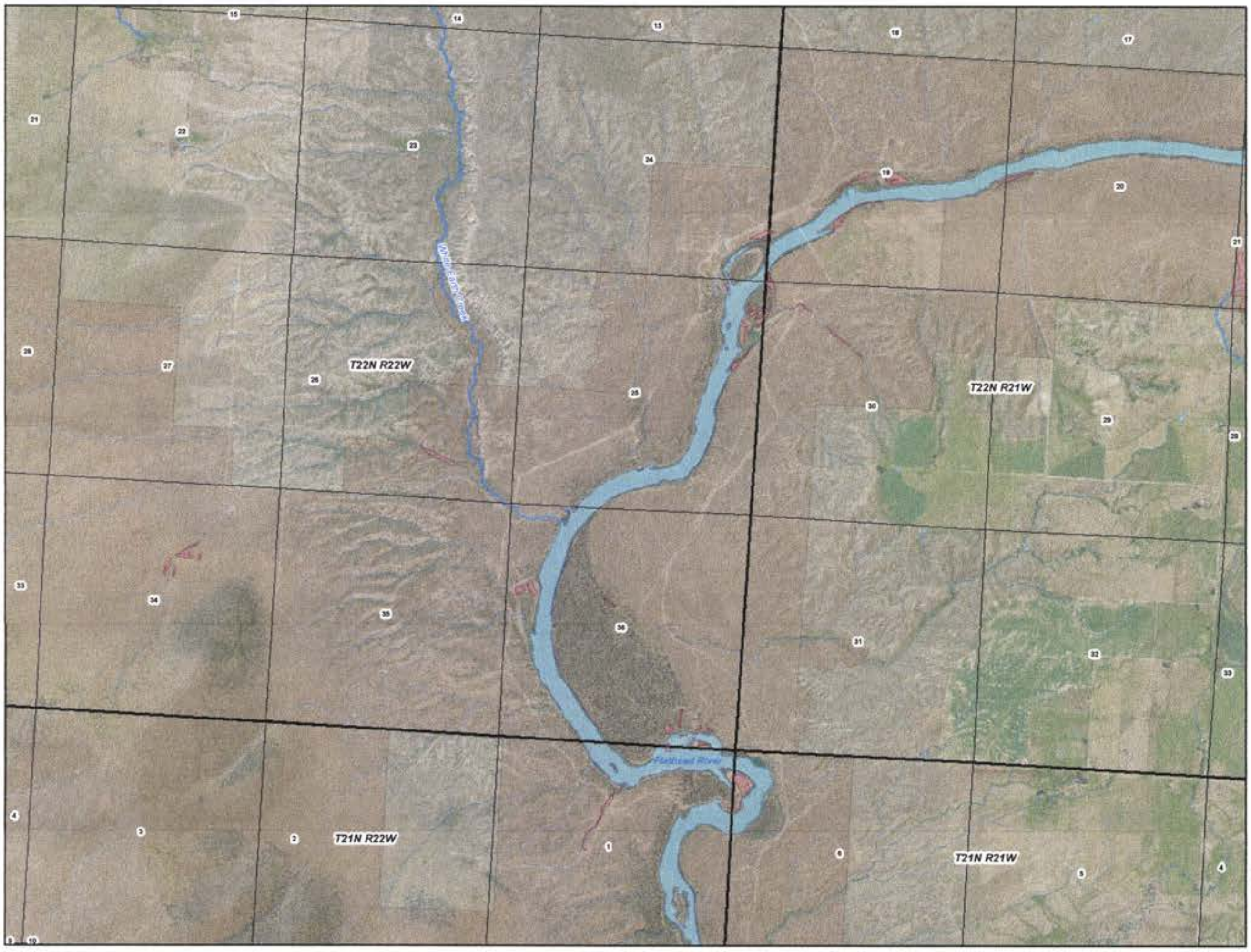
- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

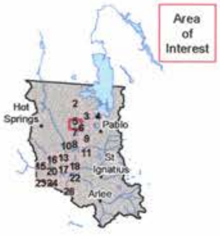
POU/POD Data Source: CSKT-MT Compact Wetlands (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


15
14
13
18
17
21
22
23
24
19
20
21
28
27
26
T22N R22W
25
30
T22N R21W
29
28
33
34
35
36
31
32
33
Flathead River
4
3
2
T21N R22W
1
6
T21N R21W
5
4
9
10

Place of Use
CSKT Wetlands

76L
30052663

Exhibit 5


Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
9
10
8
11
16
13
15
20
17
18
22
23
24
26

Flathead Indian Reservation

Legend

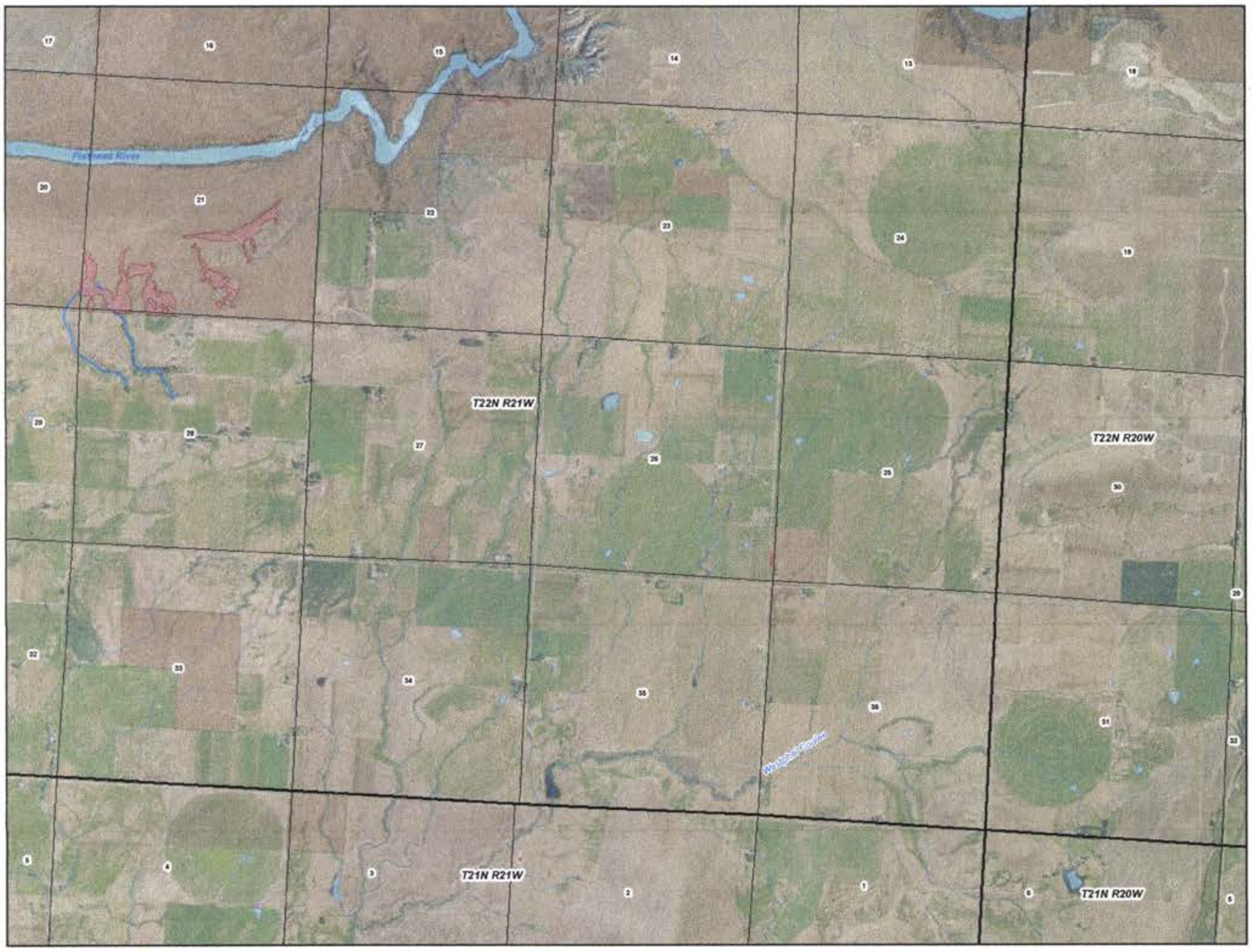
- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


17
16
15
14
13
18
Flathead River
20
21
22
23
24
19
29
28
T22N R21W
27
26
25
T22N R20W
30
29
32
33
34
35
36
31
32
5
4
3
T21N R21W
2
1
6
T21N R20W
5

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 6

Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
15
16
17
18
20
22
23
24
26

Flathead Indian Reservation

Legend

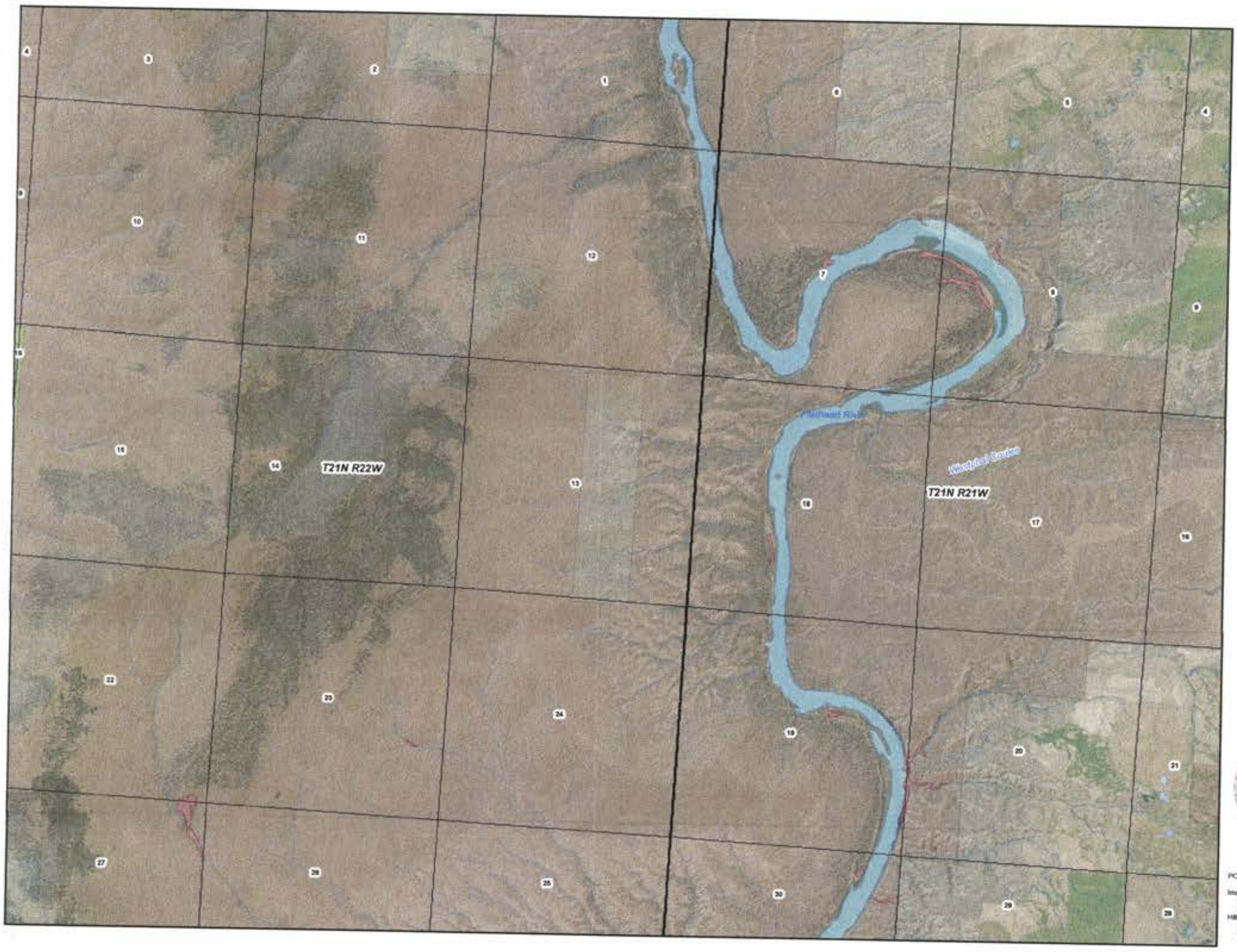
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

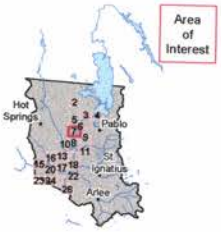

T21N R22W
T21N R21W
Flathead River
4
3
2
1
6
5
4
10
11
12
7
8
9
15
14
13
18
17
16
22
23
24
19
20
21
27
26
25
30
29
28

Place of Use

CSKT Wetlands

76L 30052663

Exhibit 7


Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
9
10
8
11
13
16
15
20
17
18
22
25
24
26

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

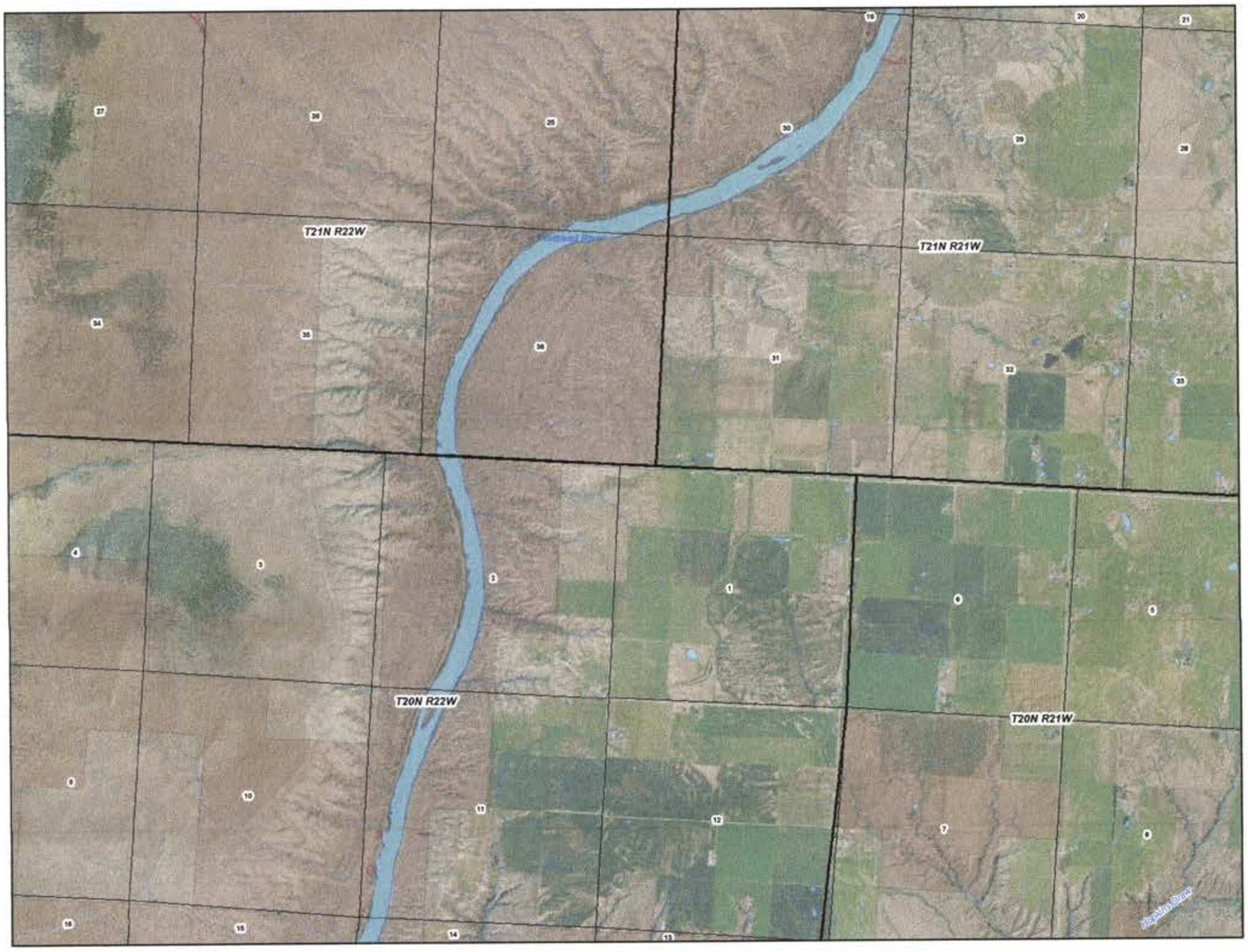
🟫 Tribal

🟦 Federal

🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


19
20
21
27
26
25
30
29
28
T21N R22W
T21N R21W
34
35
36
31
32
33
4
3
2
1
6
5
T20N R22W
T20N R21W
9
10
11
12
7
8
16
15
14
13

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 8

Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
23
24
26

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

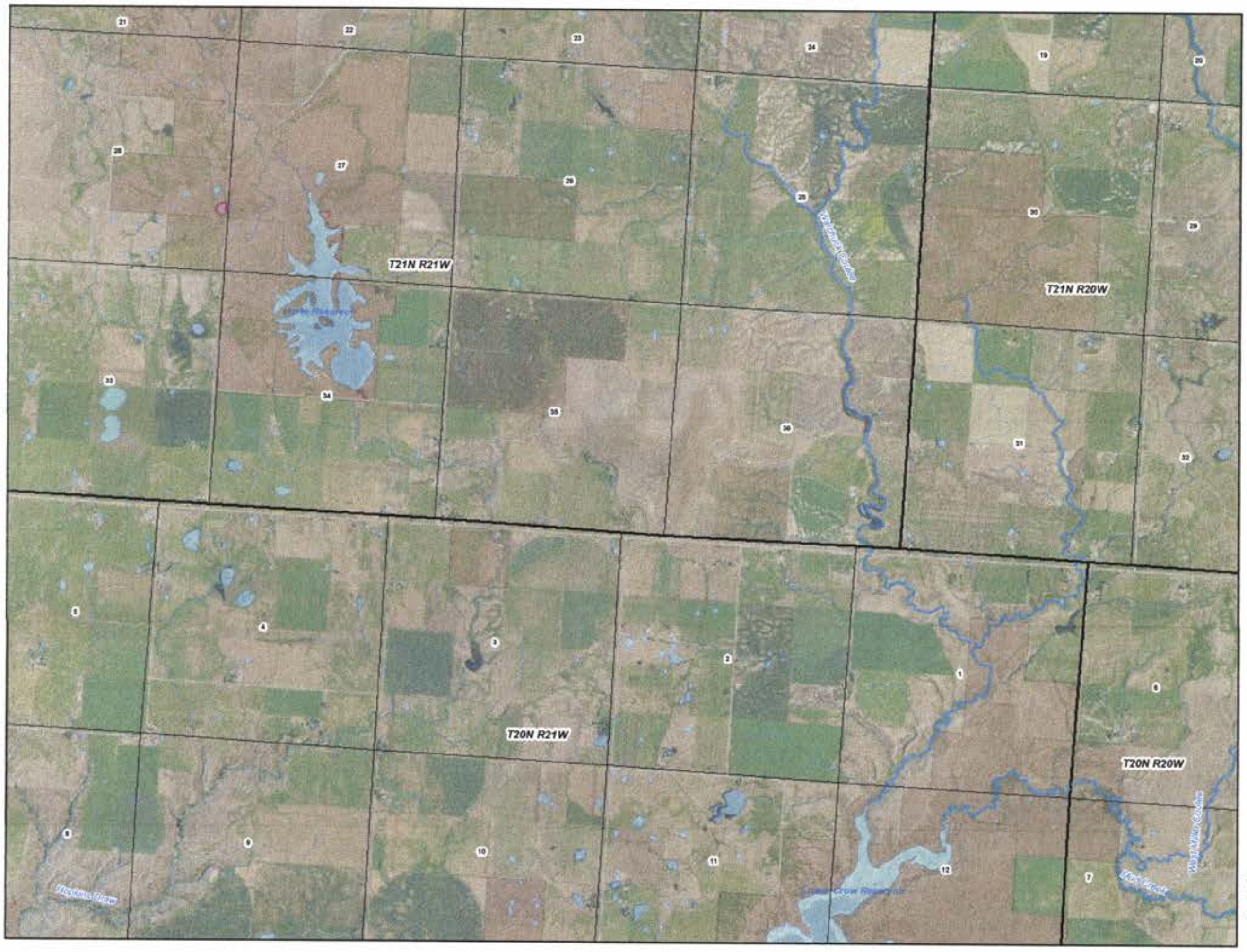
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


21
22
23
24
19
20
28
27
26
25
30
29
T21N R21W
T21N R20W
33
34
35
36
31
32
5
4
3
2
1
6
T20N R21W
T20N R20W
8
9
10
11
12
7
Crow Reservoir

Place of Use
CSKT Wetlands

76L
30052663

Exhibit 9

Area
of
Interest
Hot
Springs
Pablo
St.
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
23
24
25

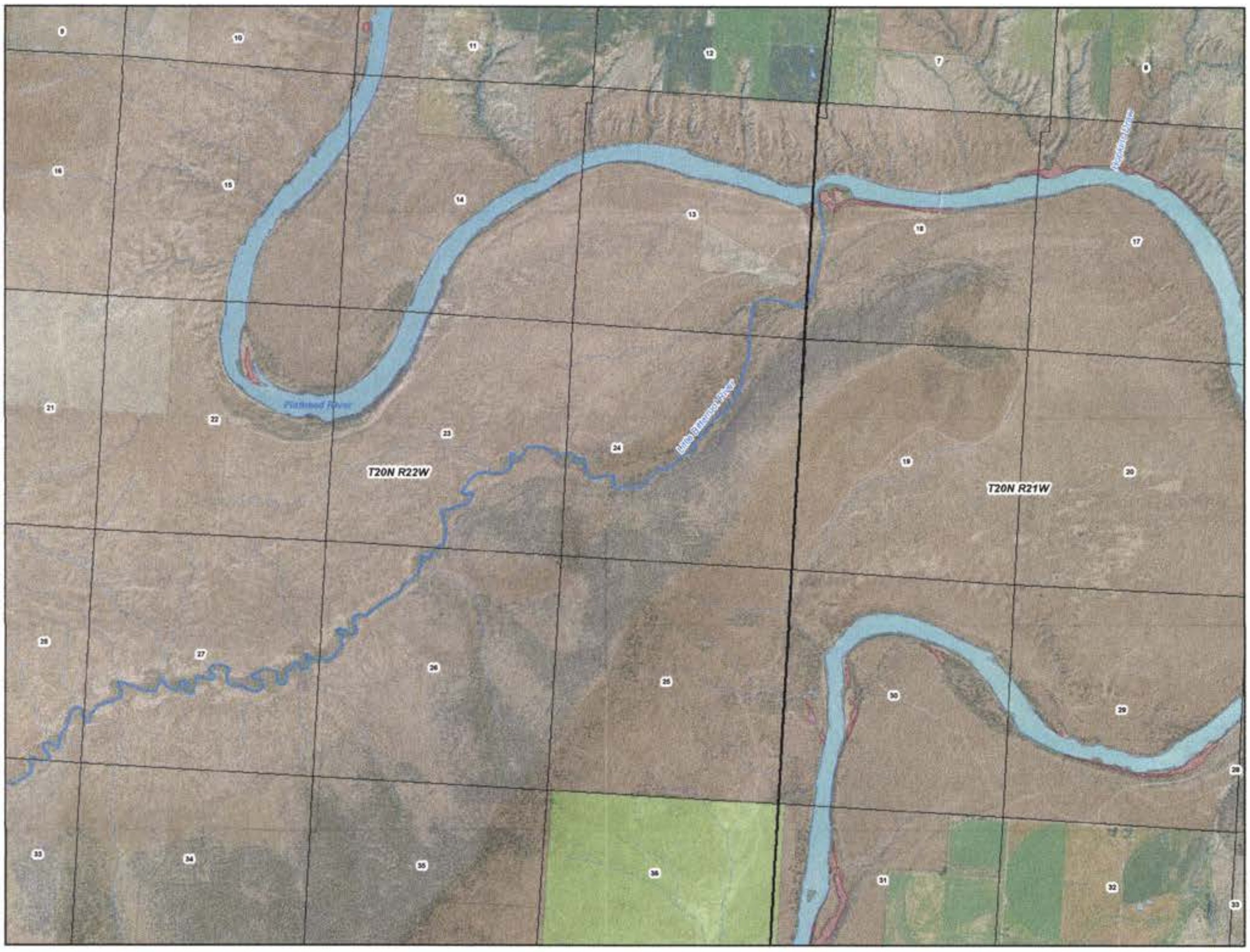
Flathead Indian Reservation

Legend

🟥	Places of Use
☐	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


9
10
11
12
7
8
16
15
14
13
18
17
Flathead River
21
22
23
24
Little Bitterroot River
T20N R22W
19
T20N R21W
20
28
27
26
25
30
29
28
33
34
35
36
31
32
33

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 10

Area of Interest
Hot Springs
2
3
4
5
6
7
Pablo
10
8
9
11
St Ignatius
15
16
13
20
17
18
22
23
24
26
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

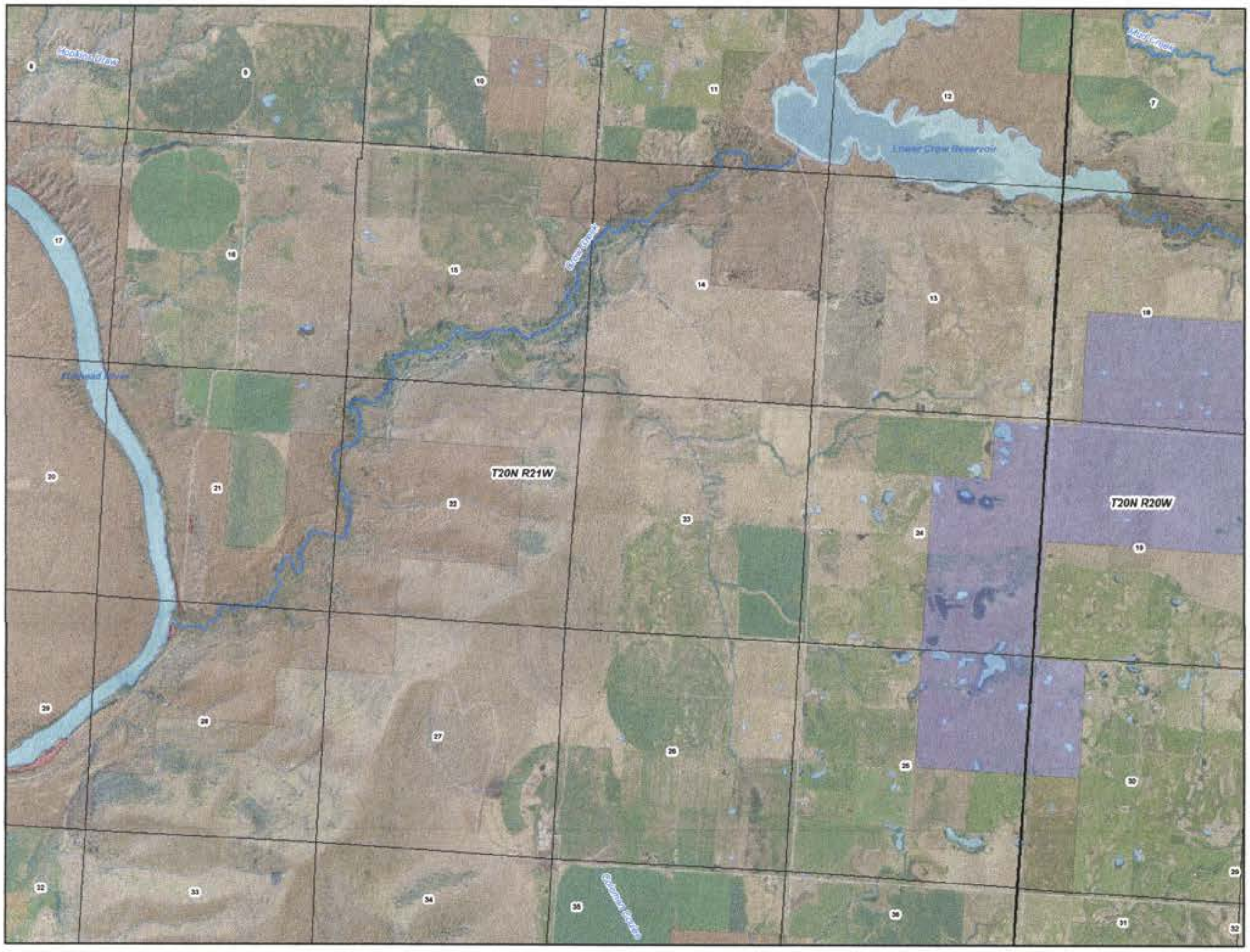
🟫 Tribal

🟦 Federal

🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

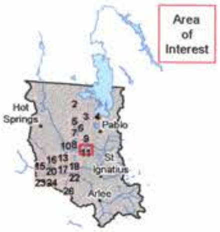

Hopkins Draw
8
9
10
11
12
7
Mud Creek
Lower Crow Reservoir
Crow Creek
17
16
15
14
13
18
Flathead River
20
21
T20N R21W
22
23
24
T20N R20W
19
29
28
27
26
25
30
29
32
33
34
35
36
31
32

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 11


Area of Interest
Hot Springs
2
3
4
5
Pablo
7 6
10 8
9
11
16 13
15 20 17 19
St Ignatius
22
23 24
26
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

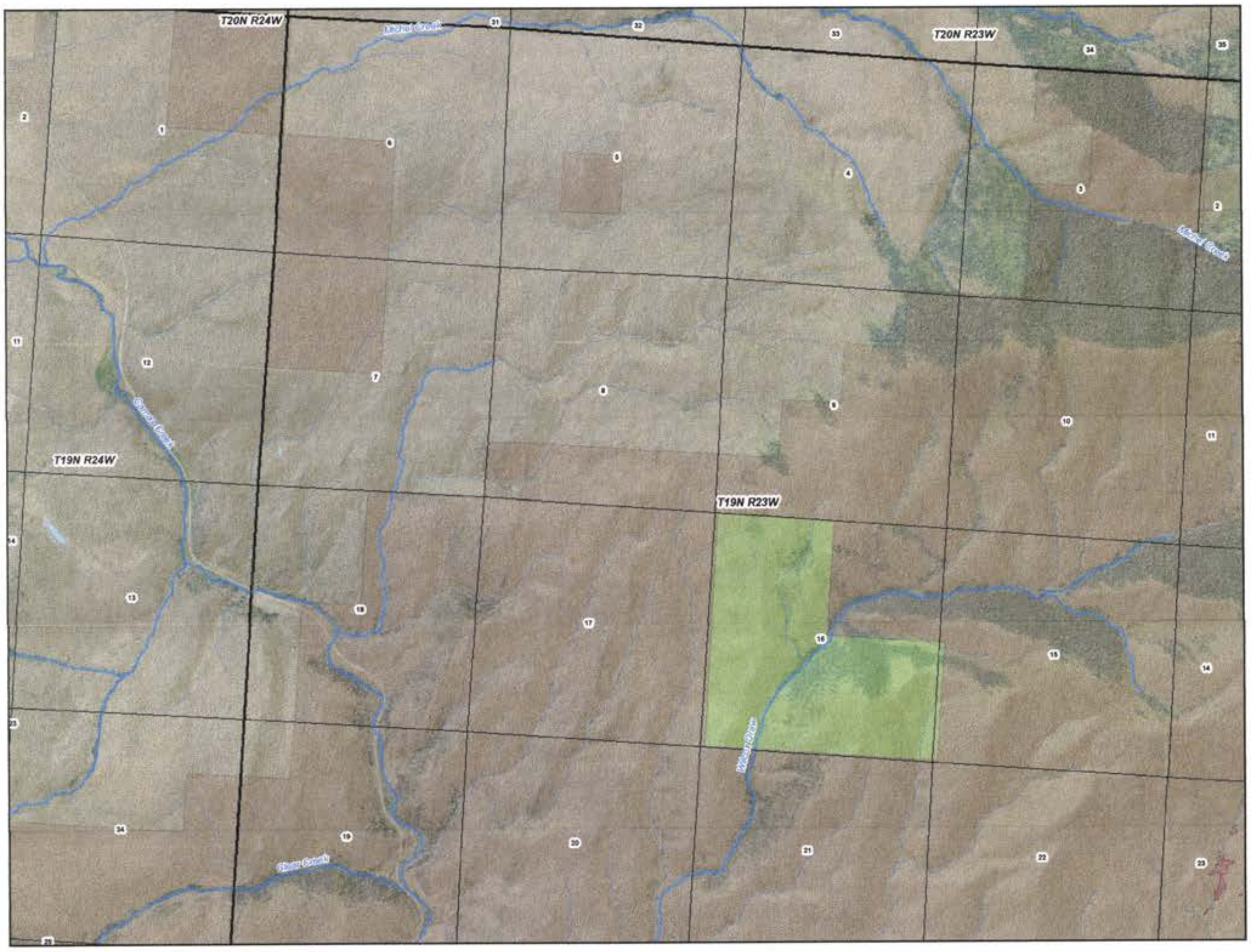
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

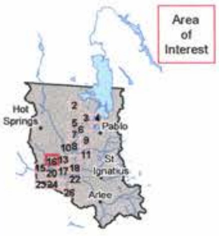

T20N R24W
Michel Creek
31
32
33
T20N R23W
34
35
2
1
6
5
4
3
2
Michel Creek
11
12
7
8
9
10
11
T19N R24W
T19N R23W
14
13
18
17
16
15
14
23
24
19
20
21
22
23
26

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 12


Area
of
Interest
Hot Springs
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
24
25
26

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

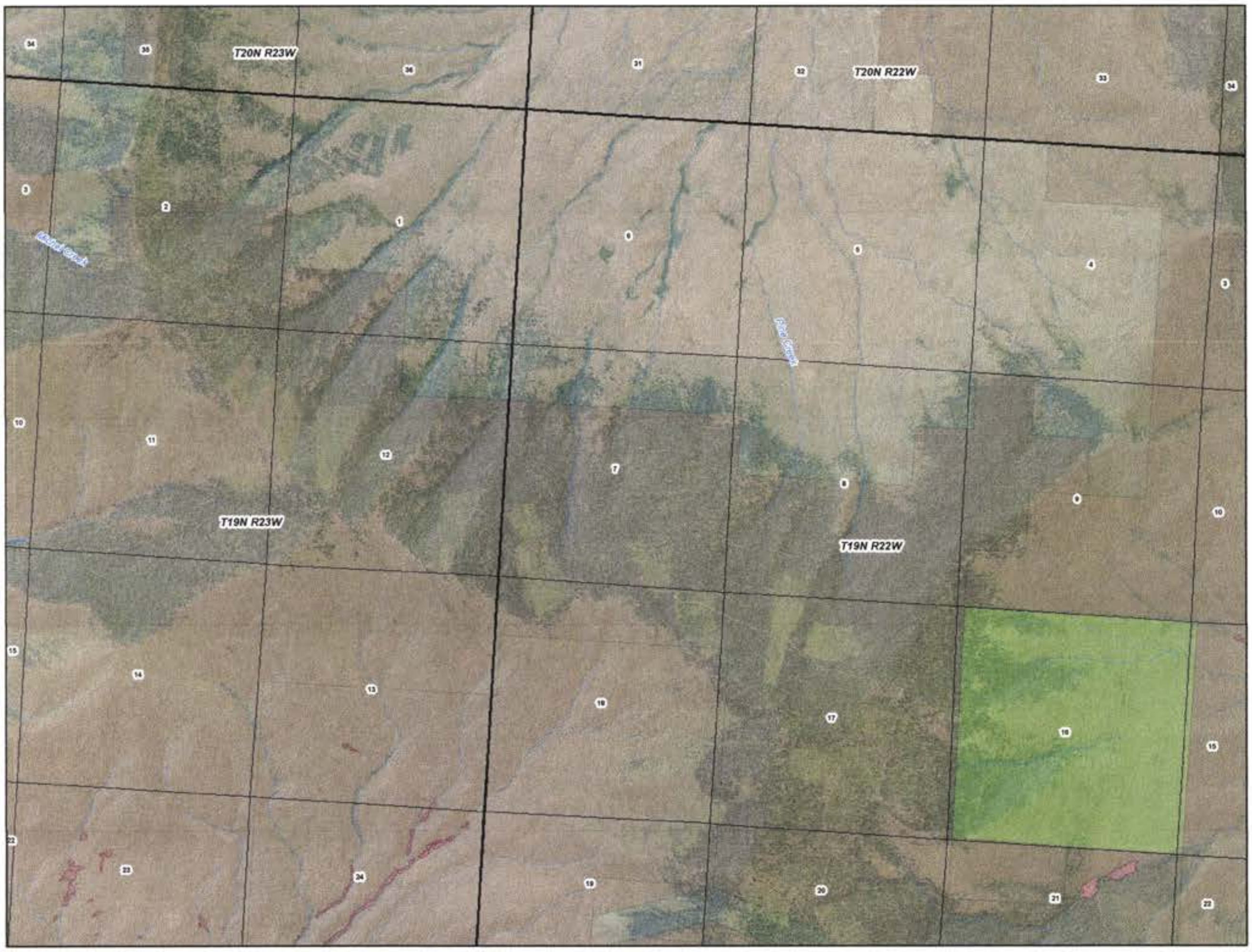
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

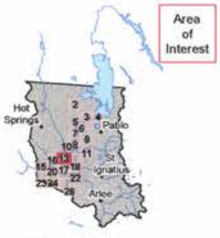

34
35
T20N R23W
36
31
32
T20N R22W
33
34
3
2
1
6
5
4
3
10
11
12
7
8
9
10
T19N R23W
T19N R22W
15
14
13
18
17
16
15
22
23
24
19
20
21
22

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 13


Area
of
Interest
Hot
Springs
Pablo
St.
Ignatius
Arlee
2
3
4
5
7
6
9
10
8
11
16
13
15
20
17
18
22
23
24
28

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

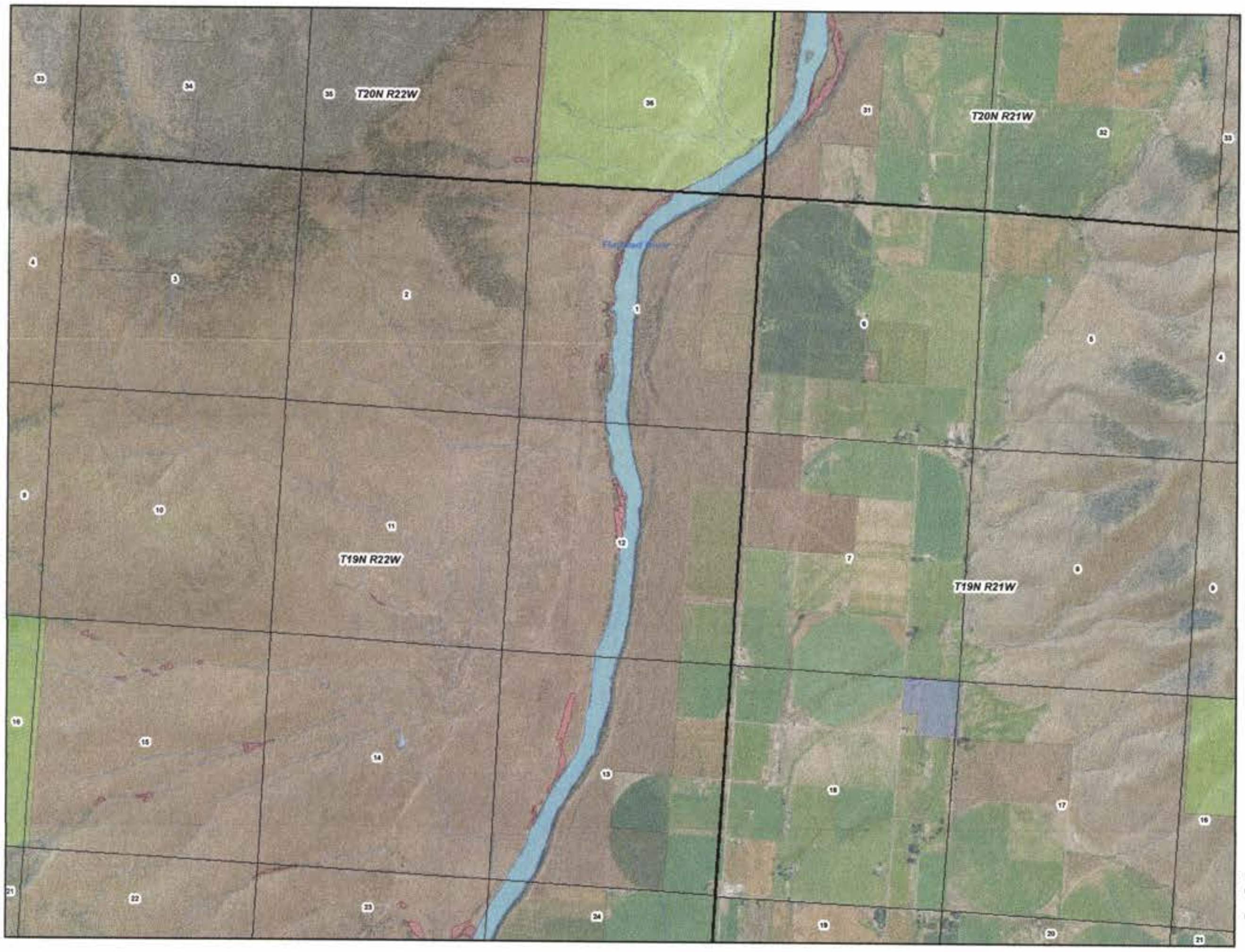
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T20N R22W
T20N R21W
T19N R22W
T19N R21W
Flathead River

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 14

Area of Interest
Hot Springs
Pablo
St. Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
23
24
26

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

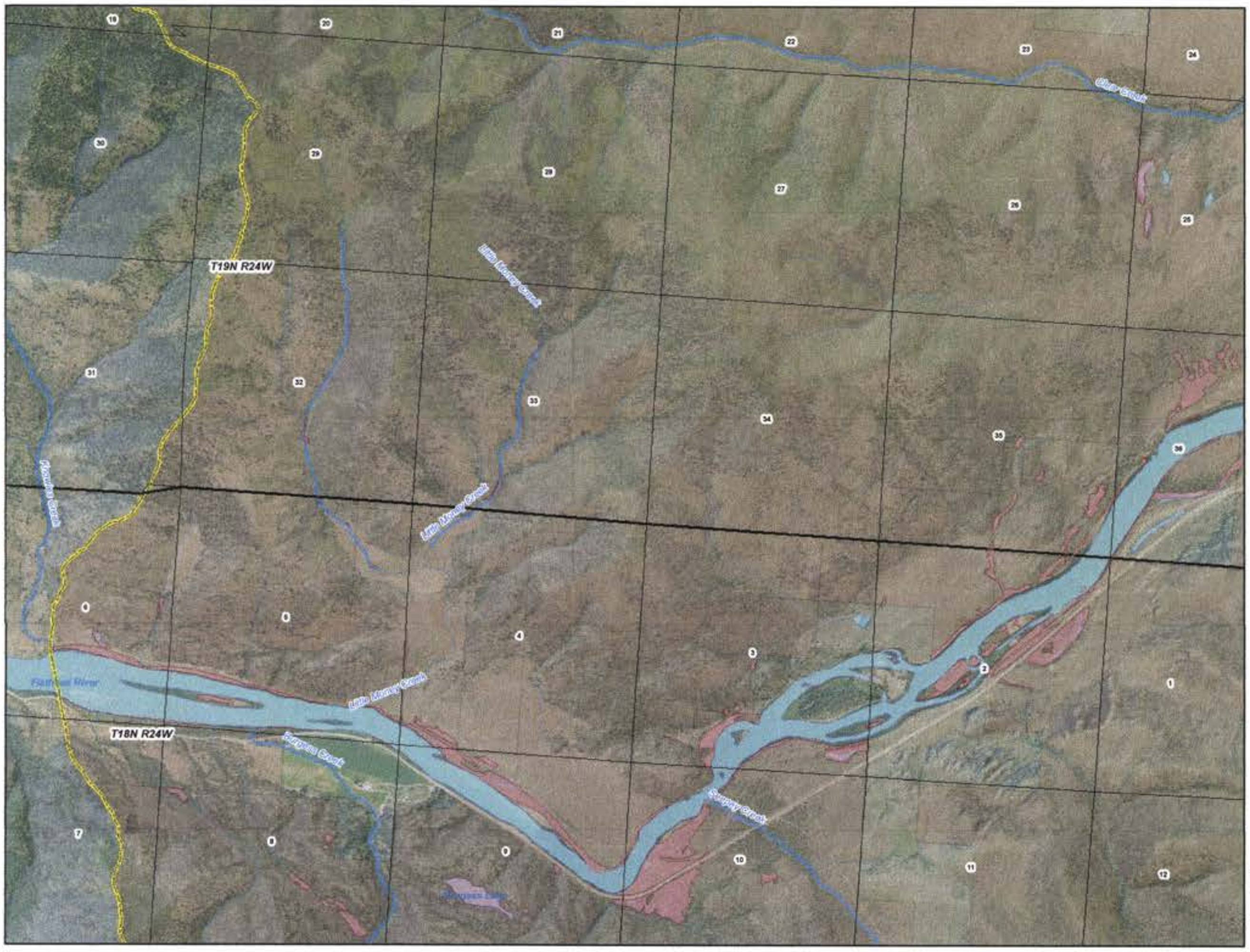
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


19
20
21
22
23
24
30
29
28
27
26
25
T19N R24W
Little Money Creek
31
32
33
34
35
36
Little Money Creek
6
5
4
3
2
1
Flathead River
Little Money Creek
T18N R24W
Burgess Creek
7
8
9
10
11
12

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 15

Area of Interest
Hot Springs
2
3
4
5
6
7
9
10
8
11
16
13
15
20
17
18
22
25
24
26
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

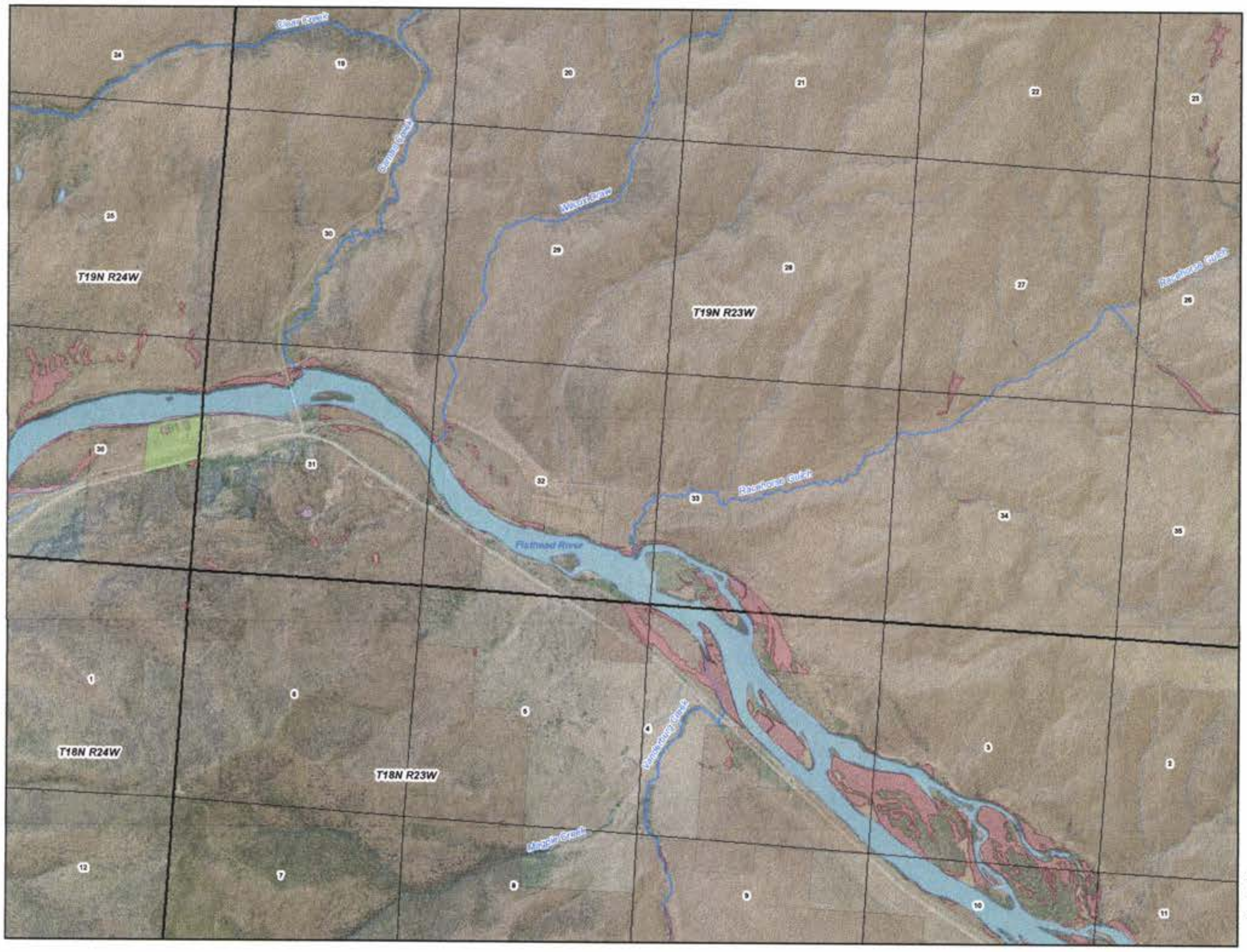
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Clear Creek
Camas Creek
Racehorse Gulch
Flathead River
T19N R24W
T19N R23W
T18N R24W
T18N R23W
24
19
20
21
22
23
25
30
29
28
27
26
36
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 16

Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
23
24
26

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

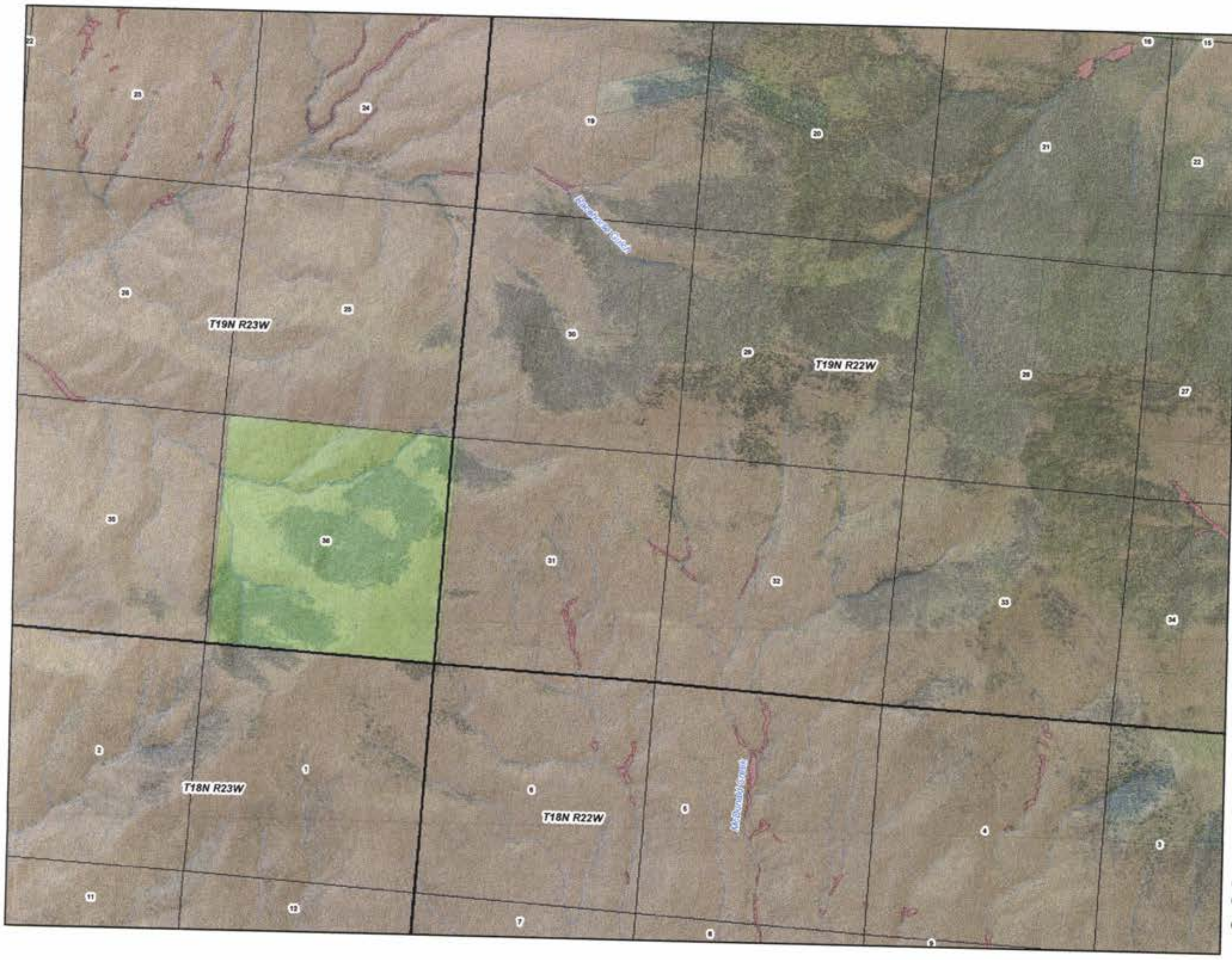
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


22
23
24
19
20
21
22
16
15
26
T19N R23W
25
30
29
T19N R22W
28
27
35
36
31
32
33
34
2
T18N R23W
1
6
T18N R22W
5
4
3
11
12
7
8
9

Place of Use
CSKT Wetlands

76L
30052663

Exhibit 17

Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
9
10
8
11
16
13
15
20
17
18
23
24
22
26

Flathead Indian Reservation

Legend

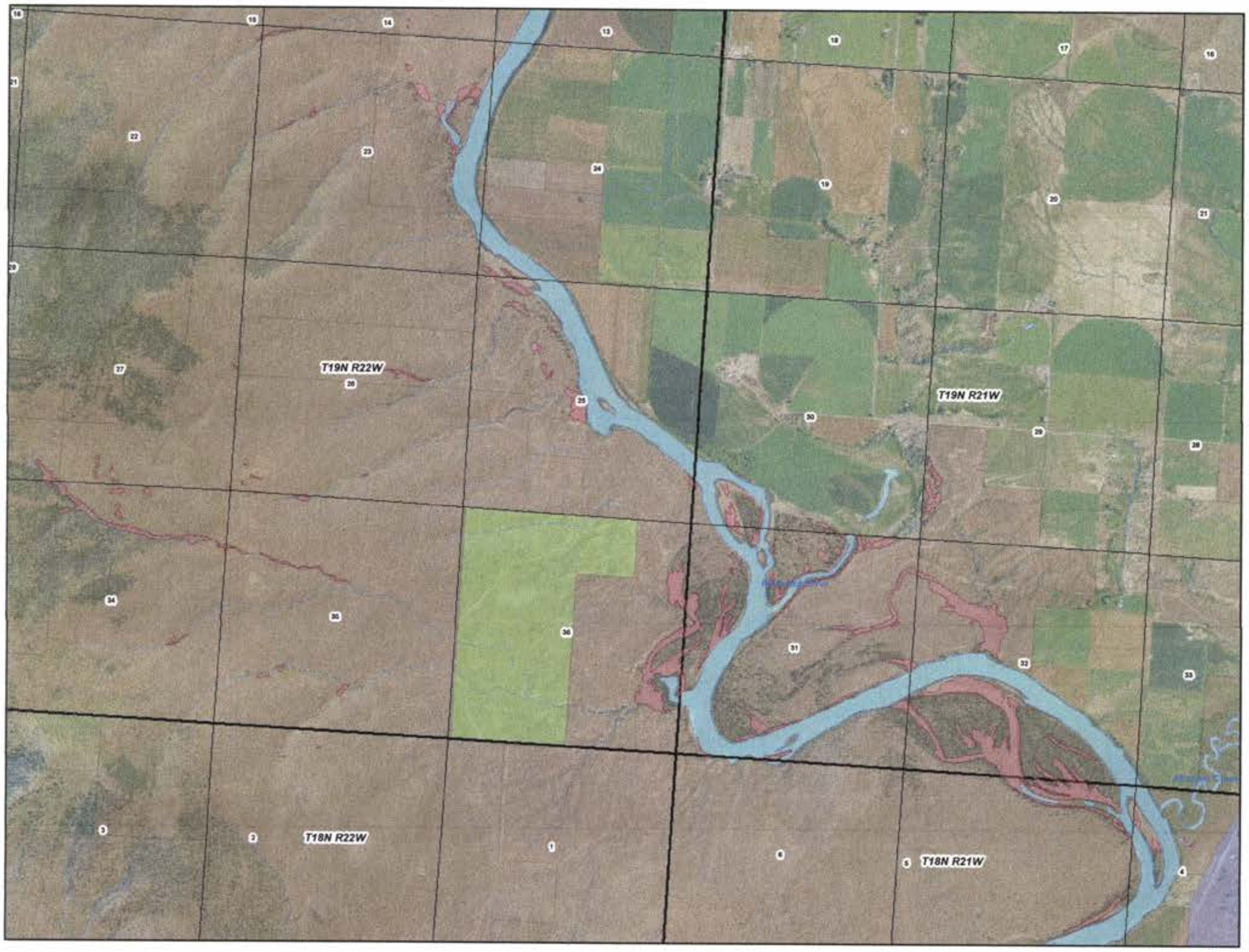
🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

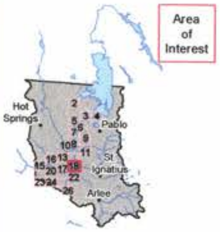

15
14
13
18
17
16
22
23
24
19
20
21
27
T19N R22W
26
25
30
T19N R21W
29
28
34
35
36
31
32
33
3
2
T18N R22W
1
6
5
T18N R21W
4

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 18


Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
9
10
8
11
16
13
15
20
17
18
22
23
24
26

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

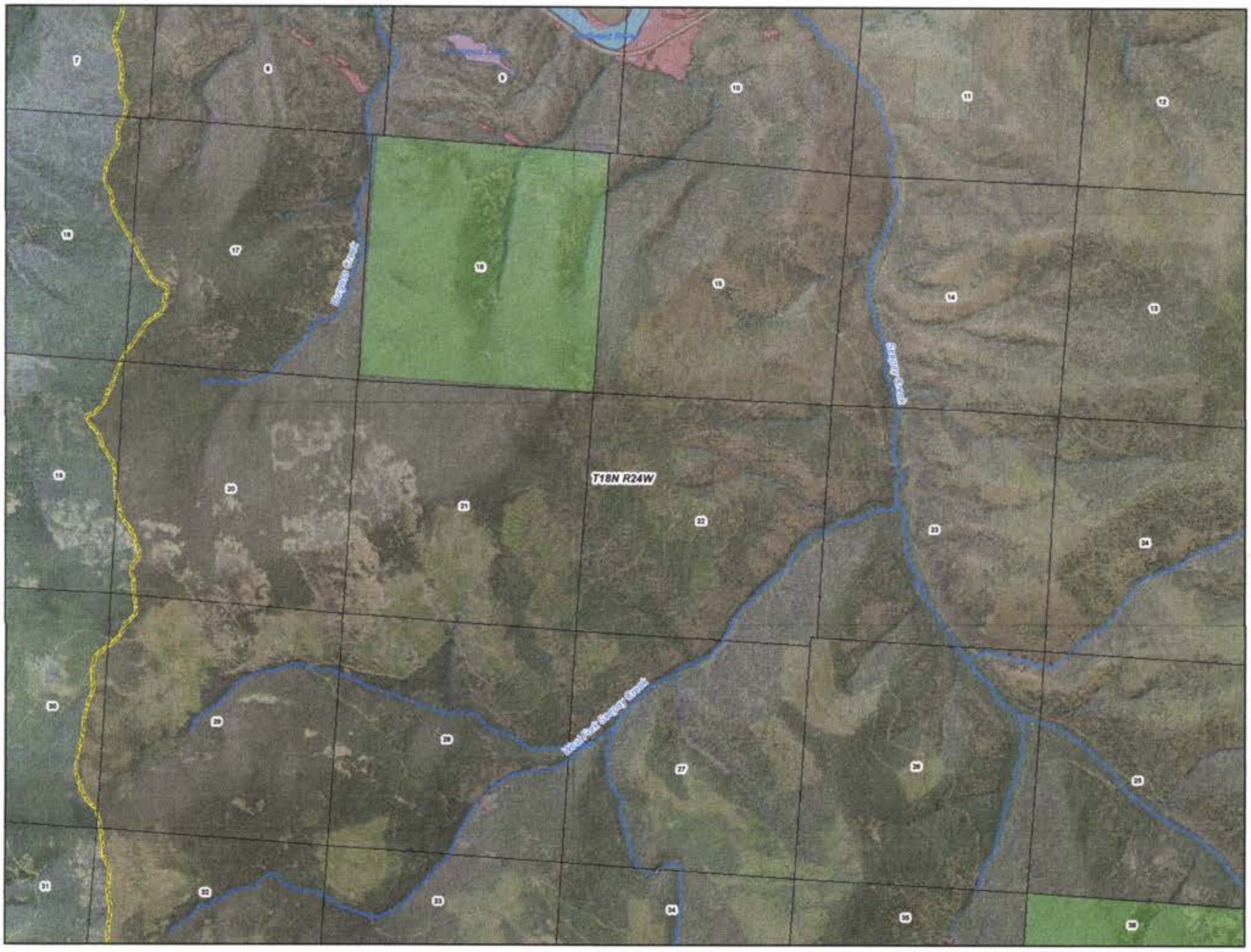
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


7
8
9
10
11
12
18
17
16
15
14
13
19
20
21
T18N R24W
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36
Seepay Creek
West Fork Seepay Creek

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 19

Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
24
25
26

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

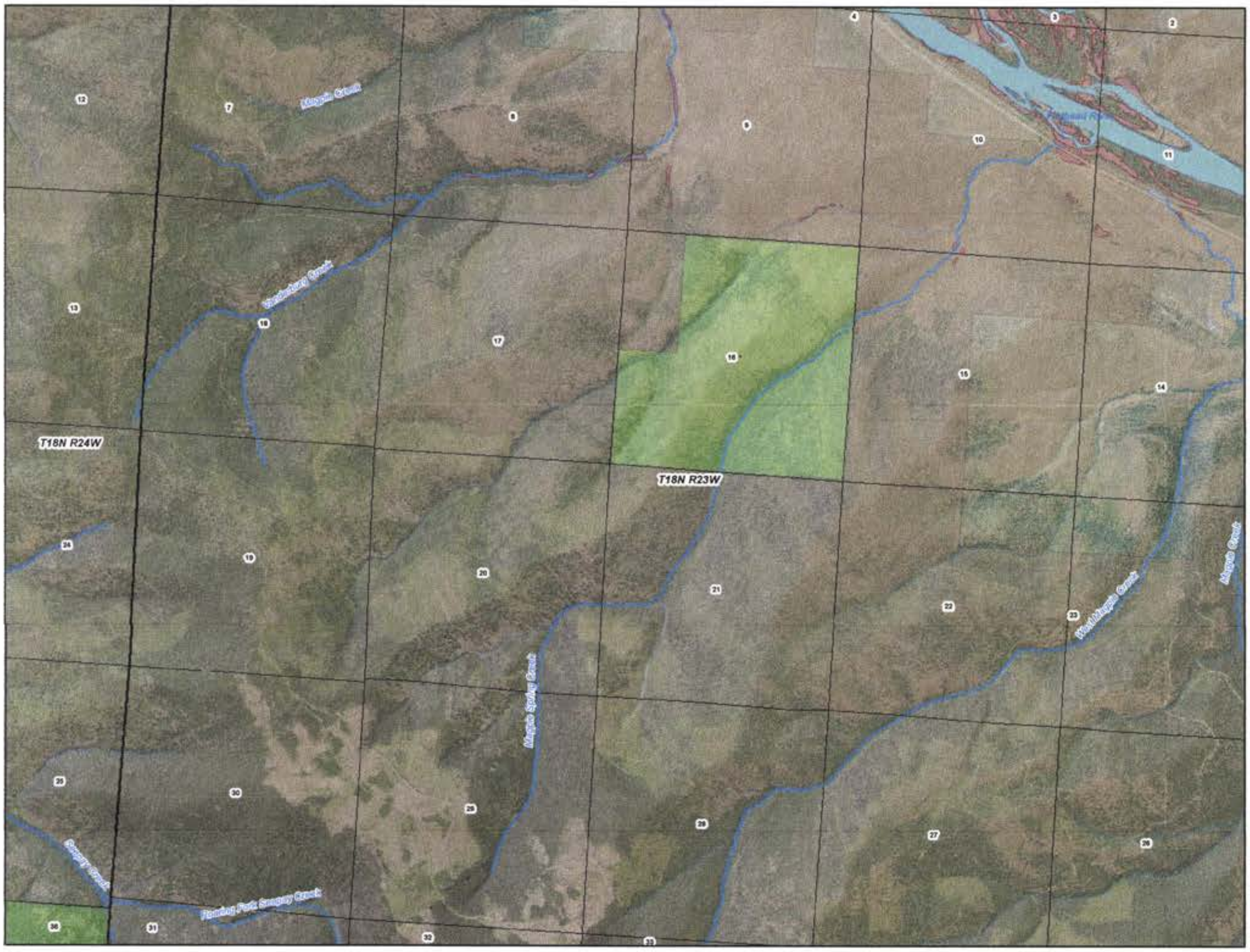
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


12
7
Magpie Creek
8
9
4
3
2
10
Flathead River
11
13
18
17
16
15
14
T18N R24W
T18N R23W
24
19
20
21
22
23
West Magpie Creek
Magpie Creek
Magpie Spring Creek
25
30
29
28
27
26
Seepay Creek
36
31
32
33

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 20

Area
of
Interest
Hot Springs
2
3
4
5
6
Pablo
7
10
8
9
11
16
13
15
20
17
18
St Ignatius
22
25
24
26
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

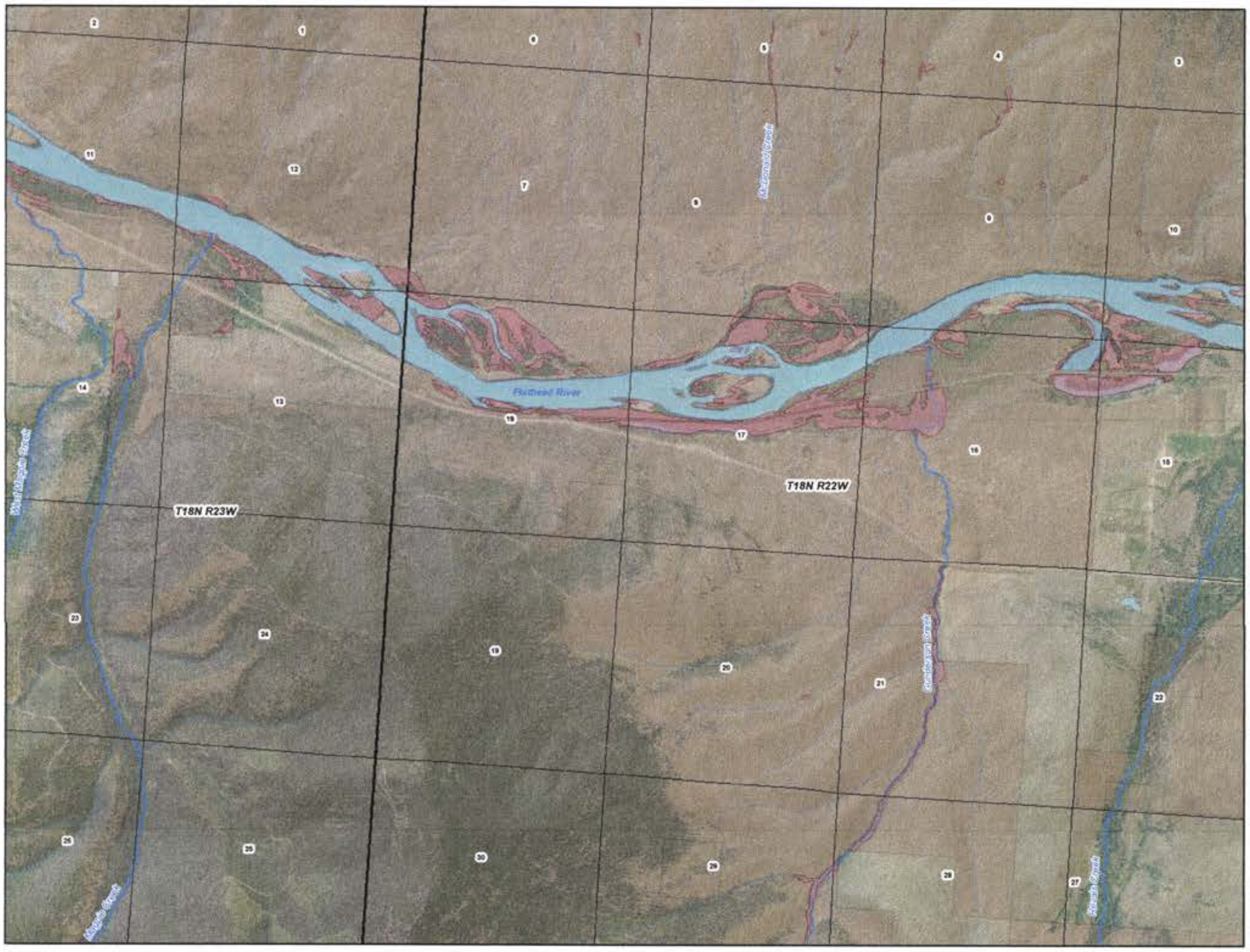
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


2
1
6
5
4
3
11
12
7
8
9
10
14
13
18
17
16
15
Flathead River
T18N R23W
T18N R22W
West Magpie Creek
23
24
19
20
21
22
26
25
30
29
28
27
Magpie Creek
Revais Creek

Place of Use
CSKT Wetlands

76L
30052663

Exhibit 21

Area
of
Interest
Hot Springs
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
23
24
26

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

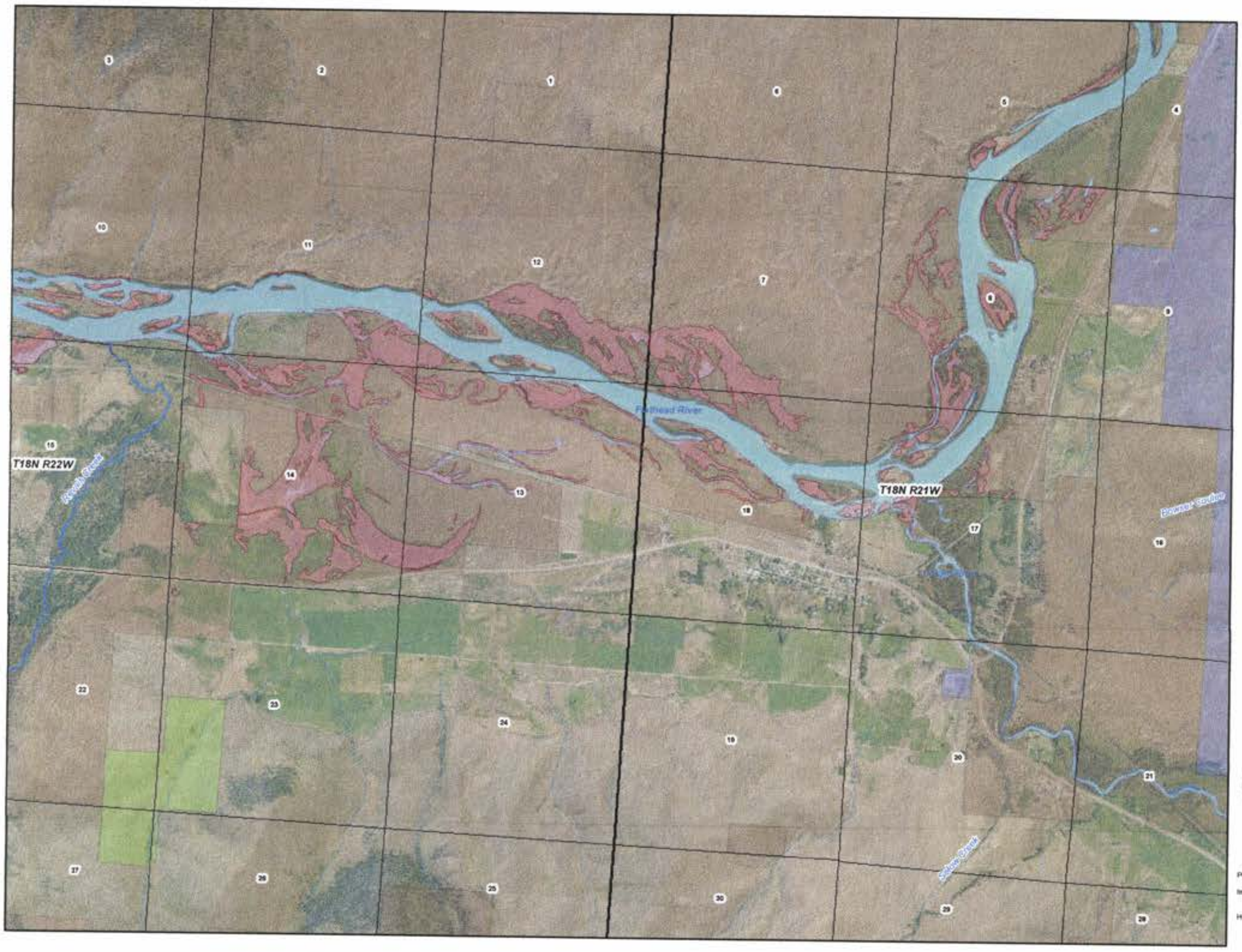
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R22W
T18N R21W
Flathead River
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Place of Use

CSKT Wetlands

76L 30052663

Exhibit 22

Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
23
24
26

Flathead Indian Reservation

Legend

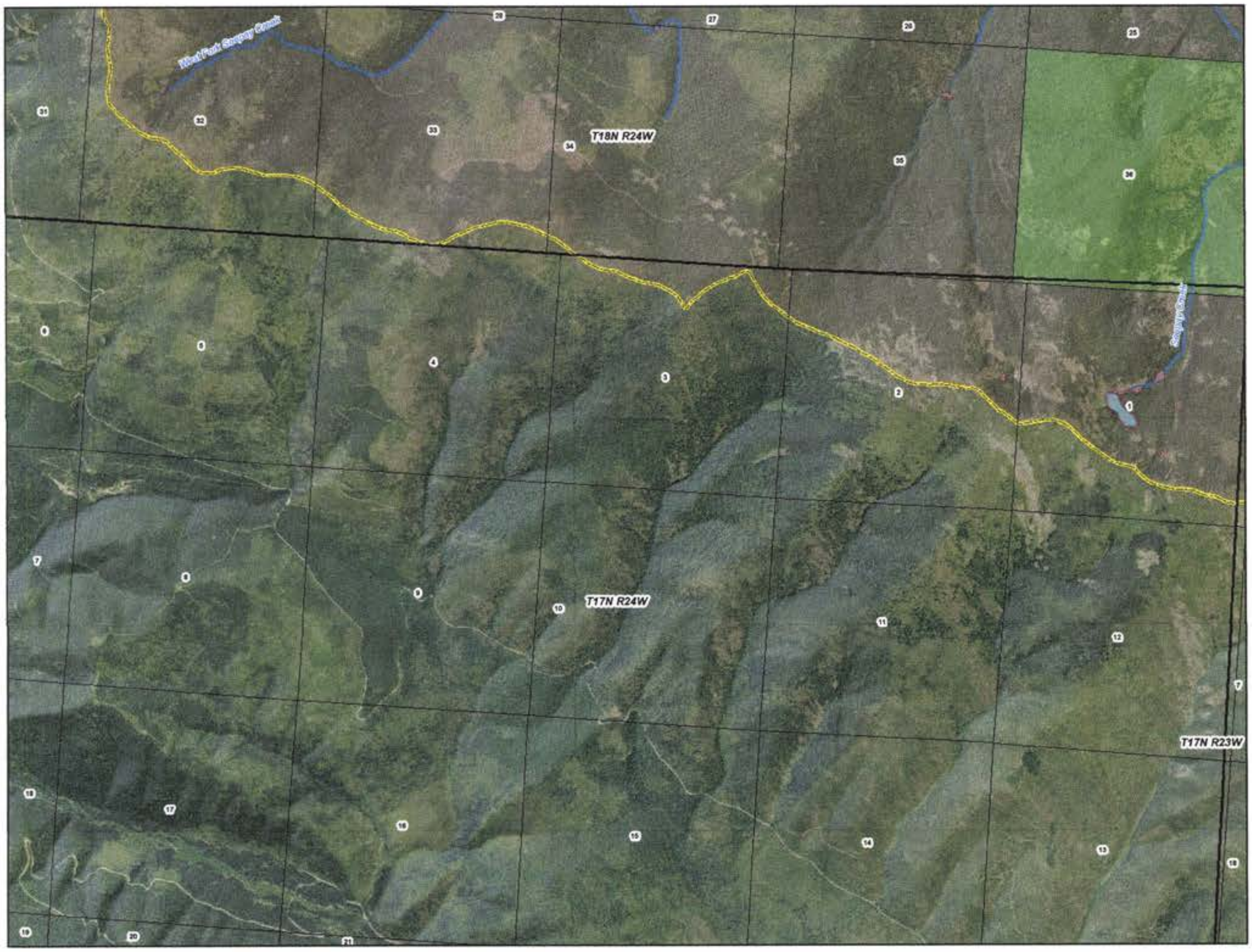
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


28
27
26
25
West Fork Seepay Creek
31
32
33
34
T18N R24W
35
36
6
5
4
3
2
1
7
8
9
10
T17N R24W
11
12
7
T17N R23W
18
17
16
15
14
13
18
19
20
21

Place of Use
CSKT Wetlands

76L
30052663

Exhibit 23

Area
of
Interest
Hot Springs
2
3
4
5
6
7
8
9
10
11
12
13
15
16
17
18
20
22
23
24
26
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

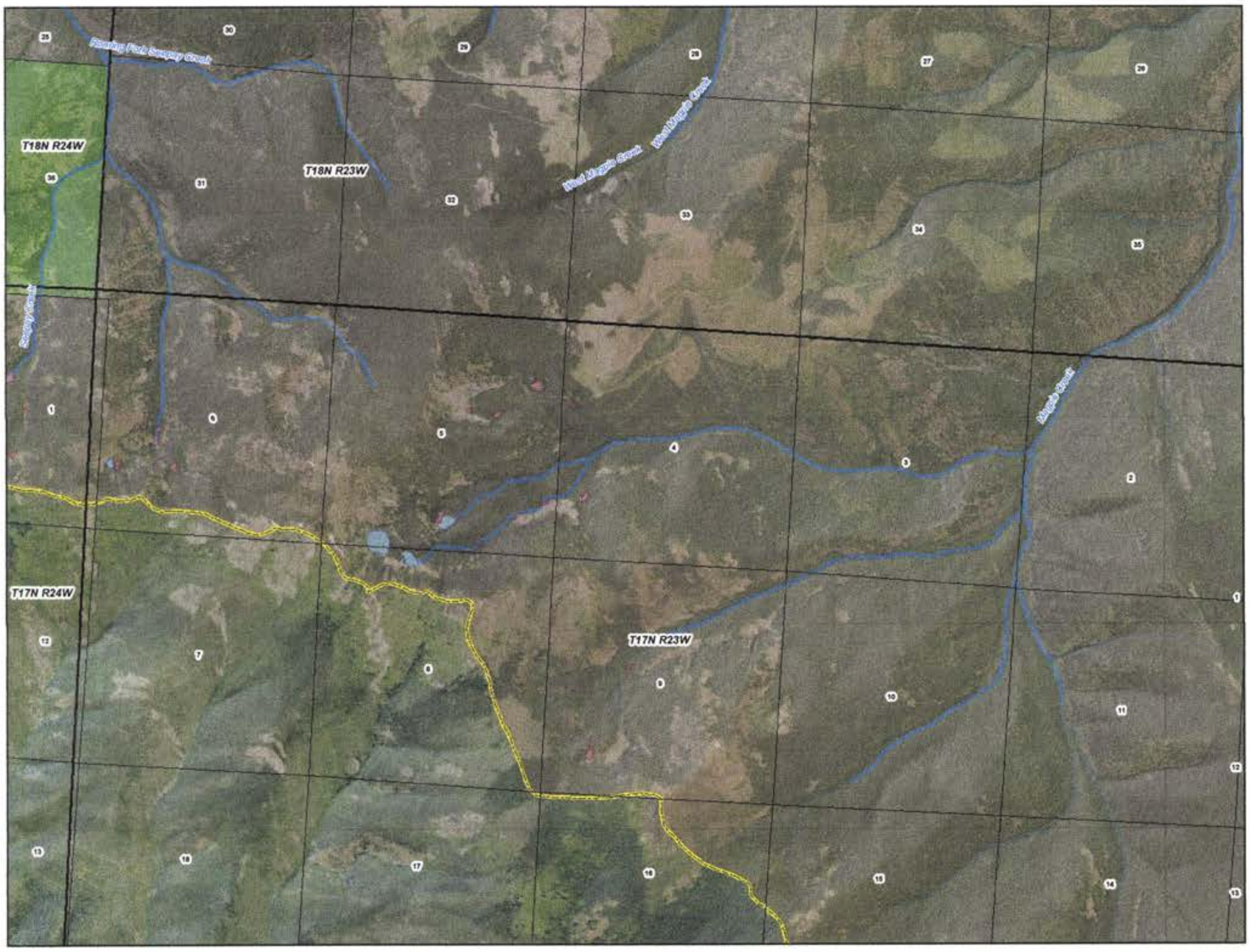
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


25
30
29
28
27
26
Roaring Fork Seepay Creek
West Magpie Creek
West Magpie Creek
T18N R24W
T18N R23W
36
31
32
33
34
35
Seepay Creek
1
6
5
4
3
2
Magpie Creek
1
T17N R24W
T17N R23W
12
7
8
9
10
11
12
13
18
17
16
15
14
13

Place of Use
CSKT Wetlands
76L
30052663
Exhibit 24

Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
13
15
16
17
18
20
22
23
24
26

Flathead Indian Reservation

Legend

🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

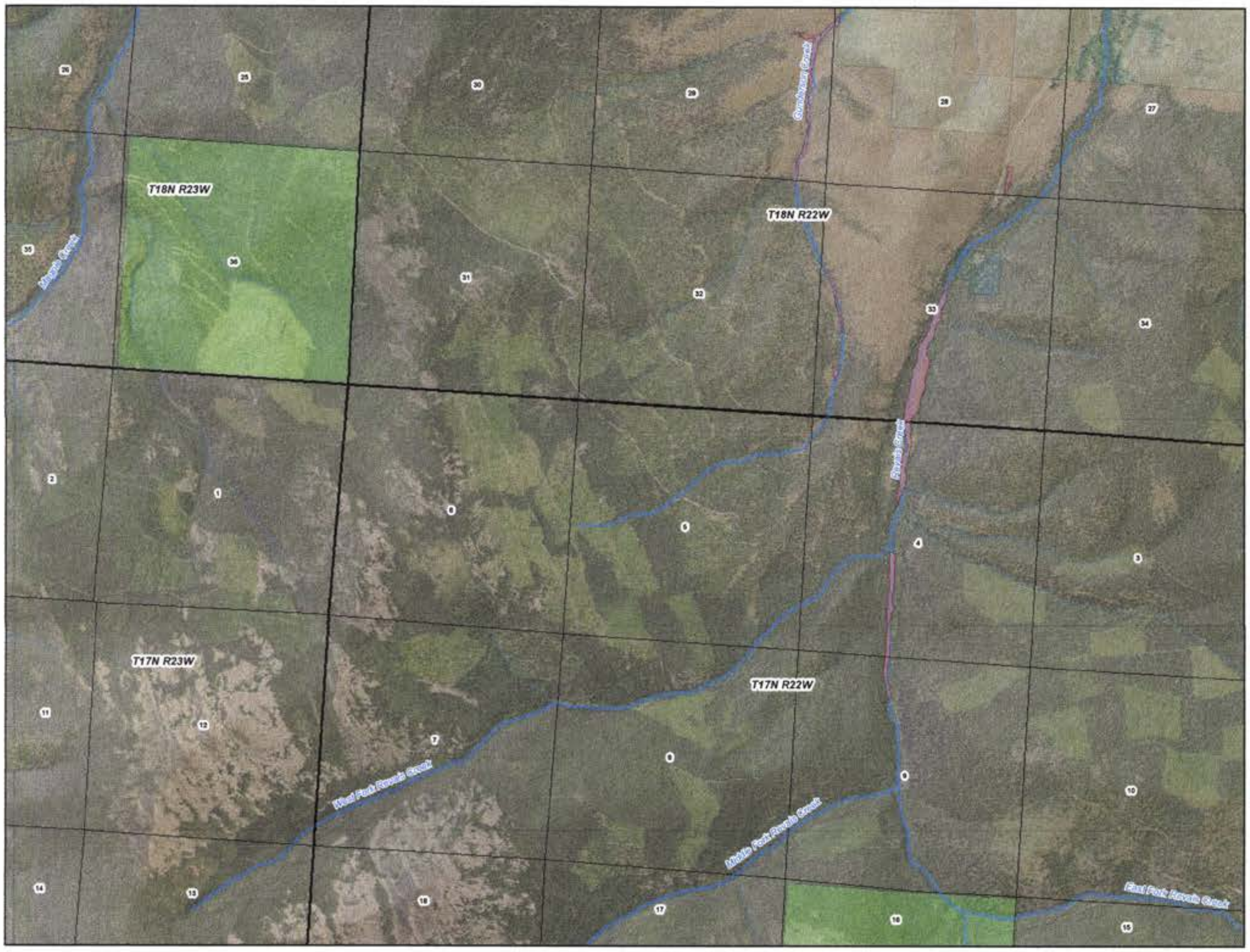
POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use

CSKT Wetlands

76L
30052663

Exhibit 25


25
26
30
29
28
27
T18N R23W
T18N R22W
35
36
31
32
33
34
2
1
6
5
Revais Creek
4
3
T17N R23W
T17N R22W
11
12
7
8
9
10
West Fork Revais Creek
Middle Fork Revais Creek
East Fork Revais Creek
14
13
18
17
16
15

Area
of
Interest
Hot
Springs
Pablo
St.
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
15
16
17
18
20
22
23
24
26

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

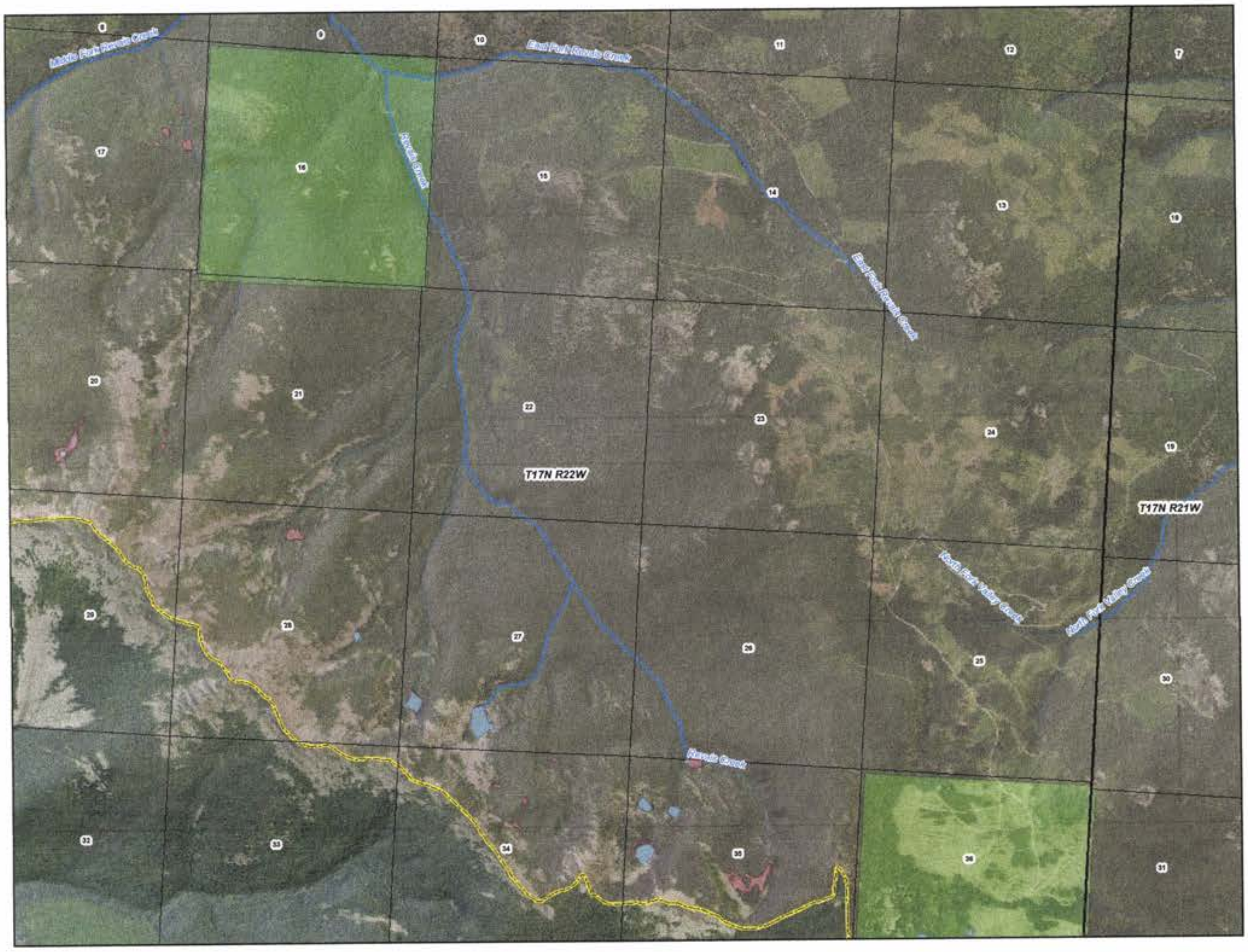
🟫 Tribal

🟦 Federal

🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


8
9
10
11
12
7
Middle Fork Revais Creek
East Fork Revais Creek
Revais Creek
17
16
15
14
13
18
20
21
22
23
24
19
T17N R22W
T17N R21W
North Fork Valley Creek
29
28
27
26
25
30
Revais Creek
32
33
34
35
36
31

Place of Use
CSKT Wetlands

76L
30052663

Exhibit 26

Area
of
Interest
Hot
Springs
Pablo
St.
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
15
16
17
18
20
21
22
23
24
26

Flathead Indian Reservation

Legend

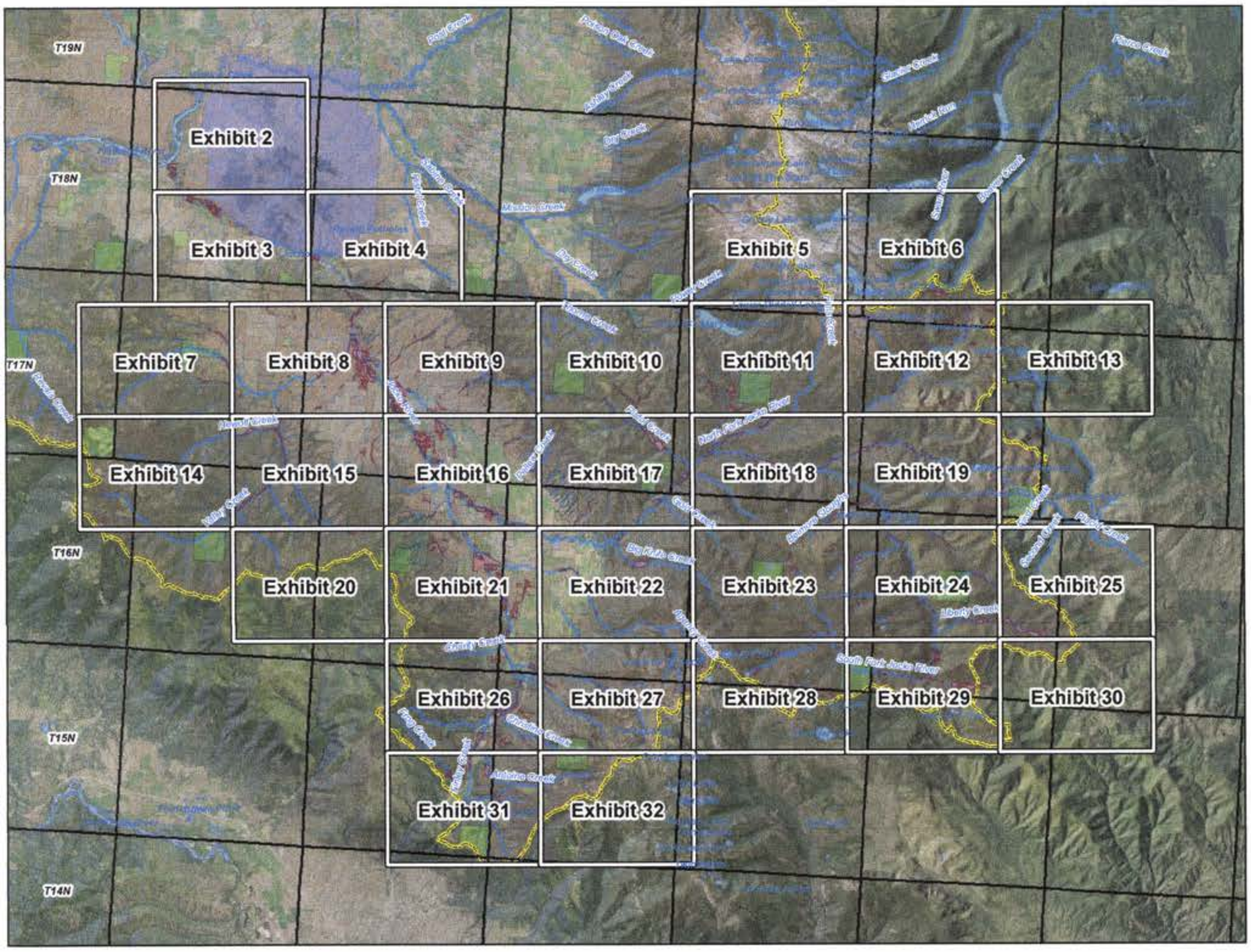
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N
T18N
T17N
T16N
T15N
T14N
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8
Exhibit 9
Exhibit 10
Exhibit 11
Exhibit 12
Exhibit 13
Exhibit 14
Exhibit 15
Exhibit 16
Exhibit 17
Exhibit 18
Exhibit 19
Exhibit 20
Exhibit 21
Exhibit 22
Exhibit 23
Exhibit 24
Exhibit 25
Exhibit 26
Exhibit 27
Exhibit 28
Exhibit 29
Exhibit 30
Exhibit 31
Exhibit 32
Mission Creek
Dry Creek
Big Knife Creek
Liberty Creek
South Fork Jocko River

Place of Use

CSKT Wetlands

76L 30052664

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

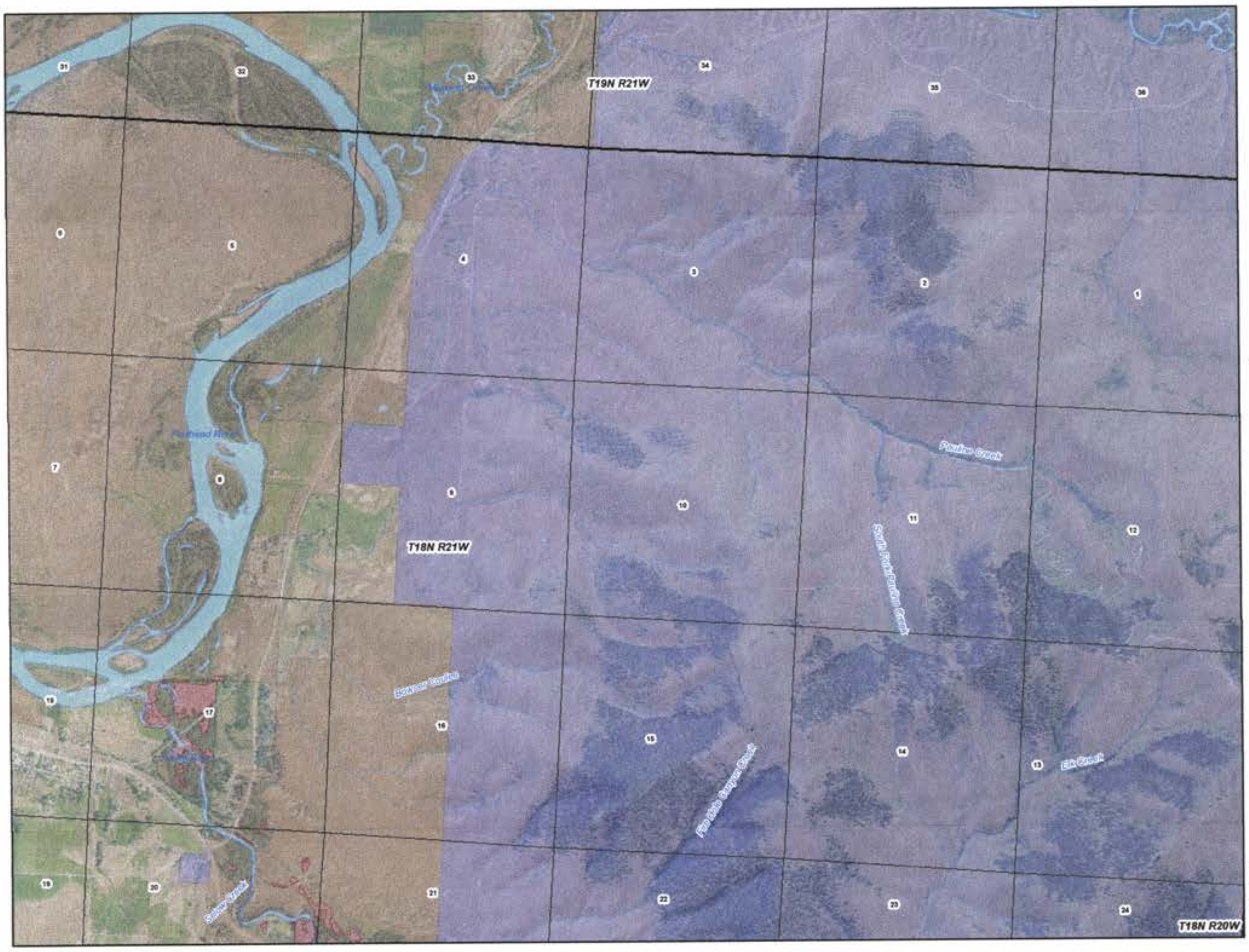
🟫 Tribal

🟦 Federal

🟩 State

0 1.75 3.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


31
32
33
T19N R21W
34
35
36
6
5
4
3
2
1
Flathead River
Pauline Creek
7
8
9
10
11
12
T18N R21W
South Fork Pauline Creek
18
17
16
15
14
13
Elk Creek
19
20
21
22
23
24
T18N R20W

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
20
21
25
27
28
30
31
32

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

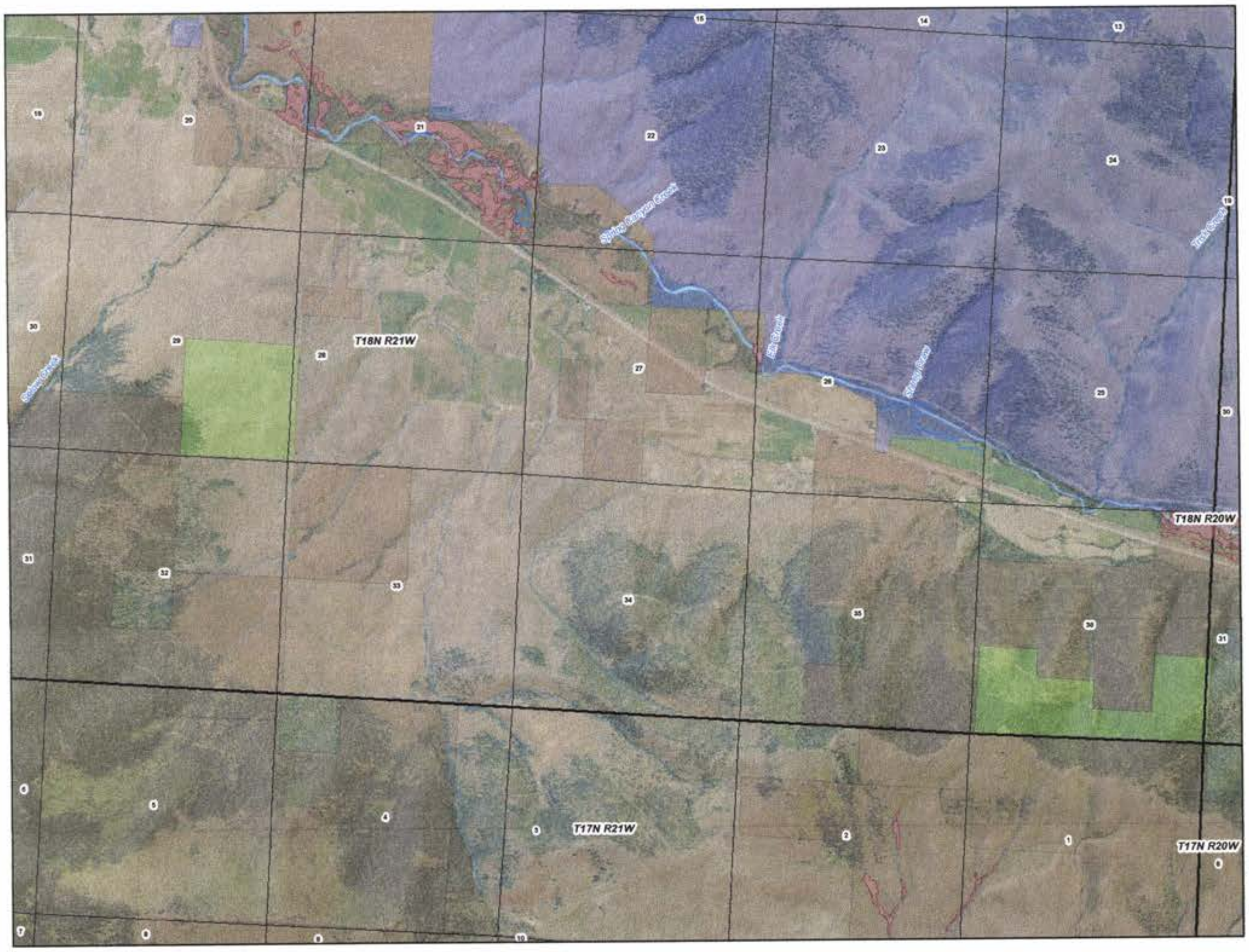
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


15
14
13
19
20
21
22
23
24
19
Spring Canyon Creek
Elk Creek
30
29
T18N R21W
28
27
26
25
30
T18N R20W
31
32
33
34
35
36
31
6
5
4
3
T17N R21W
2
1
T17N R20W
6
7
8
9
10

Place of Use
CSKT Wetlands

76L
30052664

Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

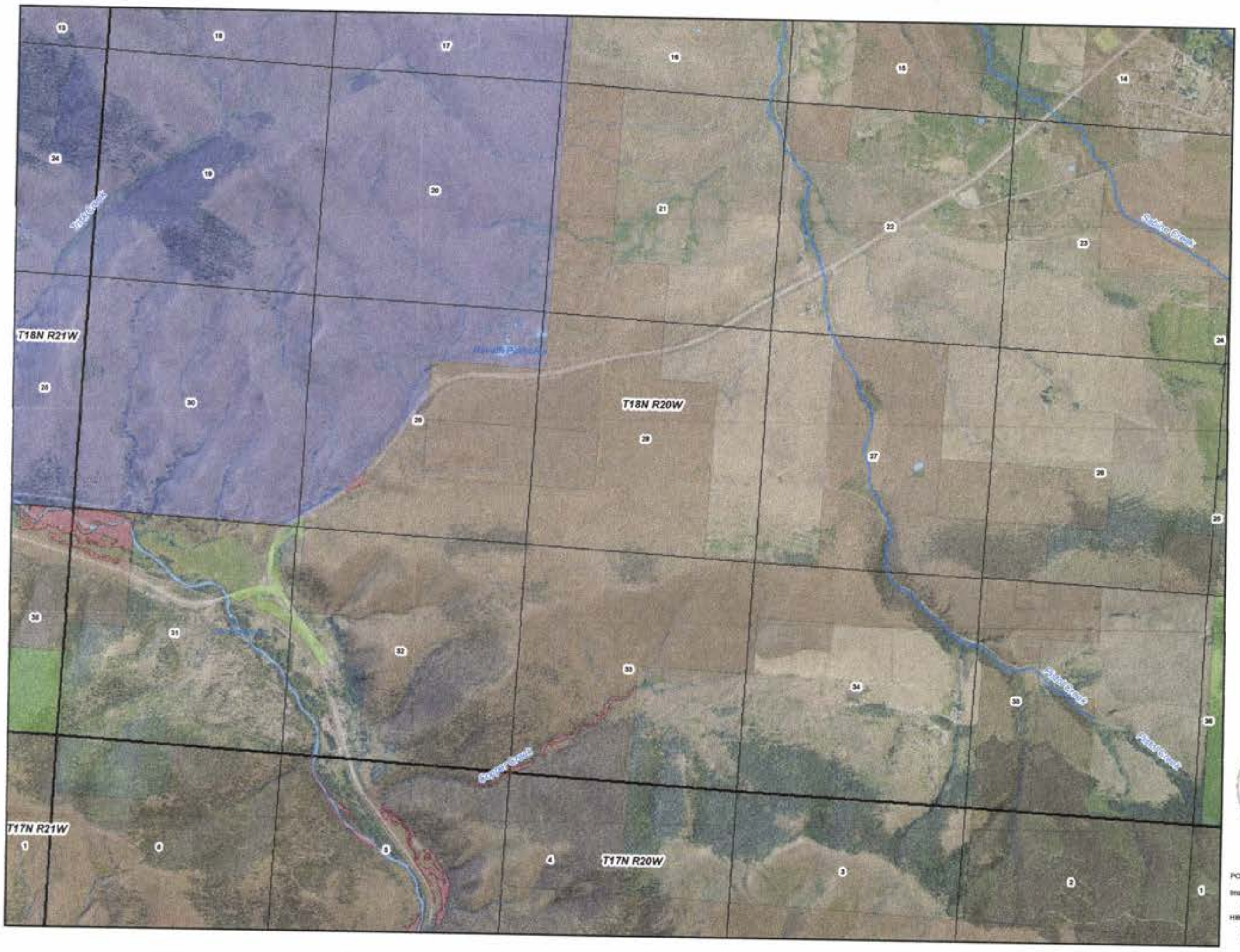
▨ Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


13
18
17
16
15
14
24
19
20
21
22
23
T18N R21W
25
30
29
T18N R20W
28
27
26
24
25
36
31
32
33
34
35
36
T17N R21W
1
6
5
4
T17N R20W
3
2
1

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
19
20
21
25
27
28
30
31
32

Flathead Indian Reservation

Legend

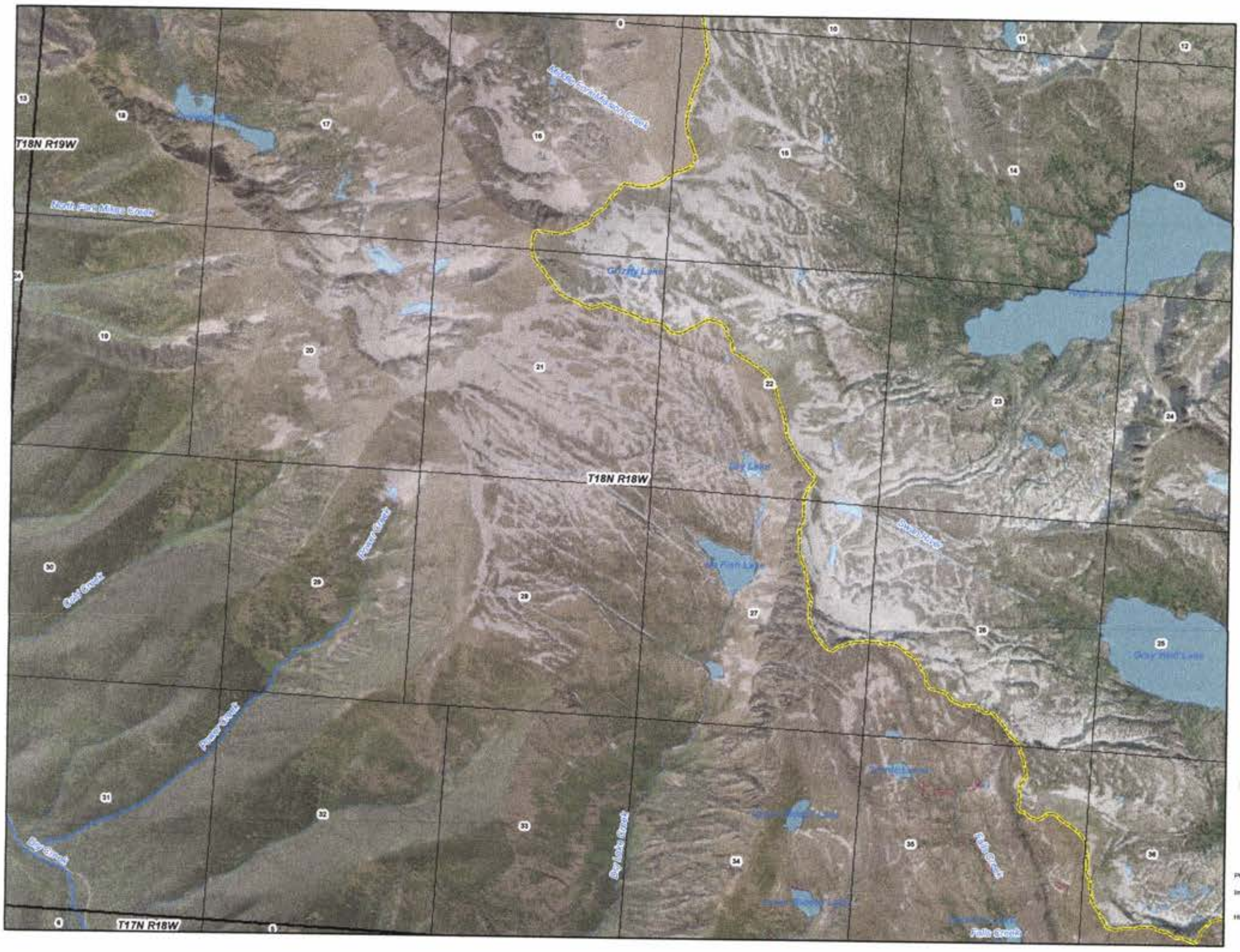
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R19W
North Fork Mission Creek
Middle Fork Mission Creek
Grizzly Lake
T18N R18W
Dry Lake
Gray Wolf Lake
Cold Creek
Dry Lake Creek
Falls Creek
T17N R18W
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 5

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

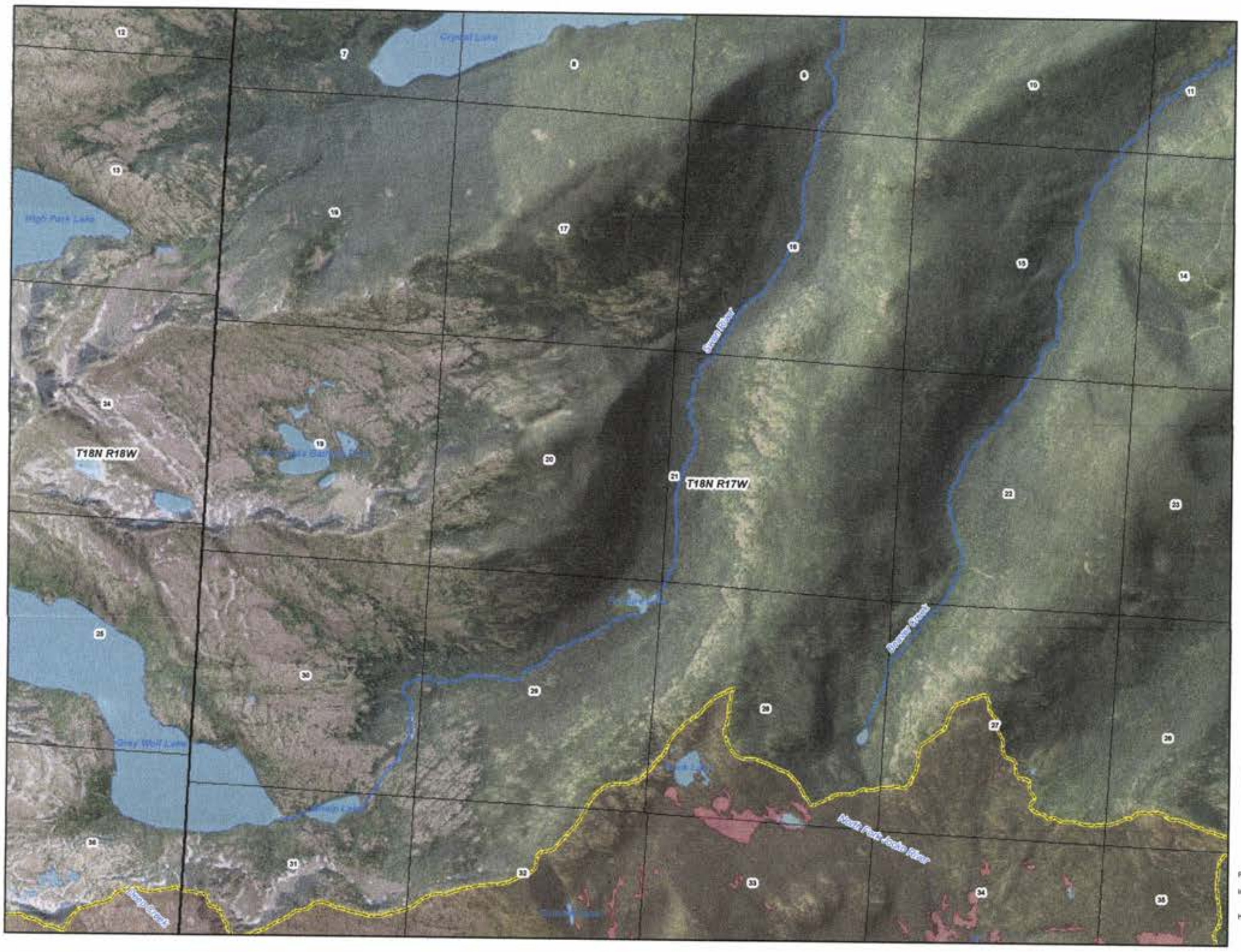
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


12
7
Crystal Lake
8
9
10
11
13
High Park Lake
18
17
16
Swan River
15
14
24
T18N R18W
19
20
21
T18N R17W
22
23
25
30
29
28
Beaver Creek
27
26
Grey Wolf Lake
North Fork Jocko River
36
31
32
33
34
35

Place of Use

CSKT Wetlands

76L 30052664

Exhibit 6

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

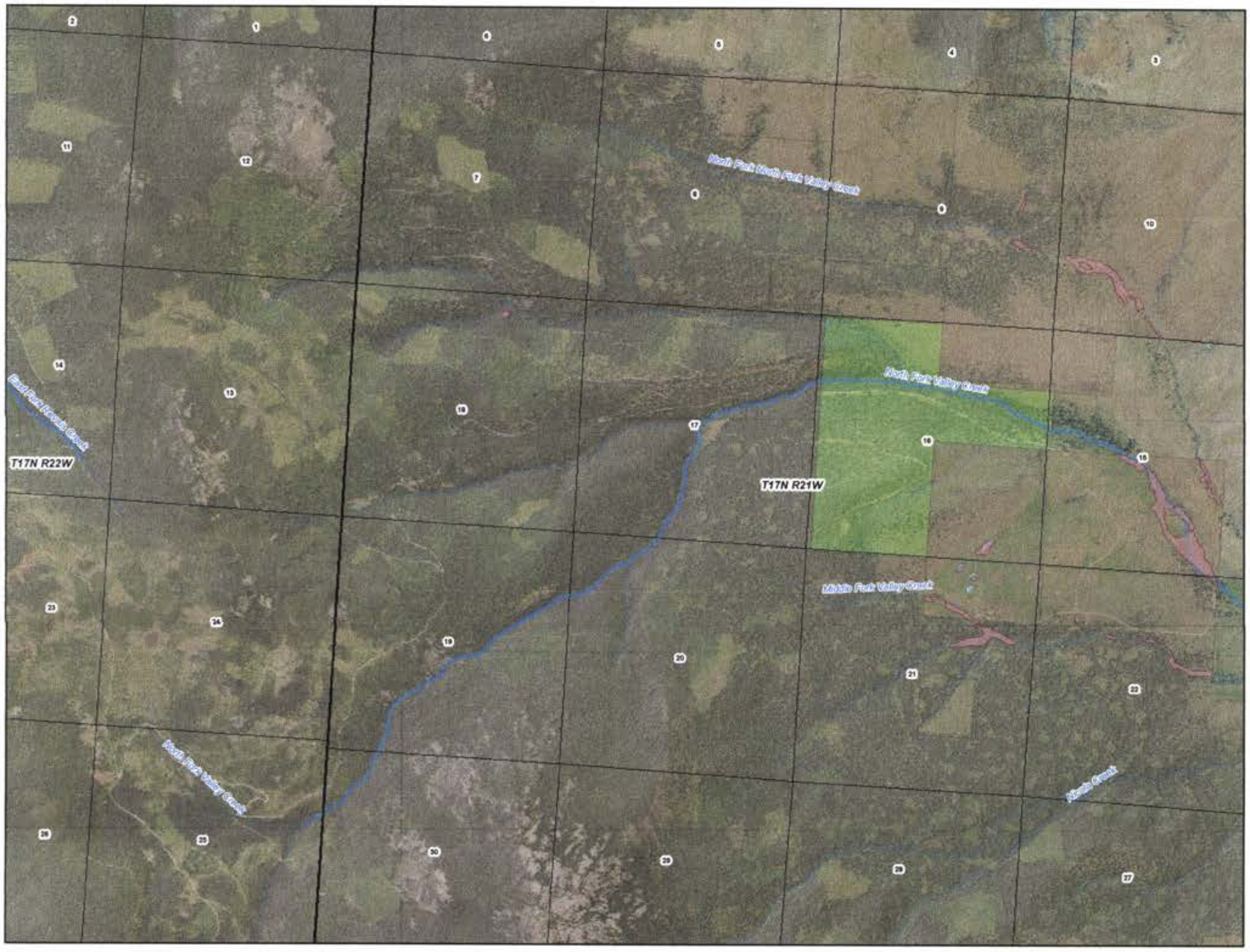
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


2
1
6
5
4
3
11
12
7
8
9
10
North Fork North Fork Valley Creek
14
13
18
17
16
15
East Fork Revais Creek
T17N R22W
North Fork Valley Creek
T17N R21W
23
24
19
20
21
22
Middle Fork Valley Creek
North Fork Valley Creek
26
25
30
29
28
27

Place of Use
CSKT Wetlands

76L
30052664

Exhibit 7

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
2
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
19
20
21
22
25
28
30
32

Flathead Indian Reservation

Legend

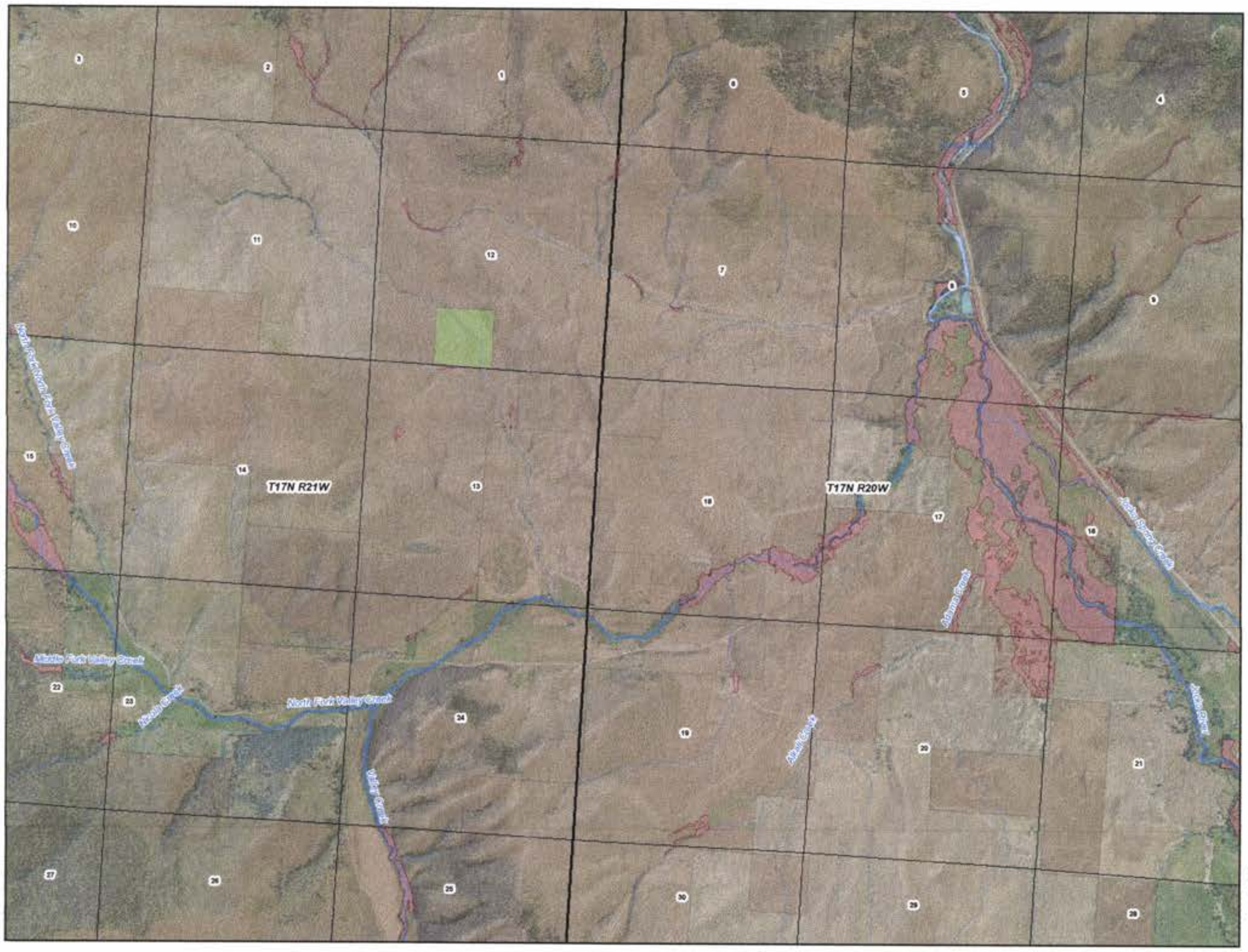
🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


3
2
1
6
5
4
10
11
12
7
8
9
15
14
13
18
17
16
T17N R21W
T17N R20W
Middle Fork Valley Creek
North Fork Valley Creek
Valley Creek
Adams Creek
22
23
24
19
20
21
27
26
25
30
29
28

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 8

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
2
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
19
20
21
25
27
28
30
31
32

Flathead Indian Reservation

Legend

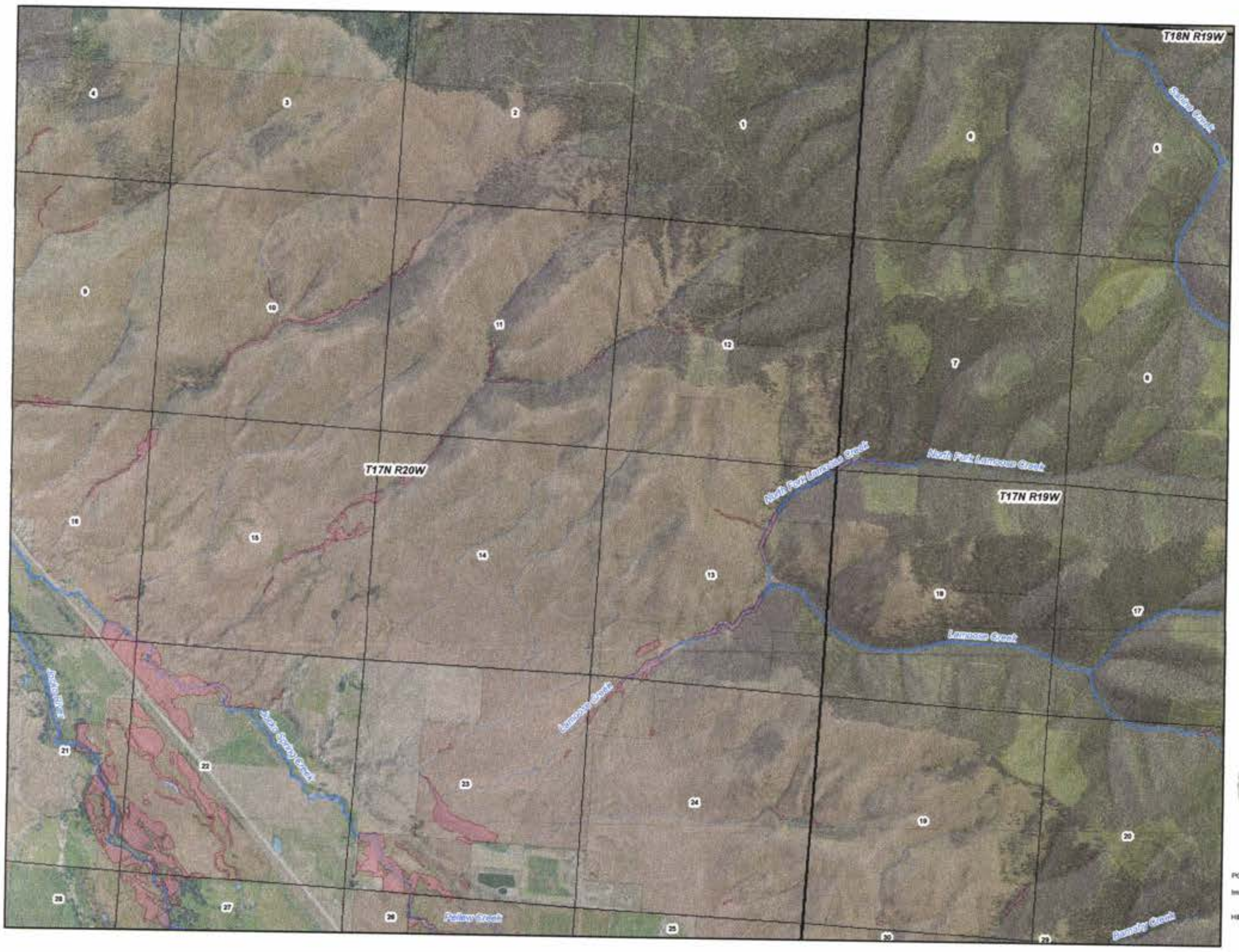
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R19W
T17N R20W
T17N R19W
North Fork Lemoose Creek
Lemoose Creek
4
3
2
1
6
5
9
10
11
12
7
8
16
15
14
13
18
17
21
22
23
24
19
20
28
27
26
25
30
29

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 9

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

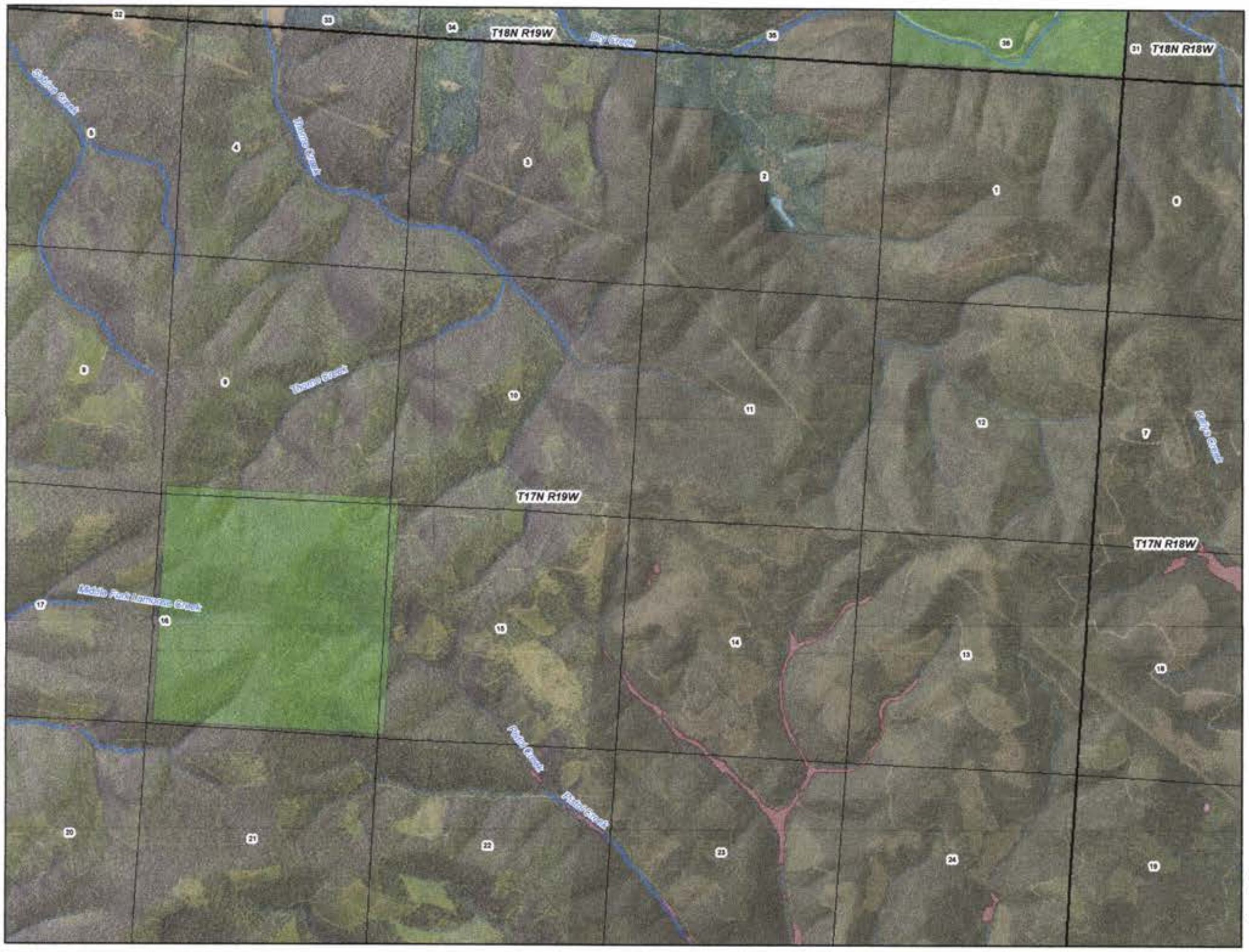
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


32
33
34
T18N R19W
Dry Creek
35
36
31
T18N R18W
5
4
3
2
1
6
8
9
10
11
12
7
T17N R19W
T17N R18W
17
16
15
14
13
18
20
21
22
23
24
19

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 10

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▢ Reservation Boundary

Land Owner

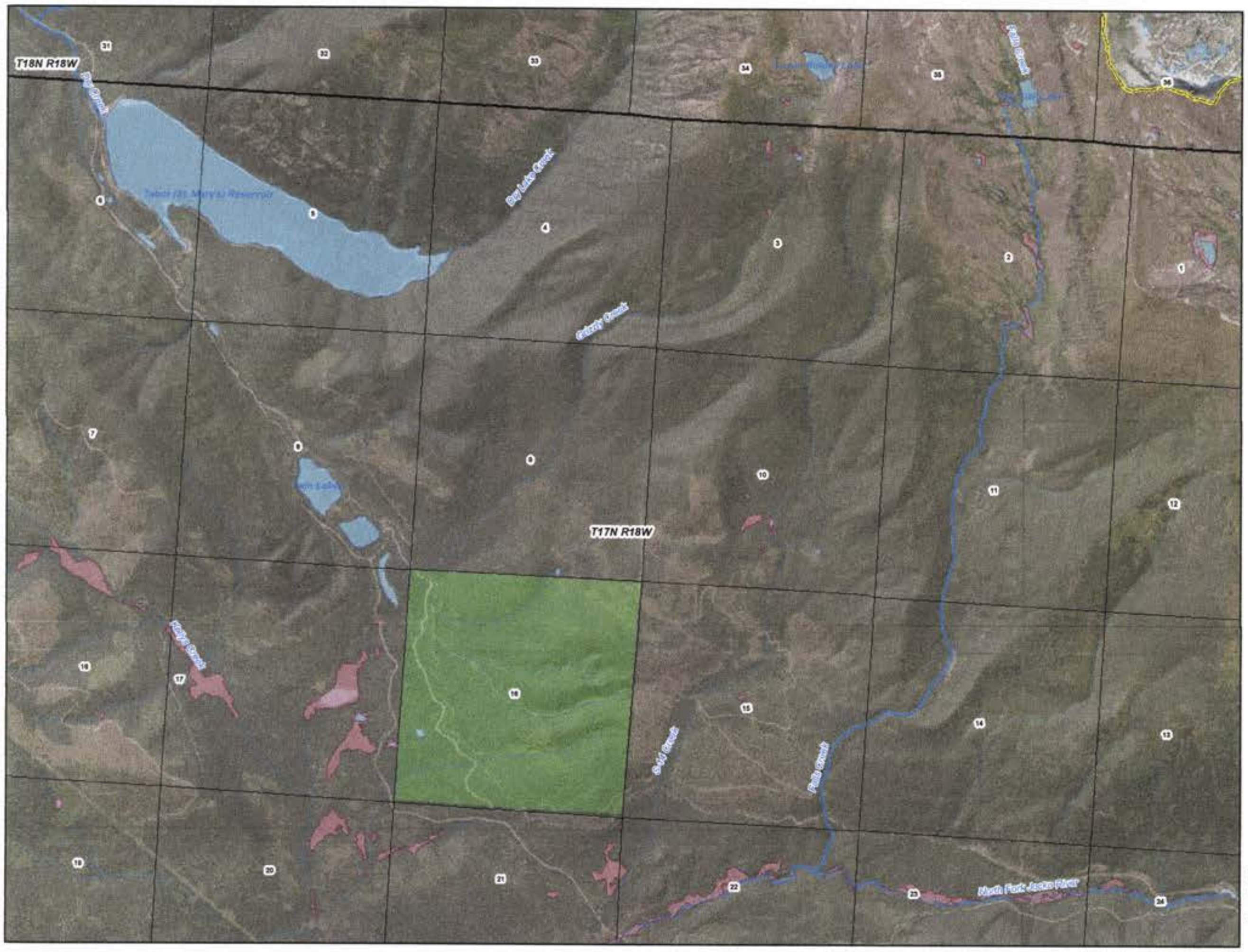
🟫 Tribal

🟦 Federal

🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R18W
T17N R18W
Tabor (St. Mary's) Reservoir
Dry Lake Creek
Grizzly Creek
Falls Creek
North Fork Jocko River
31
32
33
34
35
36
6
5
4
3
2
1
7
8
9
10
11
12
18
17
16
15
14
13
19
20
21
22
23
24

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 11

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

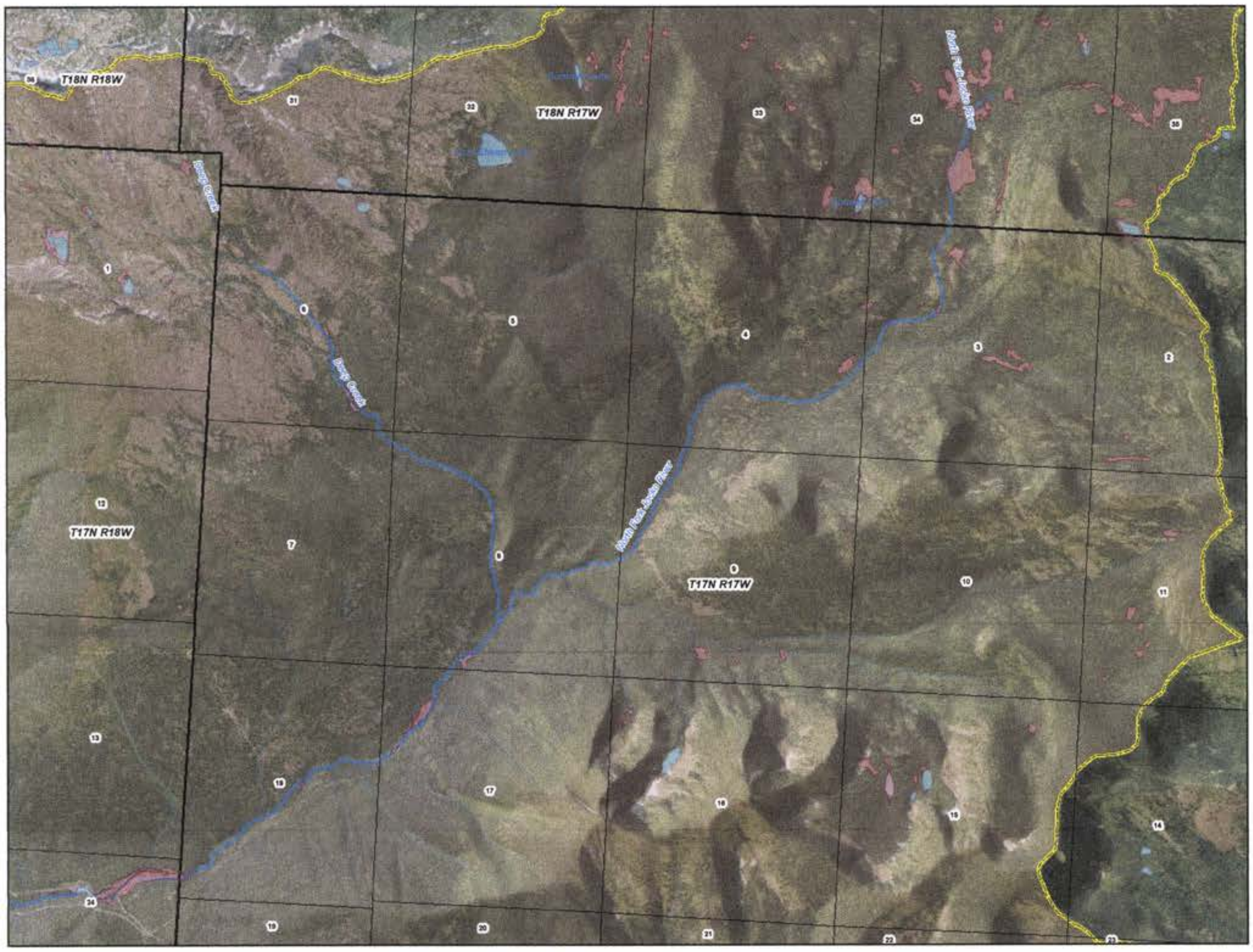
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands (available at nris.mt.gov)

Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library

Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R18W
T18N R17W
T17N R18W
T17N R17W
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11
13
18
17
16
15
14
24
19
20
21
22
23
North Fork Jocko River

Place of Use

CSKT Wetlands

76L 30052664

Exhibit 12

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

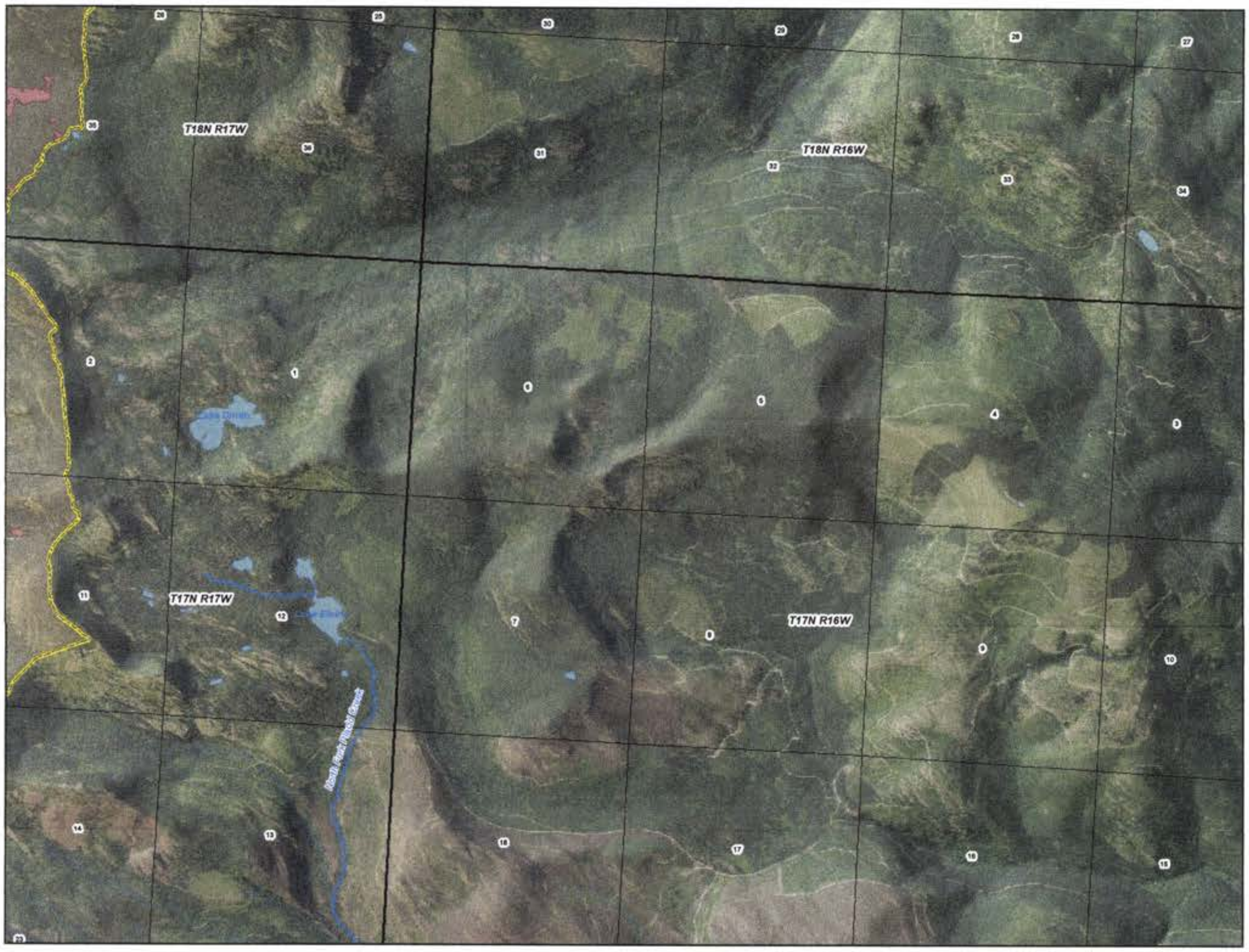
▇ Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


26
25
30
29
28
27
35
T18N R17W
36
31
T18N R16W
32
33
34
2
1
6
5
4
3
11
T17N R17W
12
7
8
T17N R16W
9
10
14
13
18
17
16
15
23

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 13

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

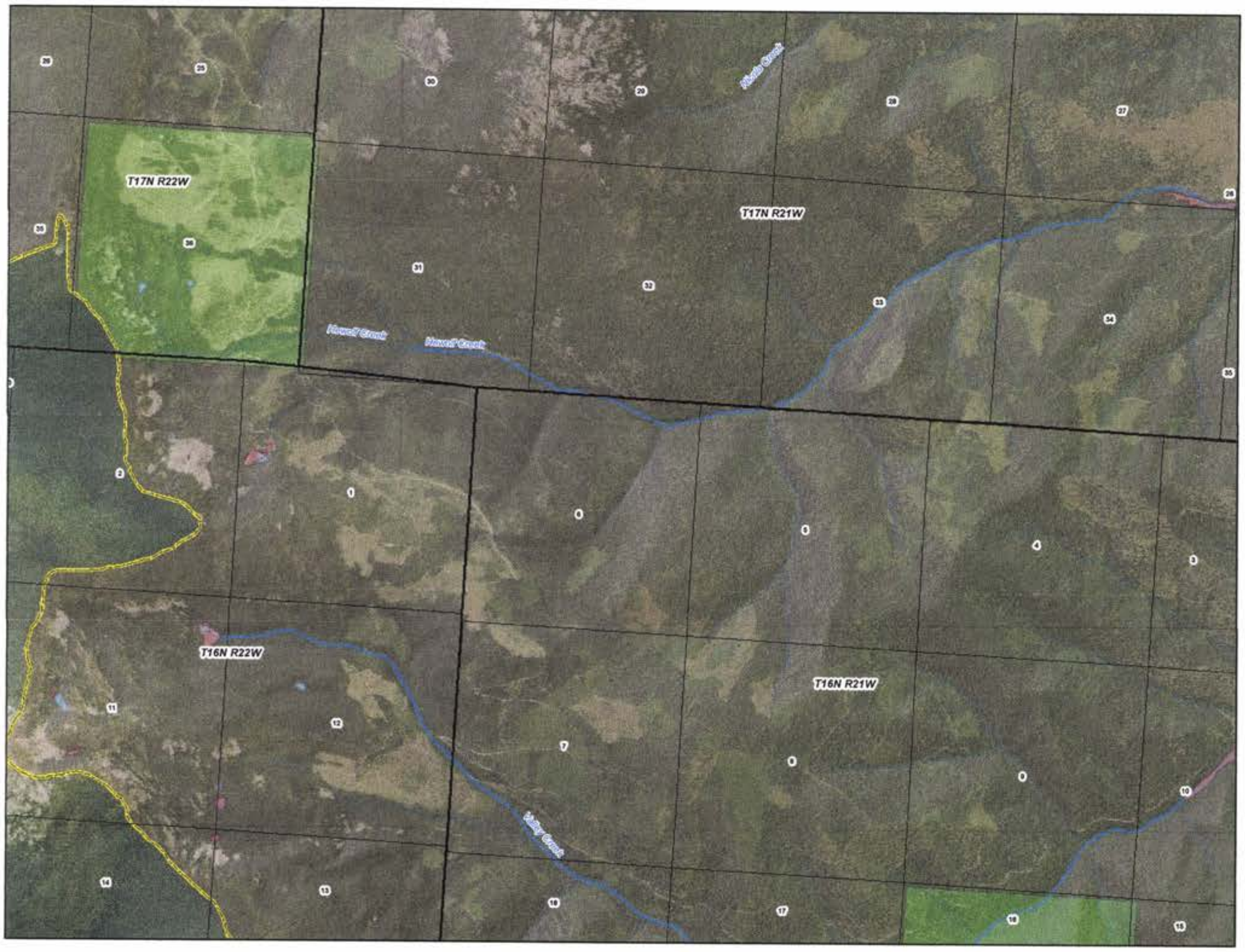
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T17N R22W
T17N R21W
T16N R22W
T16N R21W
Howell Creek
Howell Creek
Valley Creek

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 14

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

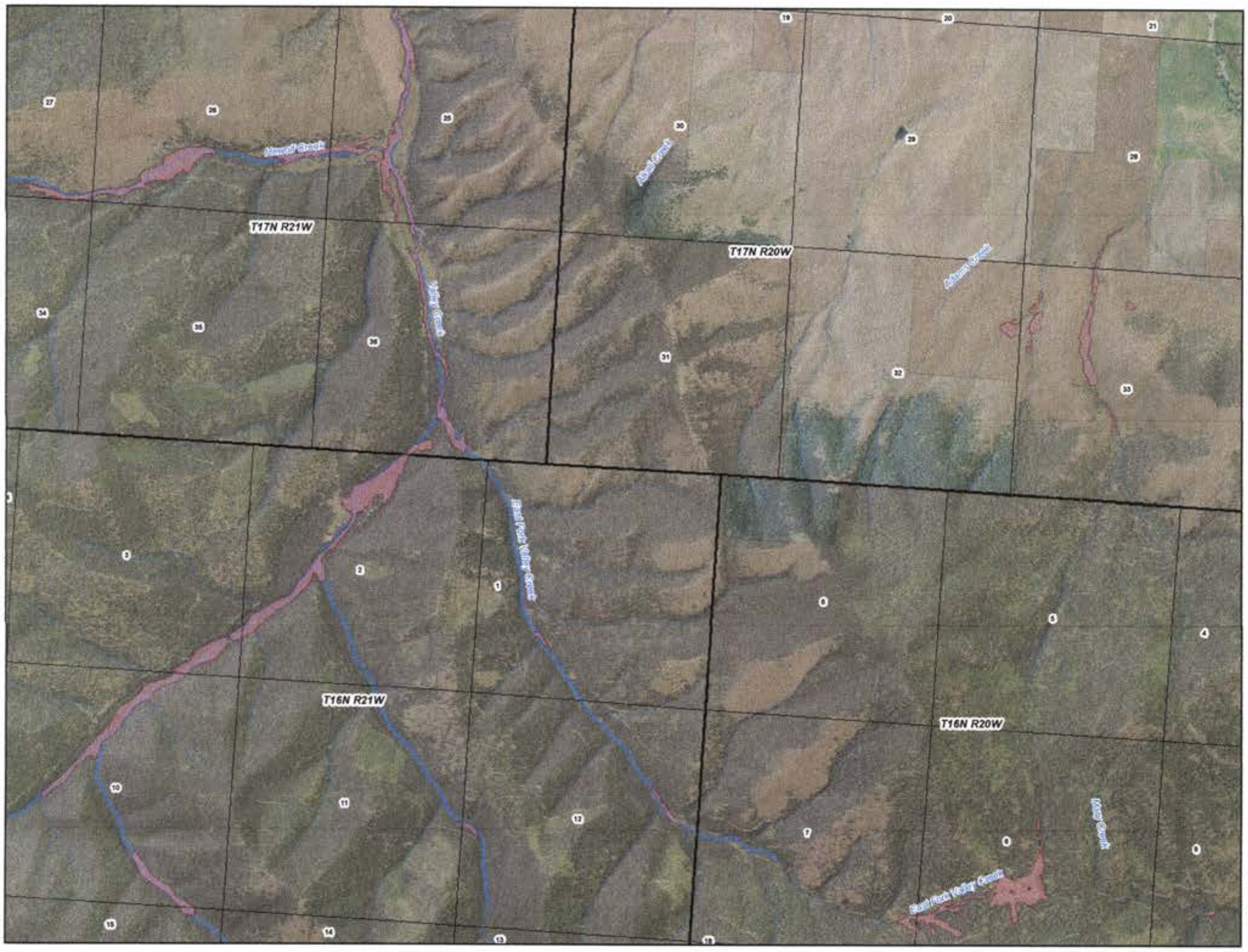
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


27
26
25
30
29
28
19
20
21
Valley Creek
T17N R21W
T17N R20W
34
35
36
31
32
33
3
2
1
6
5
4
East Fork Valley Creek
T16N R21W
T16N R20W
10
11
12
7
8
9
15
14
13
18

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 15

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
25
27
28
30
31
32

Flathead Indian Reservation

Legend

🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

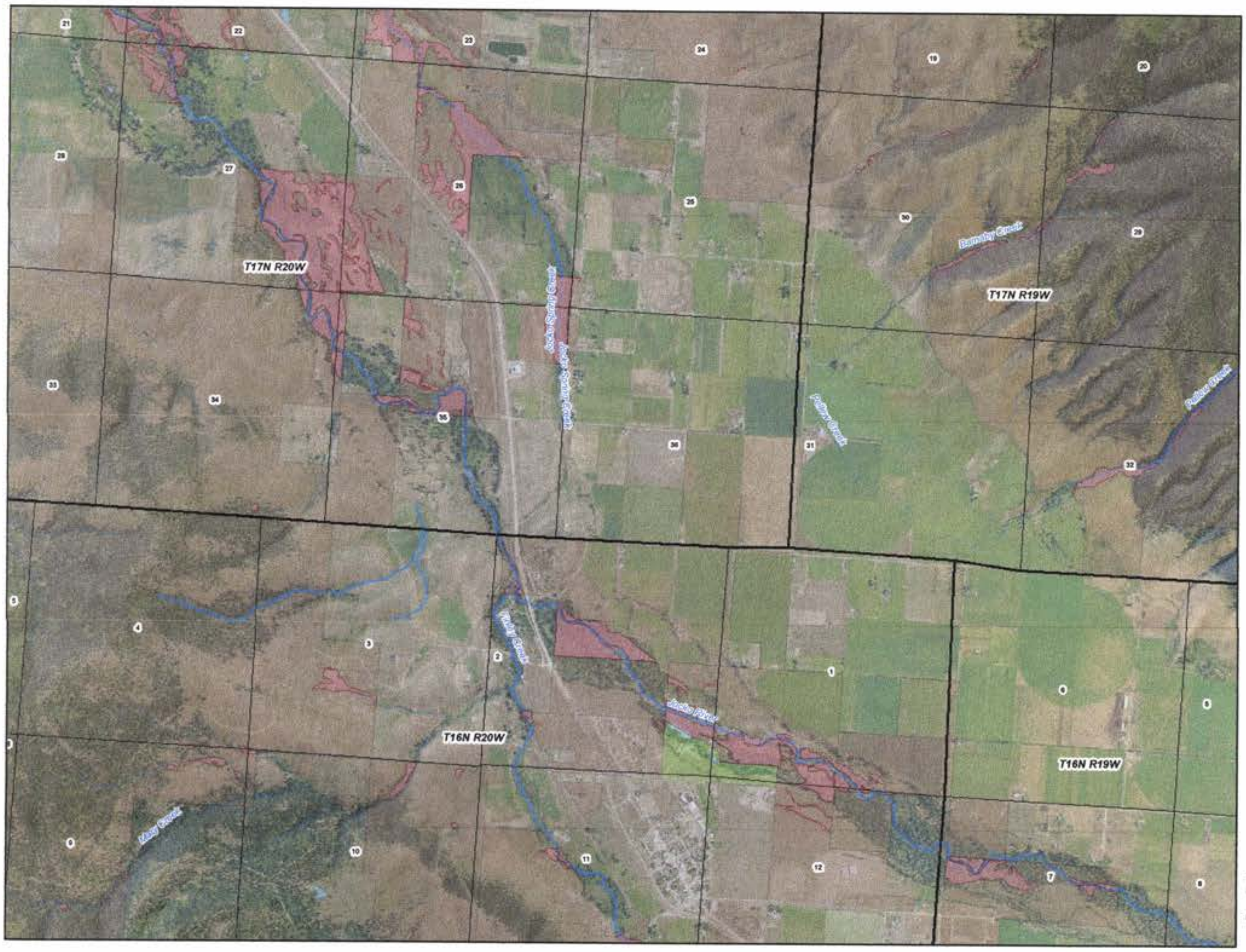
POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 16


T17N R20W
T17N R19W
T16N R20W
T16N R19W

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

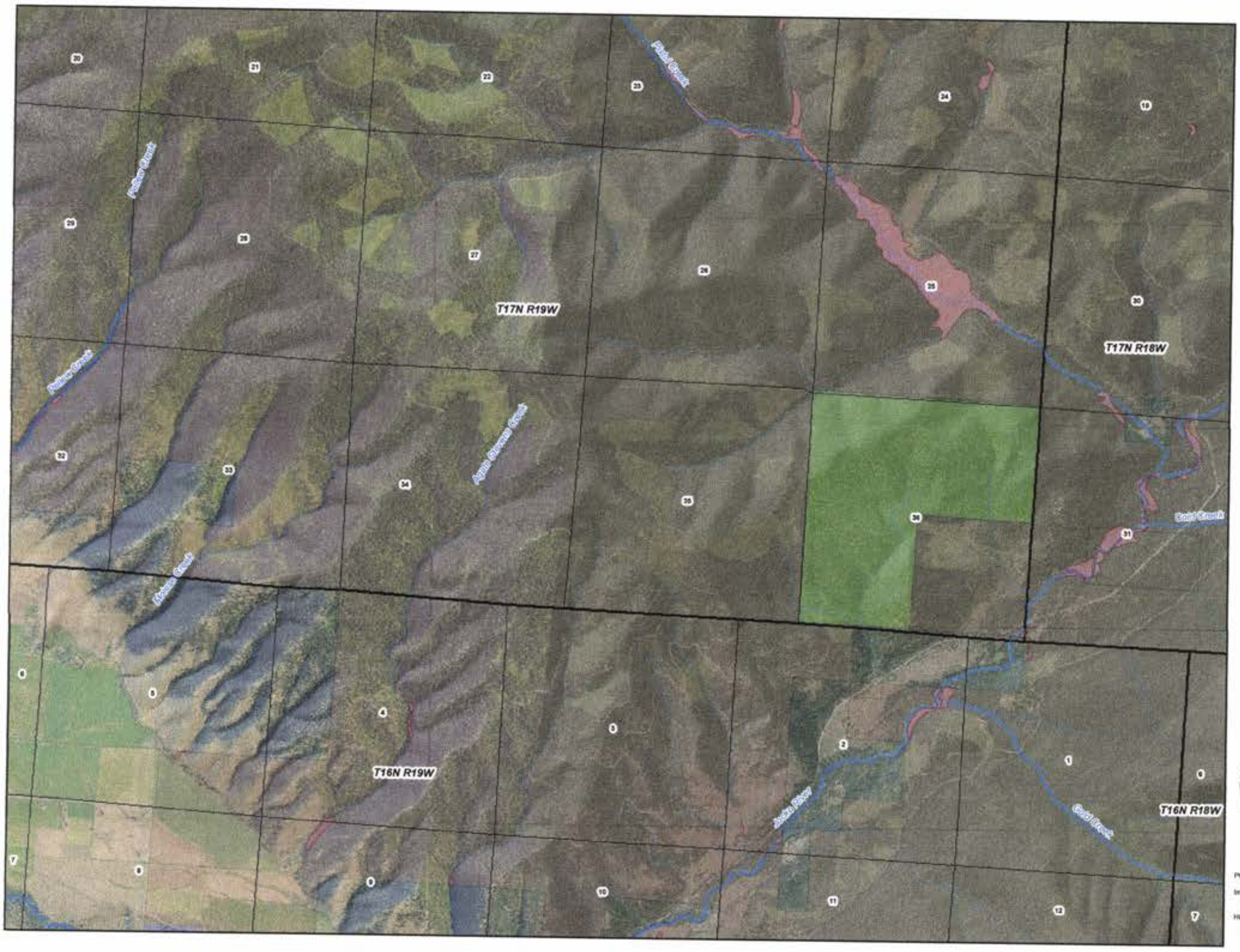
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T17N R19W
T17N R18W
T16N R19W
T16N R18W
Jocko River
Gold Creek

Place of Use
CSKT Wetlands

76L
30052664

Exhibit 17

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
17

Flathead Indian Reservation

Legend

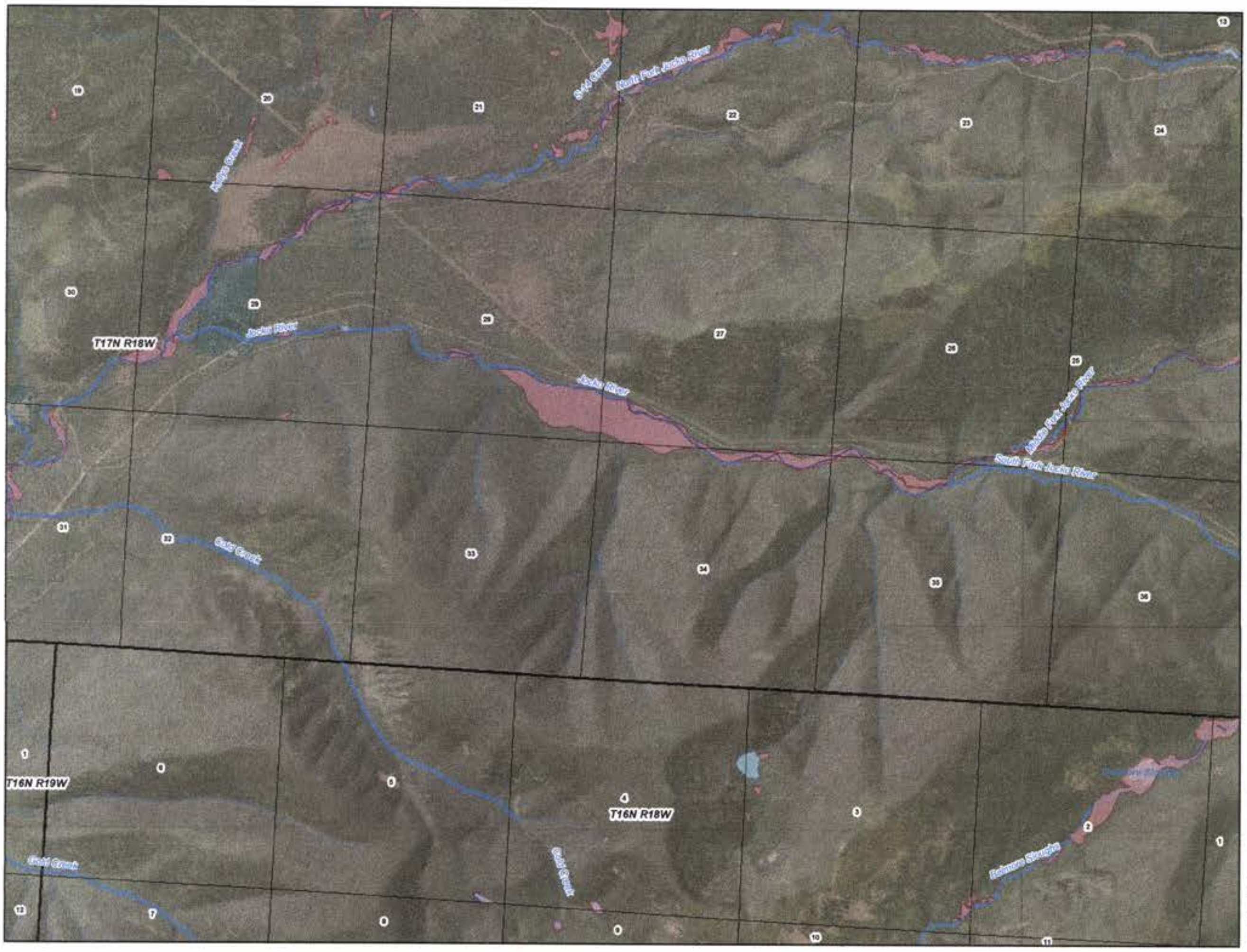
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


13
North Fork Jocko River
S-14 Creek
19
20
21
22
23
24
Kelly Creek
30
29
28
27
26
25
T17N R18W
Jocko River
Jocko River
Middle Fork Jocko River
South Fork Jocko River
31
32
Gold Creek
33
34
35
36
1
6
5
4
3
2
1
T16N R19W
T16N R18W
Gold Creek
Gold Creek
Belmore Slough
12
7
8
9
10
11

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 18

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
2
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
19
20
21
22
25
28
30
31
32

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

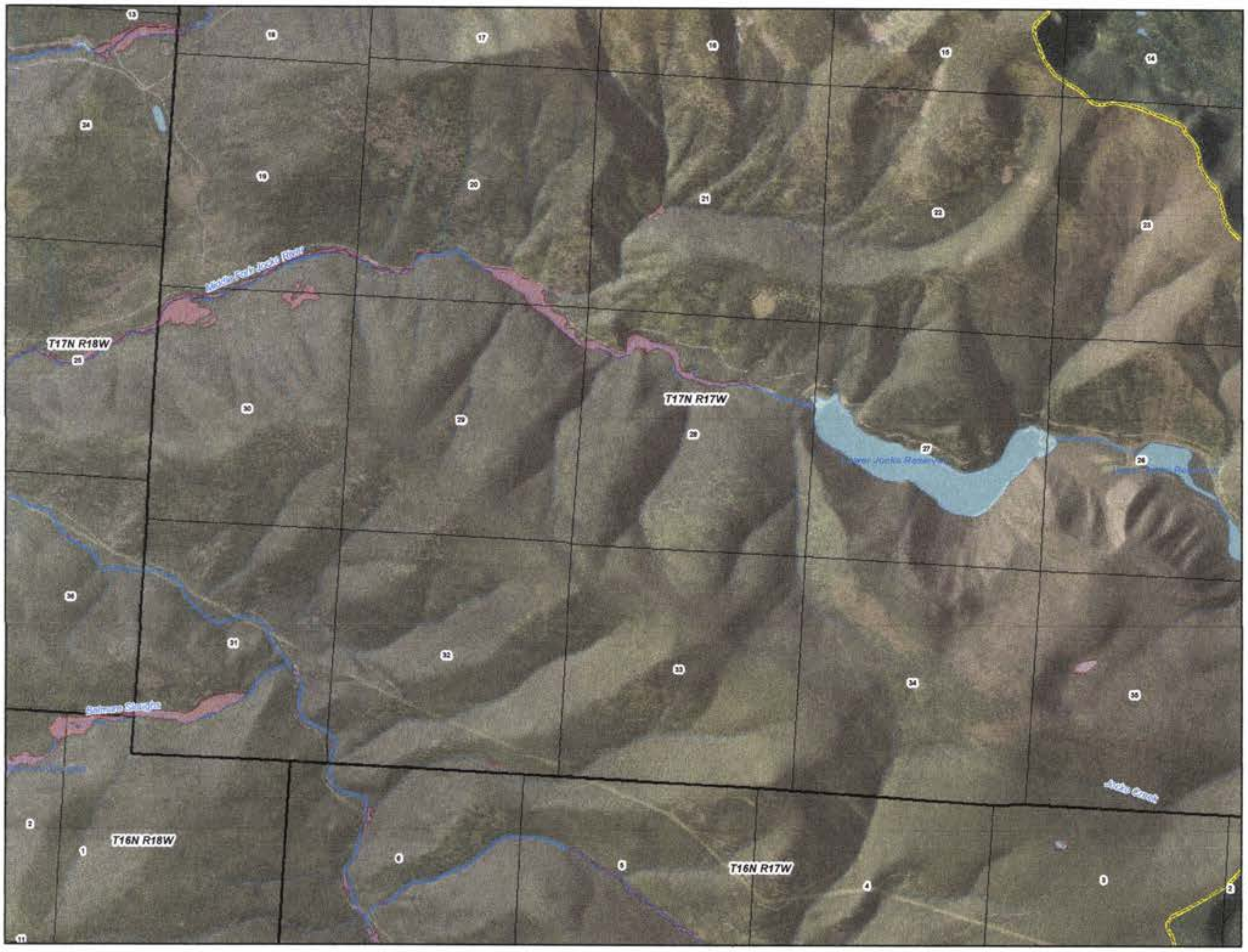
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T17N R18W
T17N R17W
T16N R18W
T16N R17W
Middle Fork Jocko River
Lower Jocko Reservoir
Jocko Creek

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 19

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

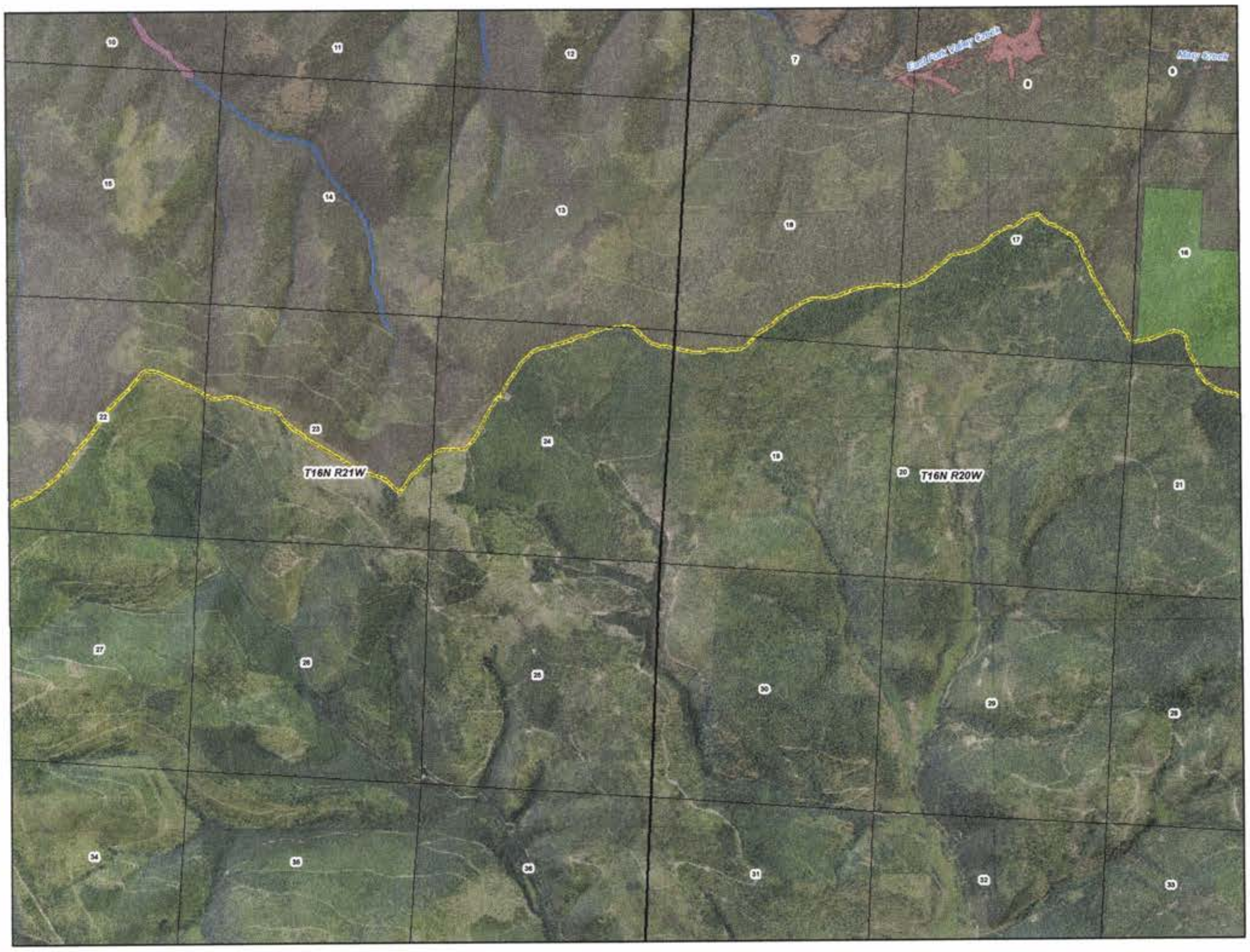
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


East Fork Valley Creek
Mary Creek
10
11
12
7
8
9
15
14
13
18
17
16
22
23
24
19
20
21
T16N R21W
T16N R20W
27
26
25
30
29
28
34
35
36
31
32
33

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 20

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

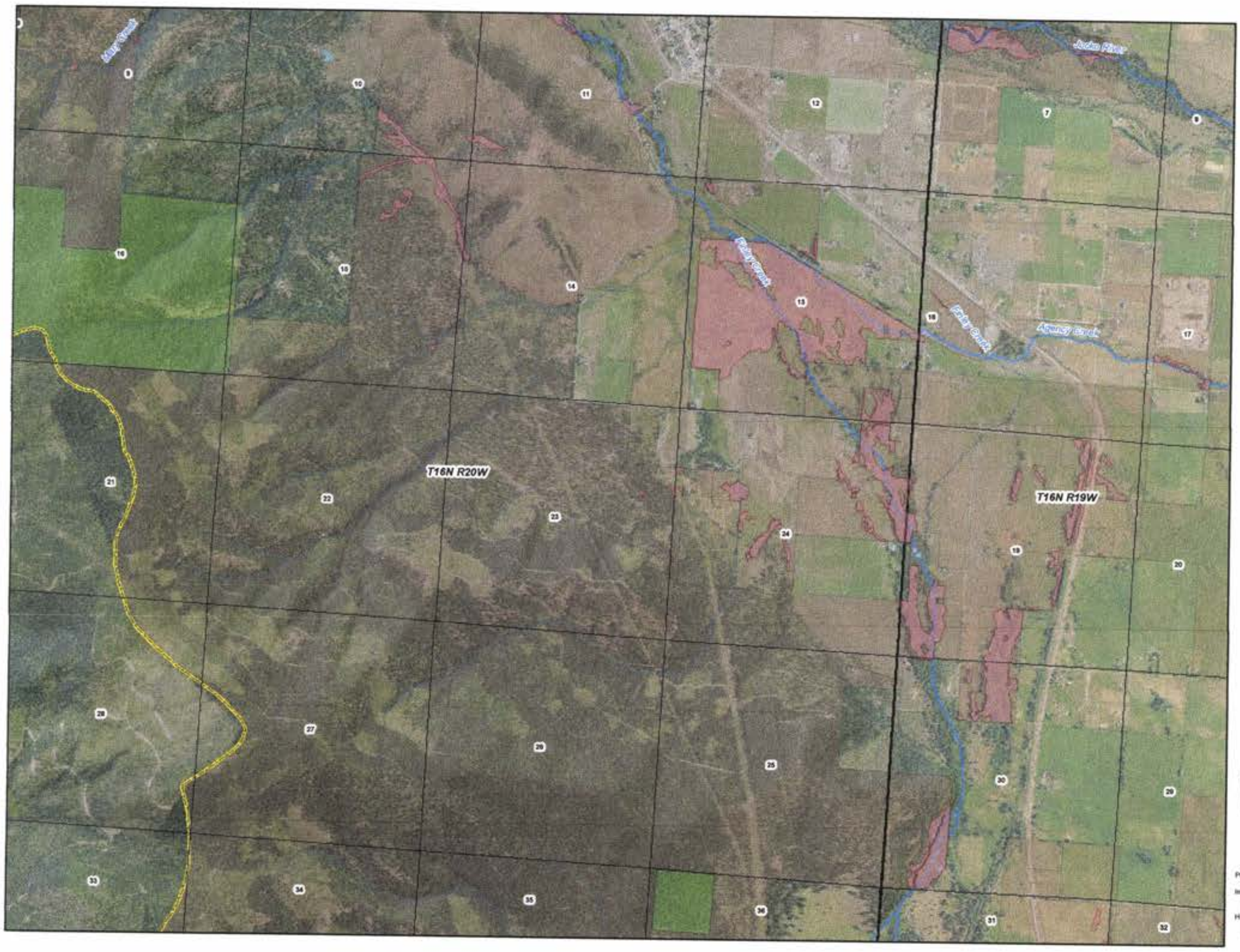
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


9
10
11
12
7
8
Jocko River
16
15
14
13
18
17
Agency Creek
T16N R20W
T16N R19W
21
22
23
24
19
20
28
27
26
25
30
29
33
34
35
36
31
32

Place of Use
CSKT Wetlands

76L
30052664

Exhibit 21

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius
3
2
4
5
6
12
13
7
8
9
10
11
14
15
17
16
18
19
25
20
21
24
28
30
31
32

Flathead Indian Reservation

Legend

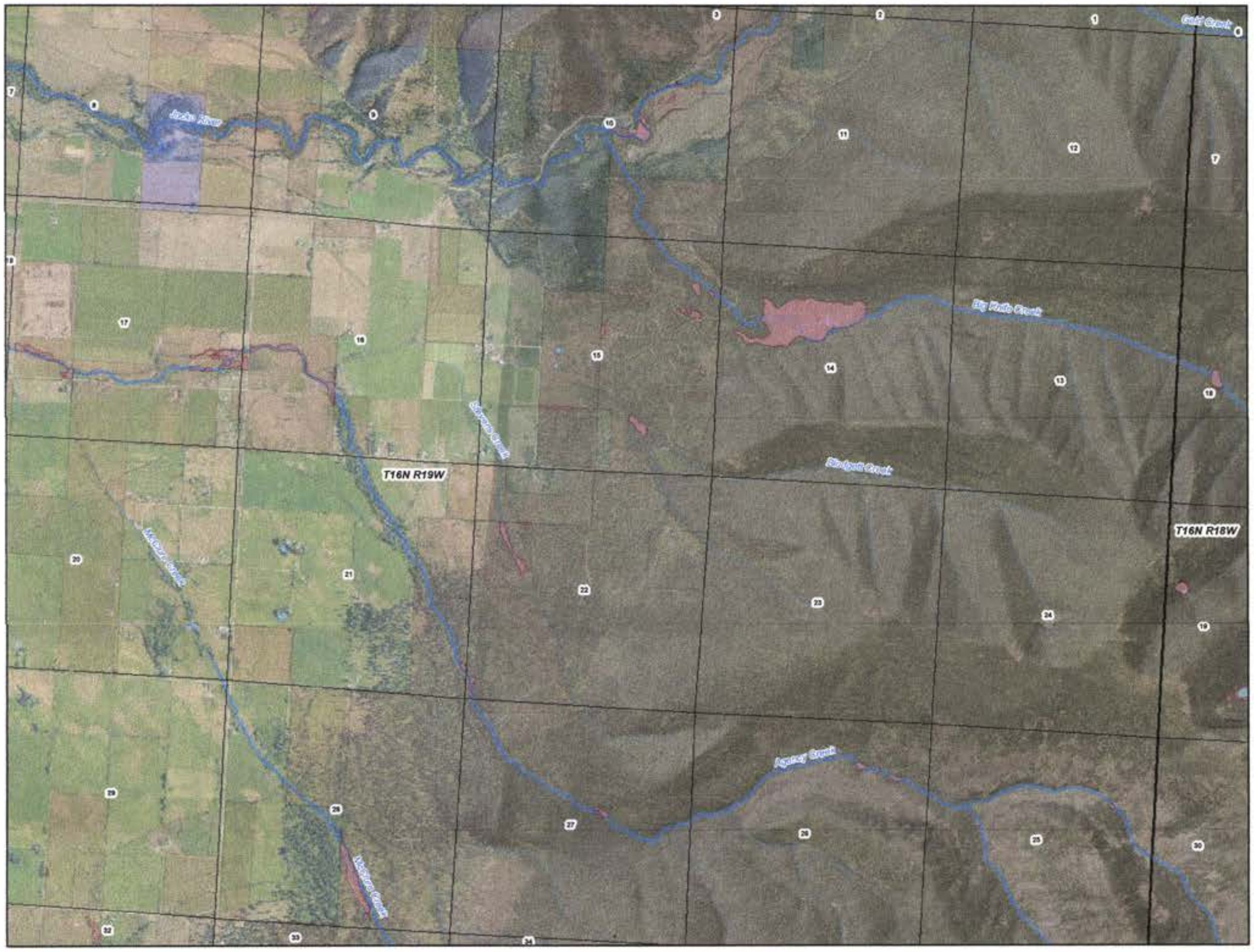
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


3
2
1
Gold Creek
6
7
8
Jocko River
9
10
11
12
7
17
16
15
Big Knife Creek
14
13
18
T16N R19W
Blodgett Creek
T16N R18W
20
21
22
23
24
19
Agency Creek
29
28
27
26
25
30
32
33
34

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 22

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
2
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
19
20
21
25
27
28
30
31
32

Flathead Indian Reservation

Legend

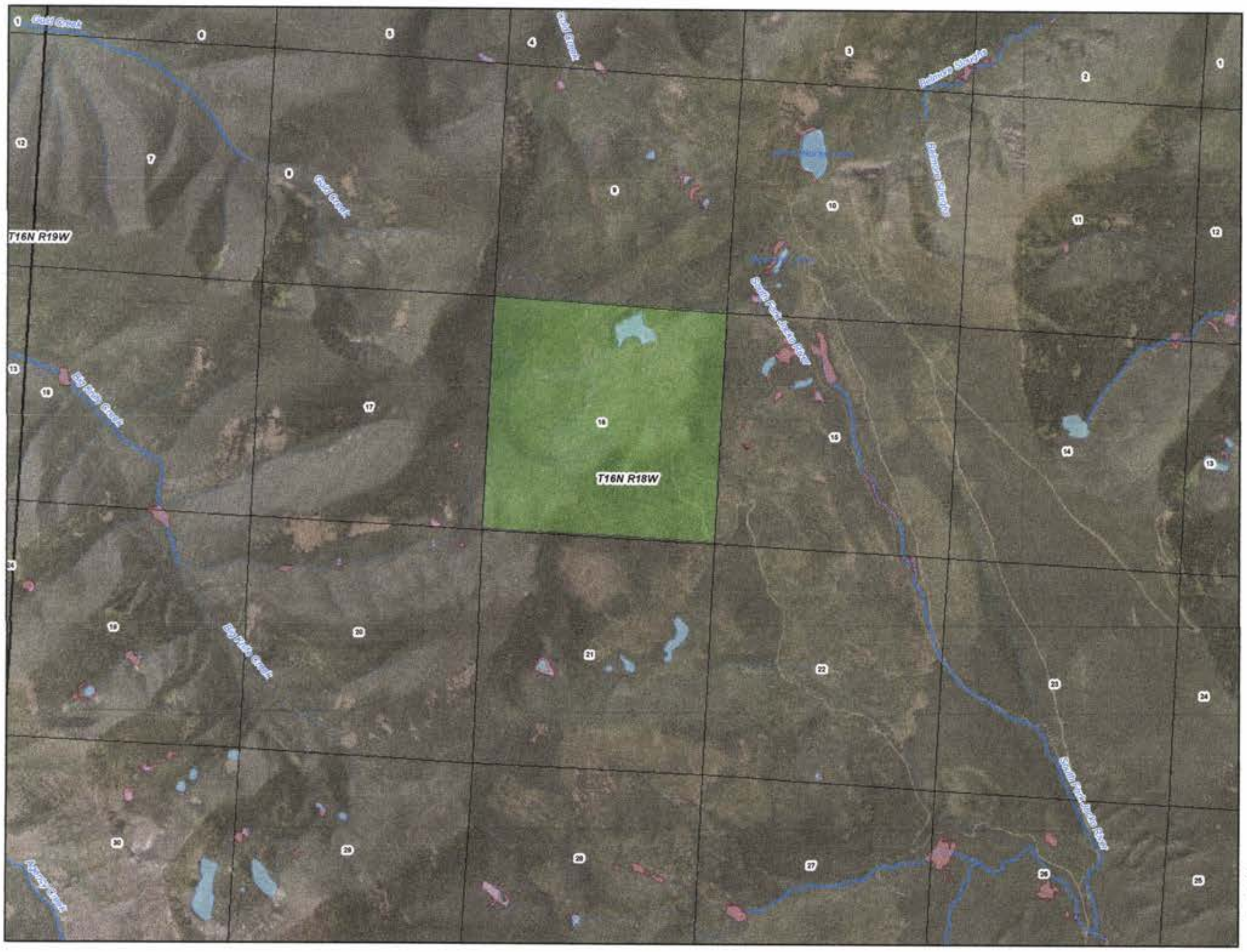
🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Gold Creek
Big Knife Creek
Belmore Slough
South Fork Jocko River
Agency Creek
T16N R19W
T16N R18W
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 23

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
19
20
21
24
25
28
30
31
32

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

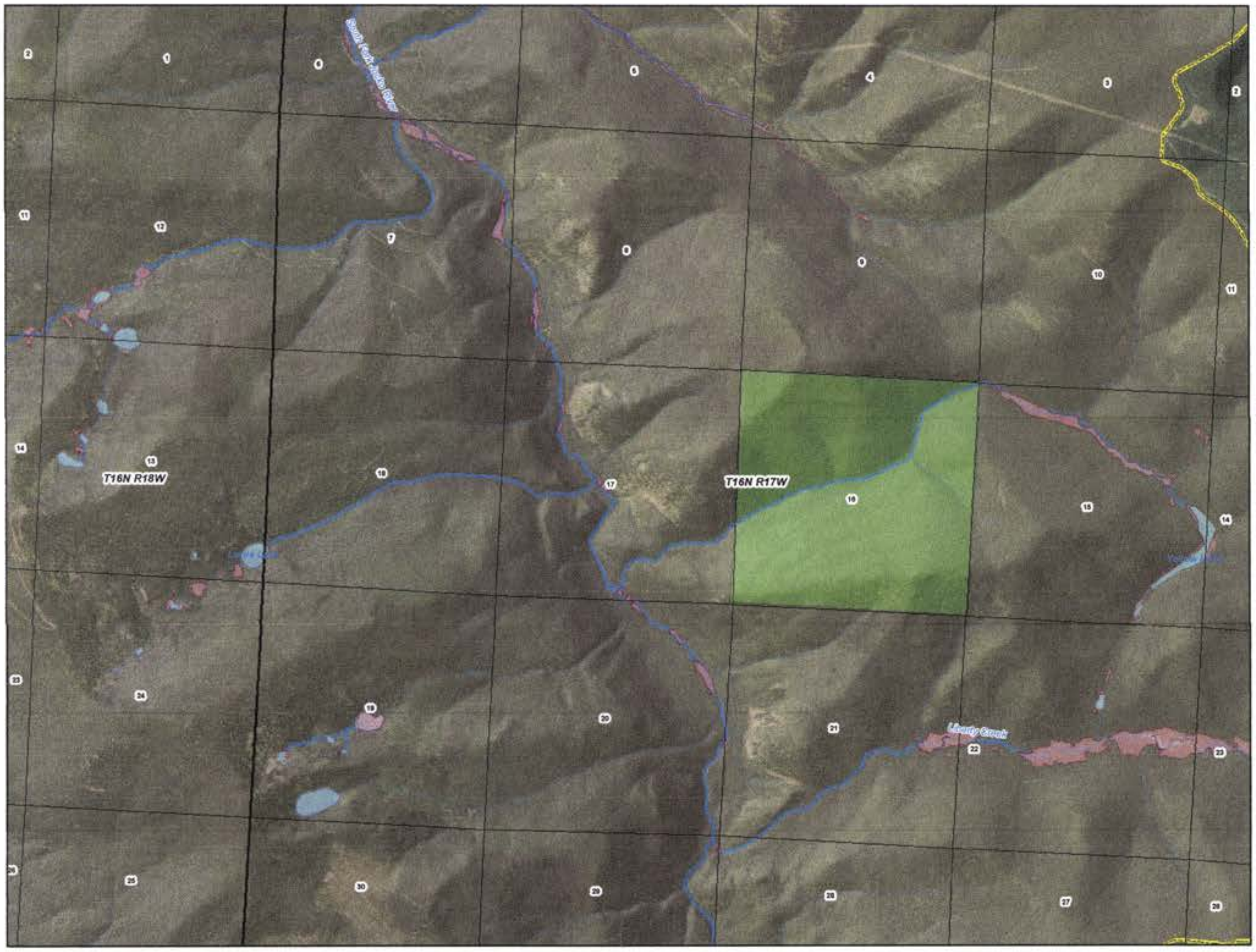
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T16N R18W
T16N R17W
Liberty Creek
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Place of Use

CSKT Wetlands

76L 30052664

Exhibit 24

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥	Places of Use
☐	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

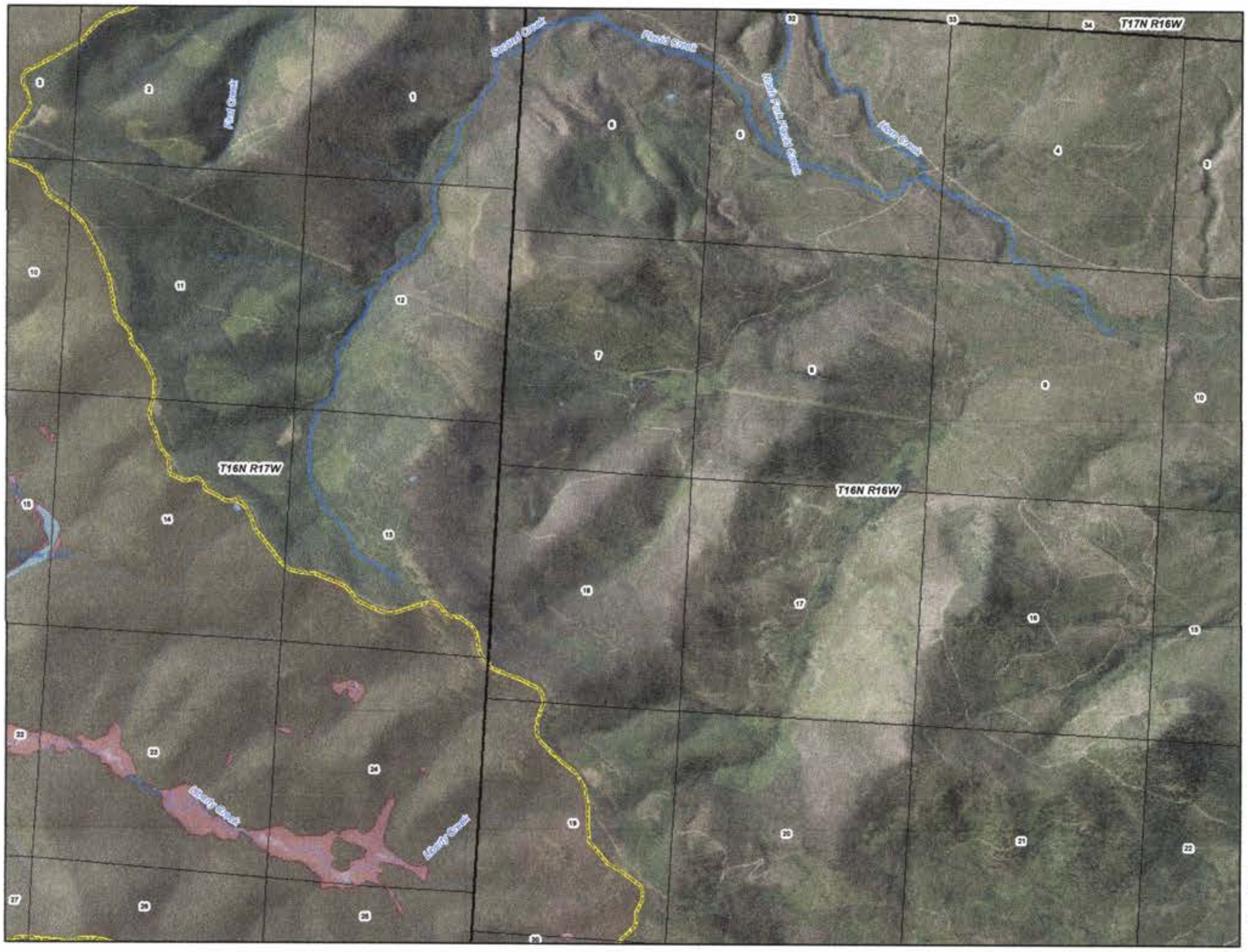
0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use
CSKT Wetlands

76L
30052664

Exhibit 25



Second Creek
Placid Creek
North Fork Placid Creek
Horn Creek
T17N R16W
T16N R17W
T16N R16W
Liberty Creek
Liberty Creek

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

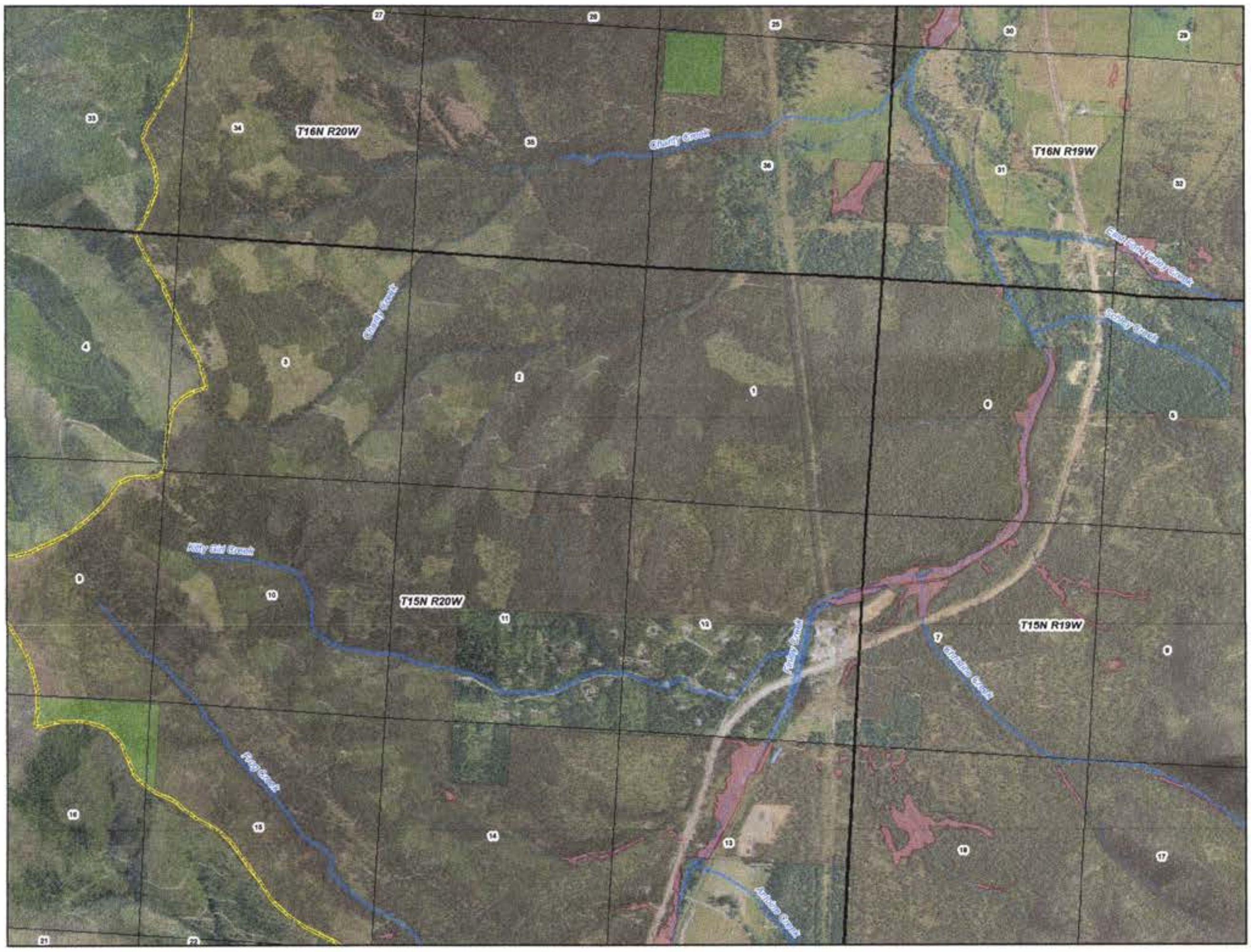
POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 26


T16N R20W
T16N R19W
T15N R20W
T15N R19W
27
26
25
30
29
33
34
35
36
31
32
4
3
2
1
6
5
9
10
11
12
7
8
16
15
14
13
18
17
21
22

Area
of
Interest
Hot
Springs
Polson
Pablo
St
Ignatius
2
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
19
20
21
25
27
28
30
31
32

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

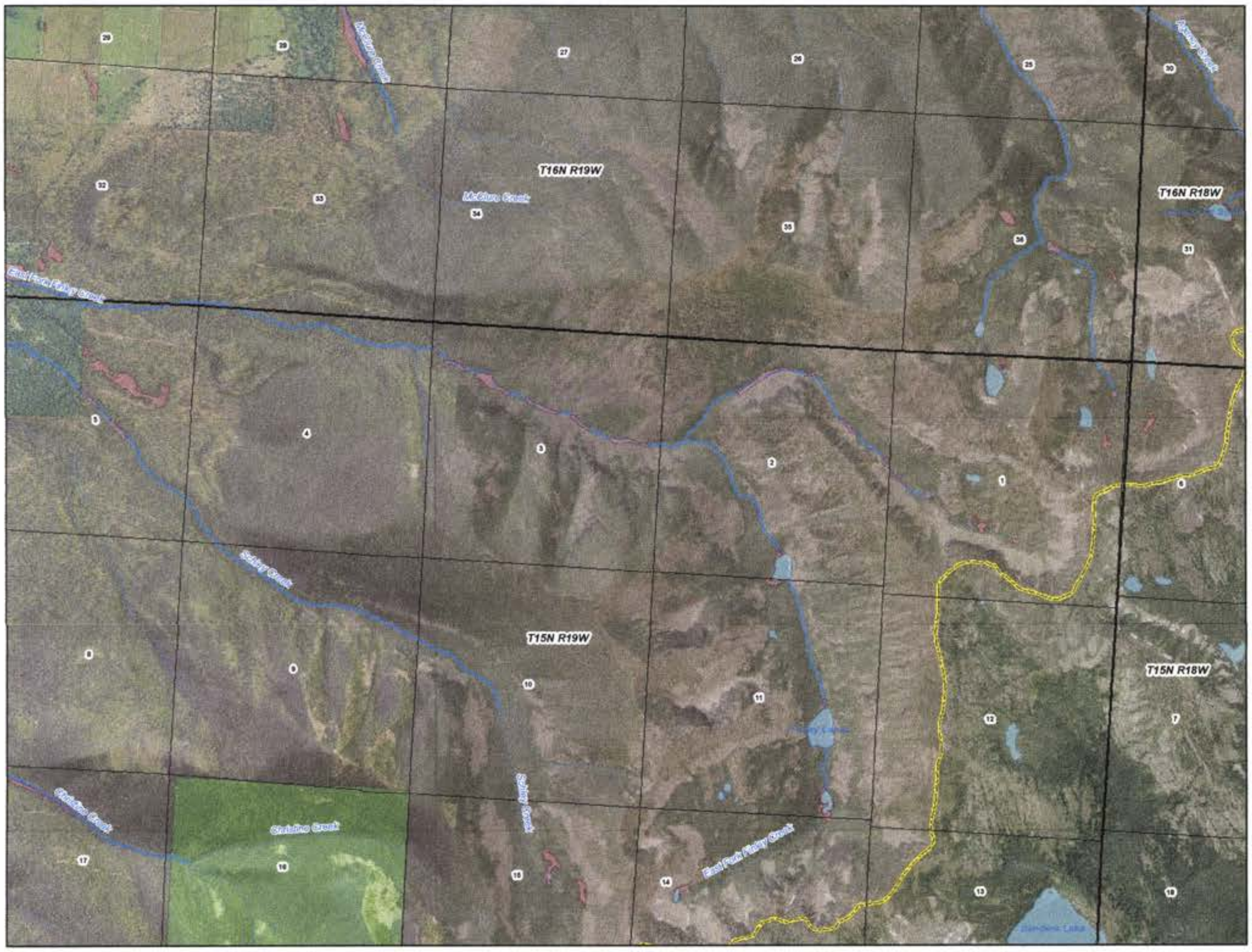
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


29
28
27
26
25
30
McClure Creek
T16N R19W
McClure Creek
T16N R18W
32
33
34
35
36
31
East Fork Finley Creek
5
4
3
2
1
6
Schley Creek
T15N R19W
T15N R18W
8
9
10
11
12
7
Christine Creek
Christine Creek
Schley Creek
East Fork Finley Creek
17
16
15
14
13
18

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 27

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

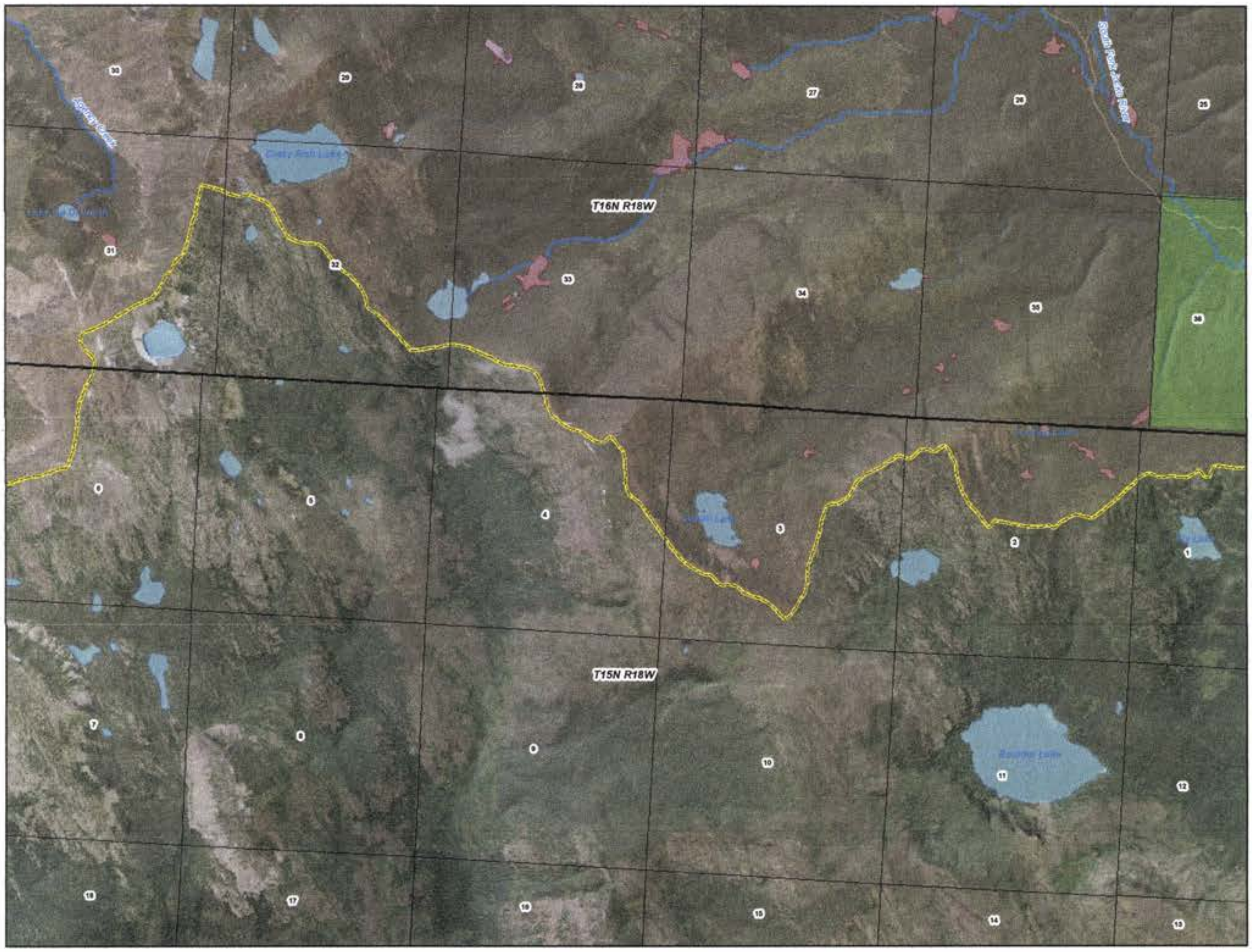
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T16N R18W
T15N R18W
30
29
28
27
26
25
31
32
33
34
35
36
6
5
4
3
2
1
7
8
9
10
11
12
18
17
16
15
14
13

Place of Use
CSKT Wetlands

76L 30052664

Exhibit 28

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
2
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
19
20
21
25
27
30
31
32

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

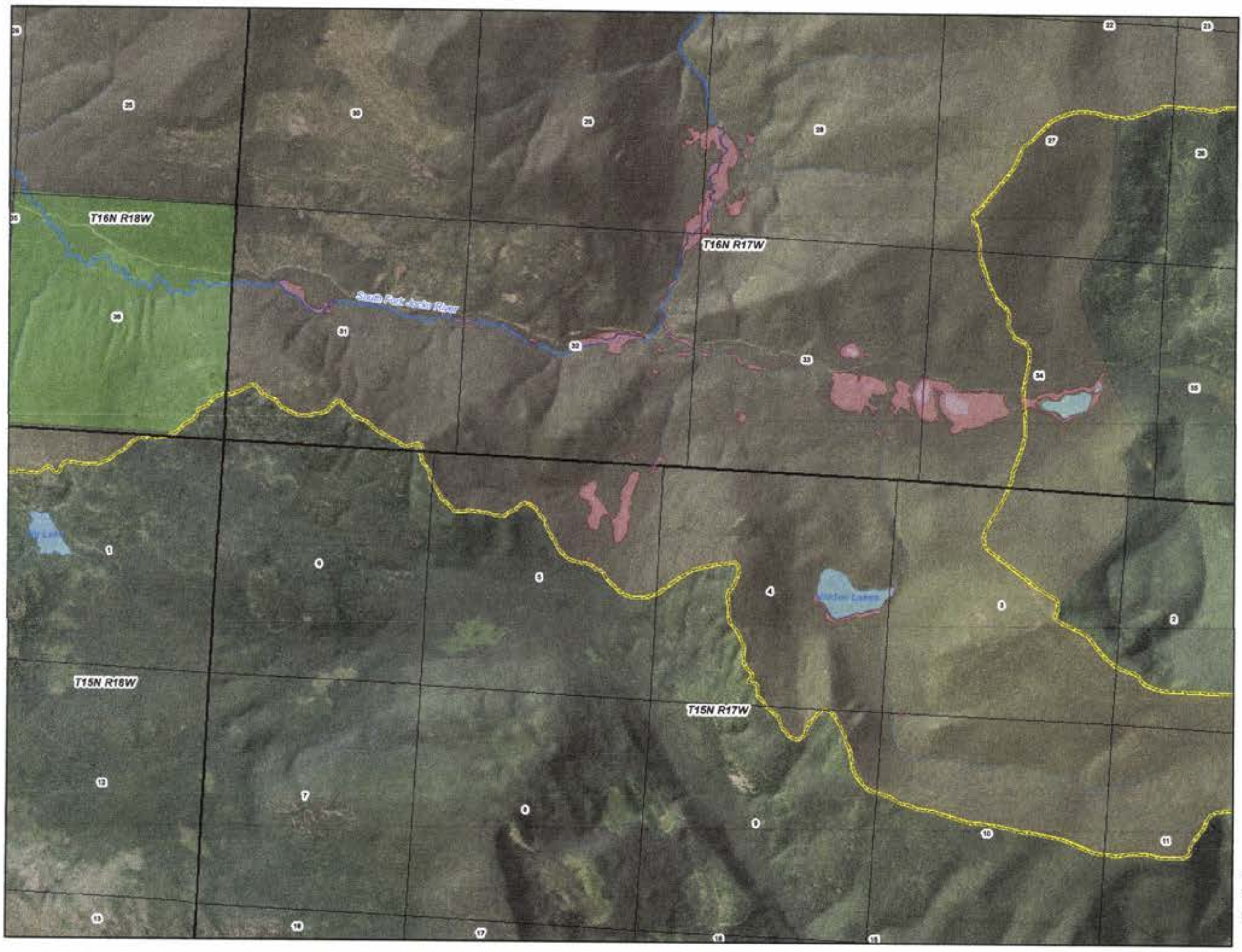
🟫 Tribal

🟦 Federal

🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T16N R18W
T16N R17W
South Fork Jocko River
T15N R18W
T15N R17W
22
23
30
29
28
27
26
36
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11
13
18
17
16
15

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 29

Area
of
Interest
Hot
Springs
Polson
Pablo
St.
Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

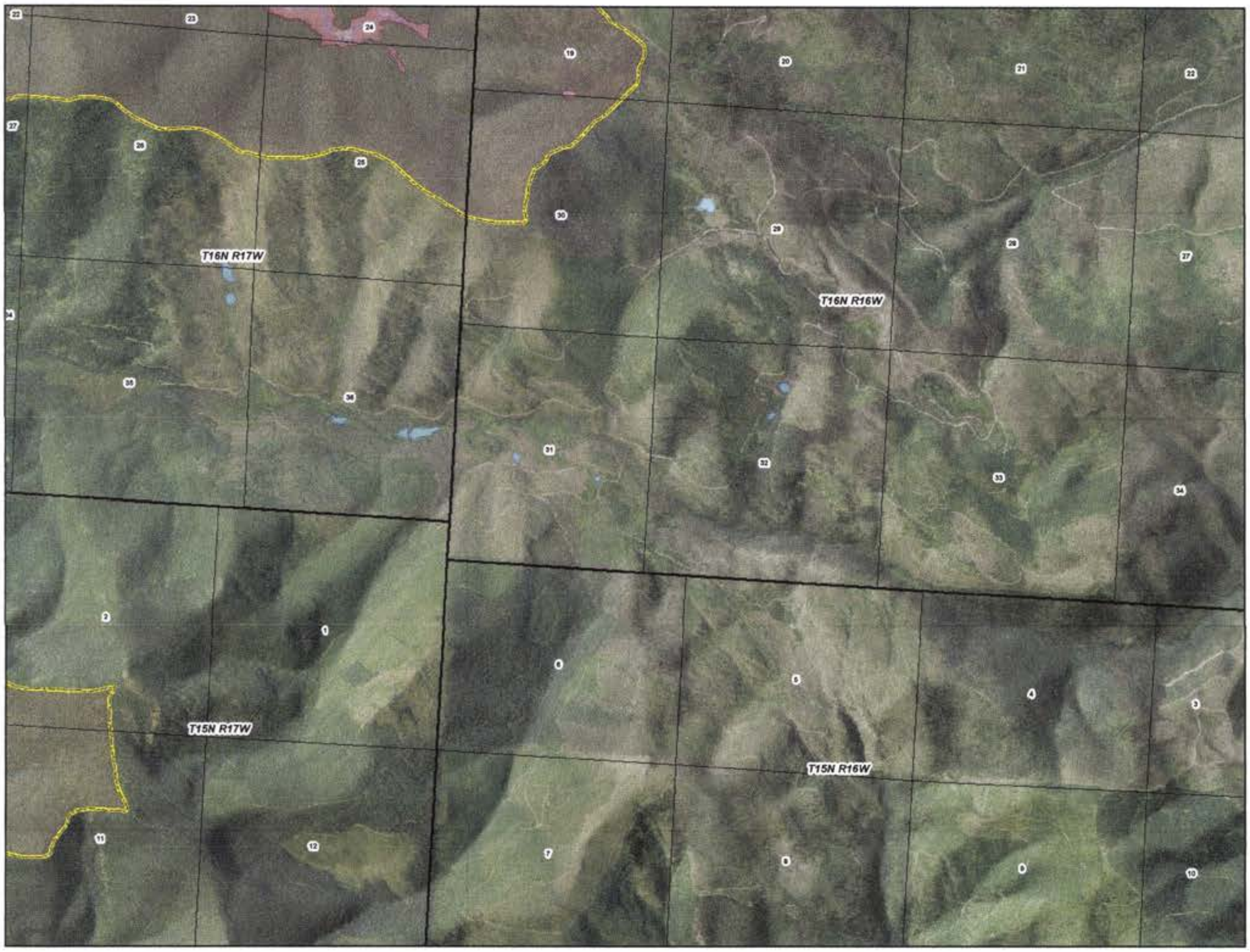
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T16N R17W
T16N R16W
T15N R17W
T15N R16W
22
23
24
19
20
21
22
27
26
25
30
29
28
27
34
35
36
31
32
33
34
2
1
6
5
4
3
11
12
7
8
9
10

Place of Use

CSKT Wetlands

76L 30052664

Exhibit 30

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
2
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
19
20
21
25
27
28
30
31
32

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

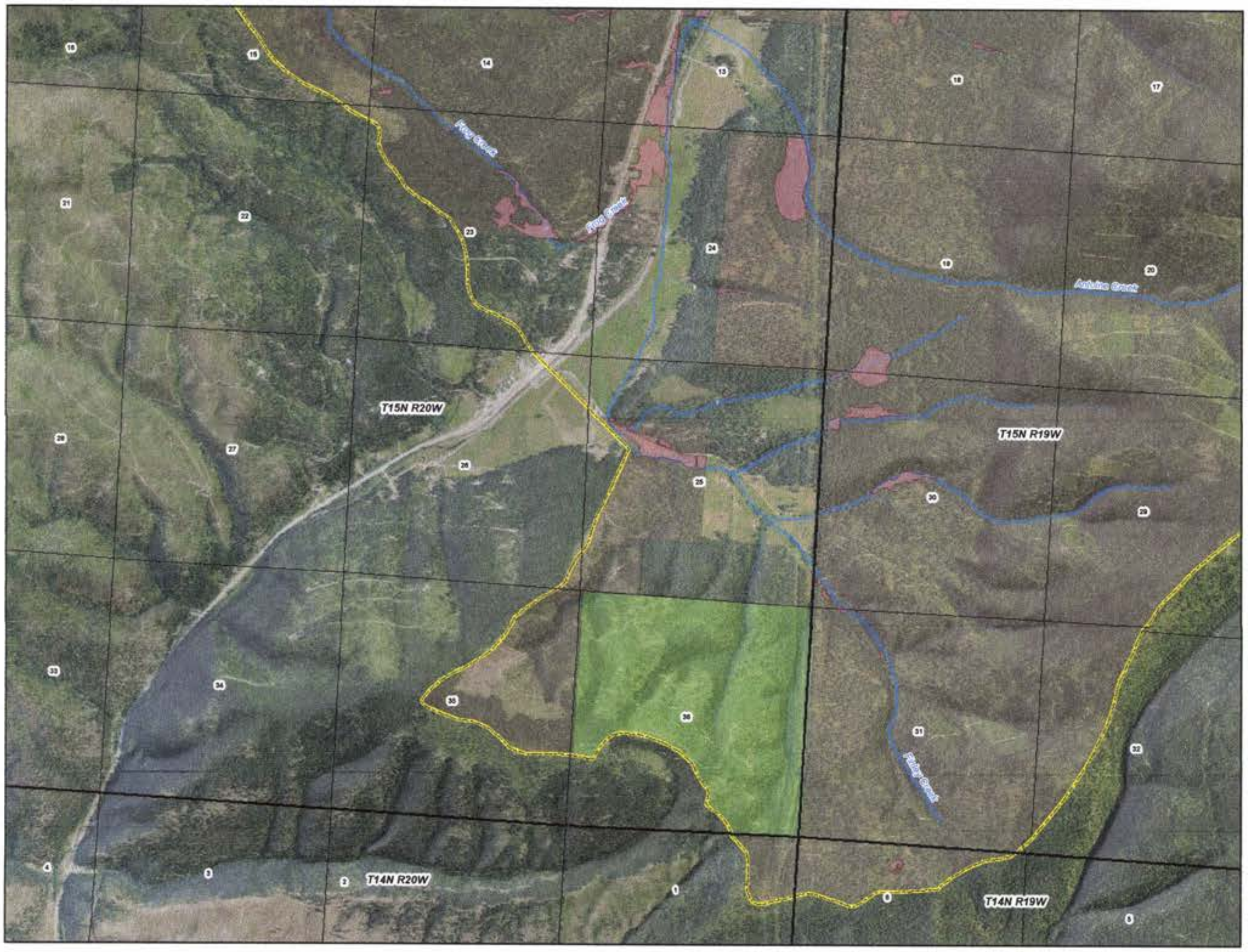
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Frog Creek
Frog Creek
Antoine Creek
T15N R20W
T15N R19W
T14N R20W
T14N R19W

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 31

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

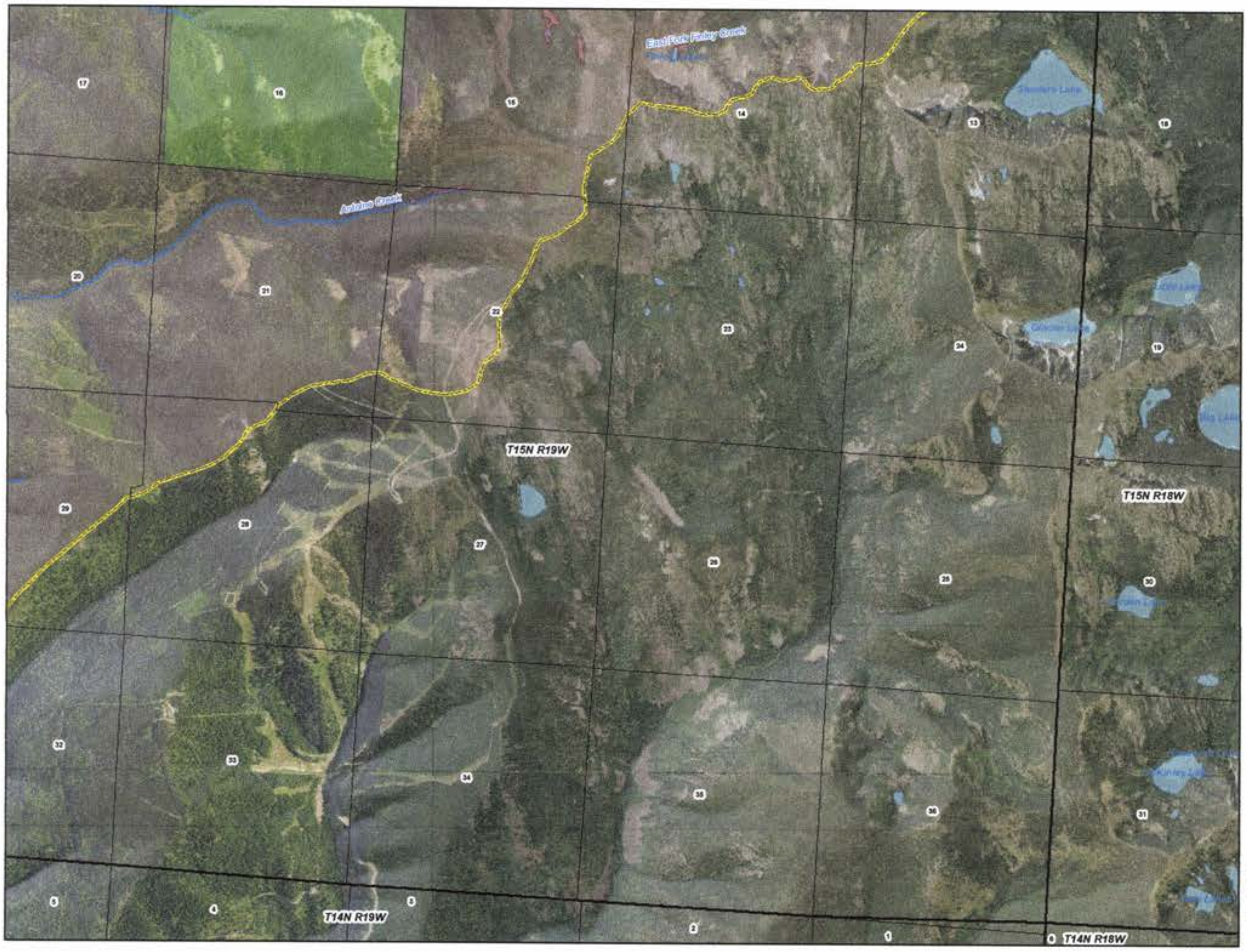
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


East Fork Finley Creek
Glacier Lake
T15N R19W
T15N R18W
T14N R19W
T14N R18W
17
16
15
14
13
18
20
21
22
23
24
19
29
28
27
26
25
30
32
33
34
35
36
31
5
4
3
2
1
6

Place of Use

CSKT Wetlands

76L
30052664

Exhibit 32

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
2
3
4
5
6
7
8
9
10
11
12
13
14
15
17
18
20
21
25
27
28
30
31
32

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

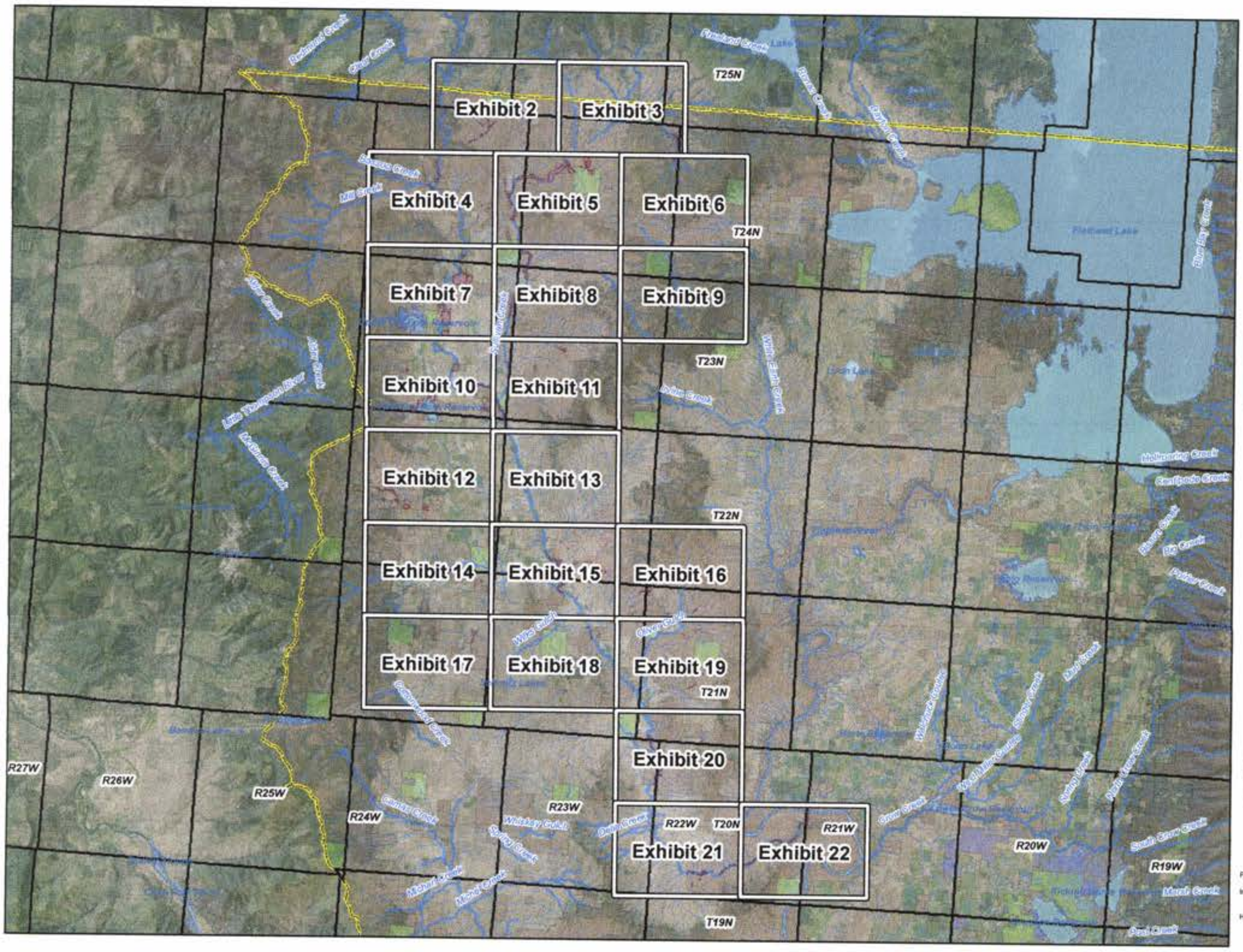


Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8
Exhibit 9
Exhibit 10
Exhibit 11
Exhibit 12
Exhibit 13
Exhibit 14
Exhibit 15
Exhibit 16
Exhibit 17
Exhibit 18
Exhibit 19
Exhibit 20
Exhibit 21
Exhibit 22
T25N
T24N
T23N
T22N
T21N
T20N
T19N
R27W
R26W
R25W
R24W
R23W
R22W
R21W
R20W
R19W
Flathead Lake
Mill Creek
Rock Creek

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 1

Area
of
Interest
2
3
4
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St.
Ignatius
Arlee

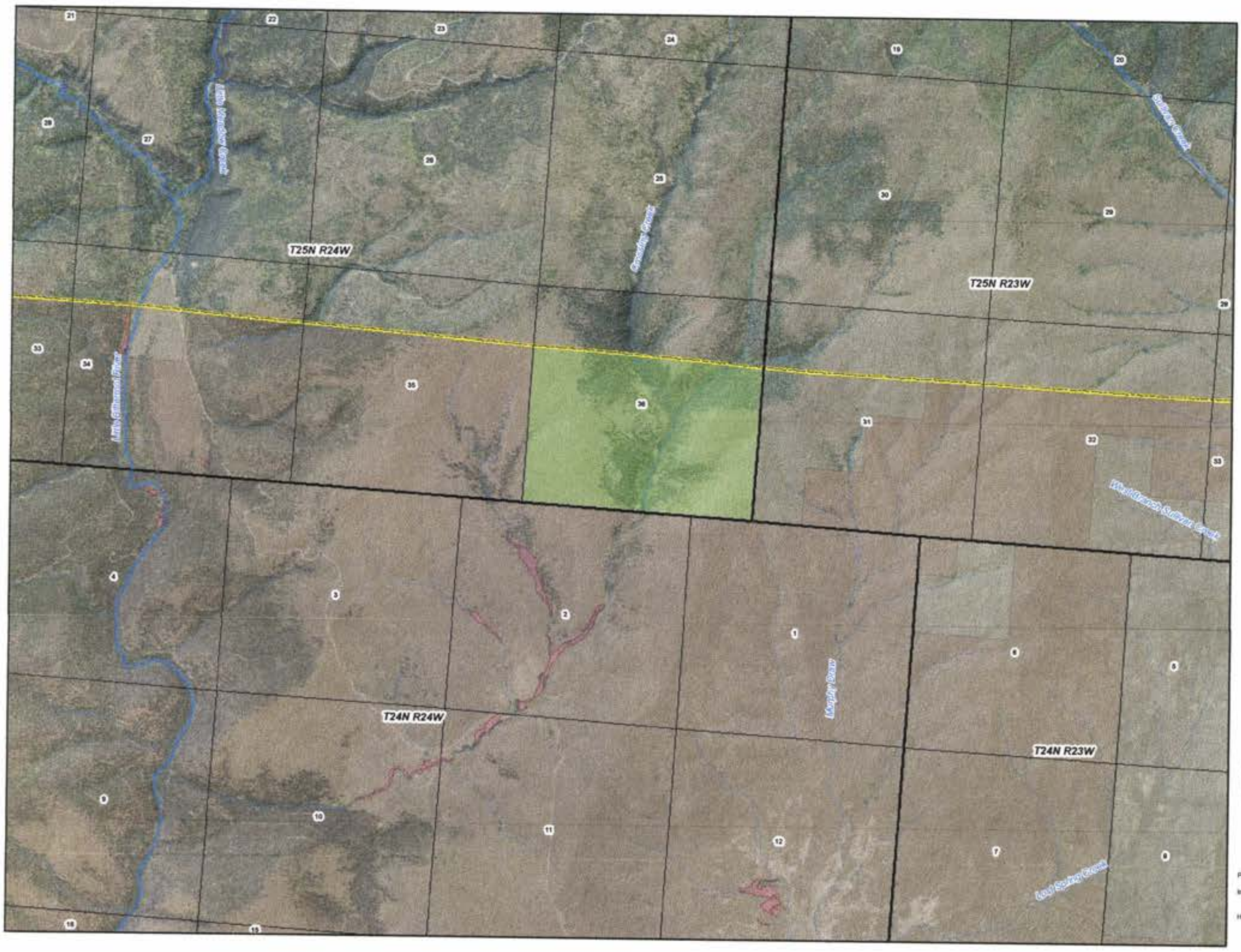
Flathead Indian Reservation

Legend

🟥	Places of Use
▭	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 2.25 4.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


21
22
23
24
19
20
28
27
26
25
30
29
T25N R24W
T25N R23W
Little Meadow Creek
Sullivan Creek
33
34
35
36
31
32
33
Little Bitterroot River
West Branch Sullivan Creek
4
3
2
1
6
5
Murphy Draw
T24N R24W
T24N R23W
9
10
11
12
7
8
Lost Spring Creek
16
15

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 2

Area
of
Interest
4
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

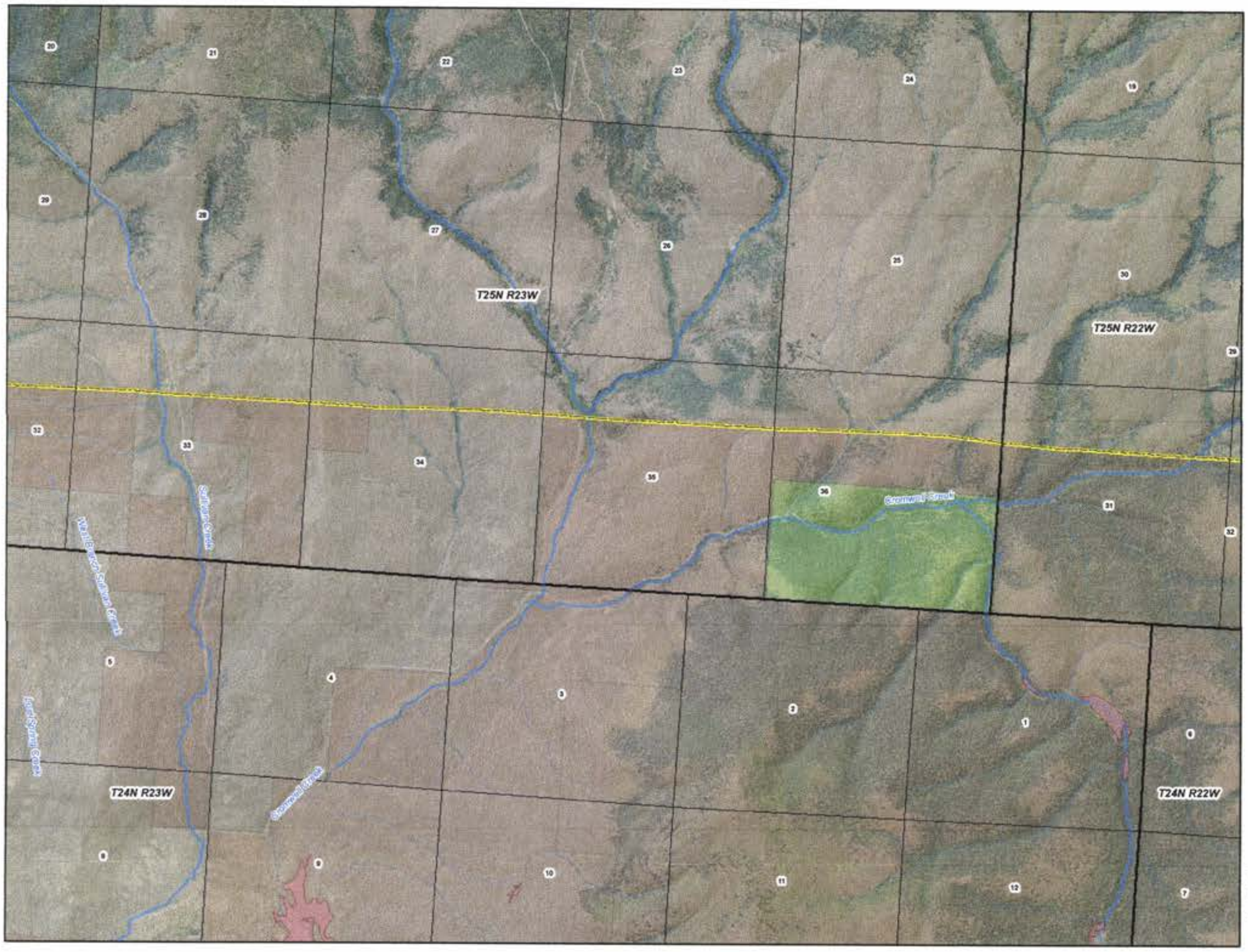
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


20
21
22
23
24
19
29
28
27
26
25
30
T25N R23W
T25N R22W
29
32
33
34
35
36
31
32
Sullivan Creek
West Branch Sullivan Creek
Cromwell Creek
5
4
3
2
1
6
T24N R23W
T24N R22W
8
9
10
11
12
7

Place of Use
CSKT Wetlands

76L
30052665

Exhibit 3

Area
of
Interest
4
7 8 9
10 11
14 15 16
17
19
20
21 22
Polson
Pablo
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

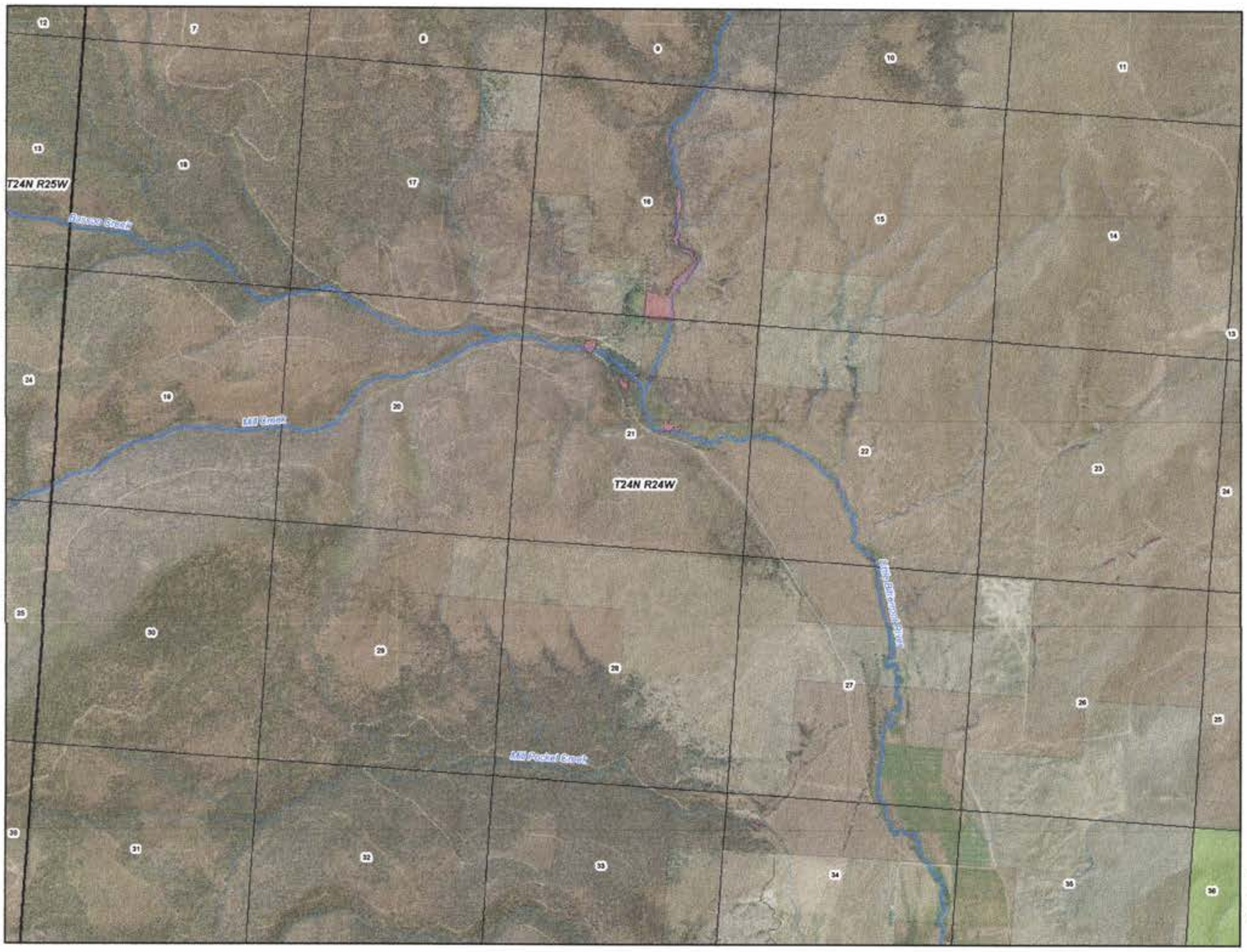
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T24N R25W
T24N R24W
12
7
8
9
10
11
13
18
17
16
15
14
24
19
20
21
22
23
13
24
25
30
29
28
27
26
25
36
31
32
33
34
35
36

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 4

Area
of
Interest
4
2
5
6
7 8 9
10 11
14 15 16
17 19
20 21 22
Polson
Pablo
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

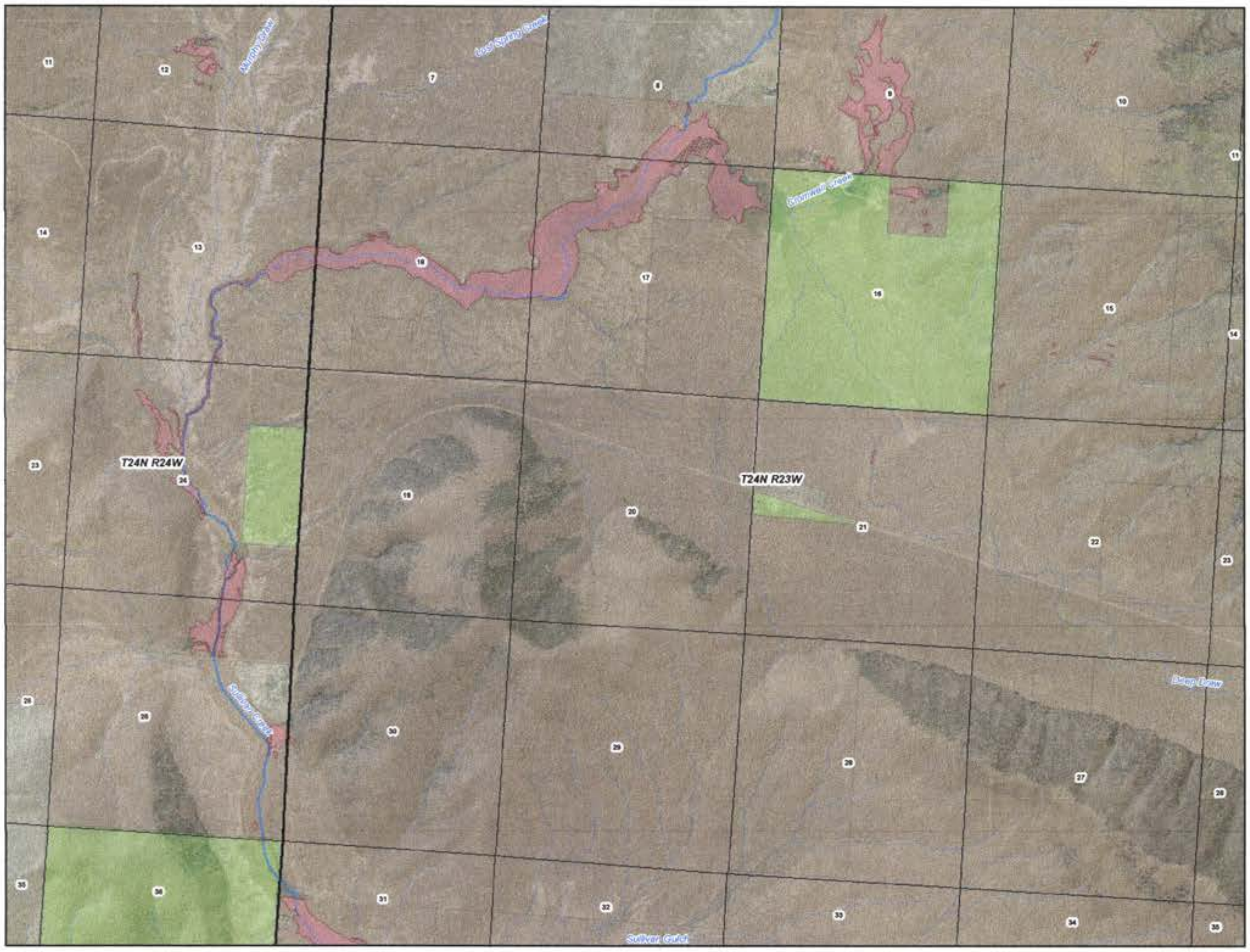
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Murphy Creek
Lost Spring Creek
Cromwell Creek
Sullivan Creek
Deep Draw
Sullivan Gulch
T24N R24W
T24N R23W
11
12
7
8
9
10
11
14
13
18
17
16
15
14
23
24
19
20
21
22
23
26
25
30
29
28
27
26
35
36
31
32
33
34
35

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 5

Area of Interest
4
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

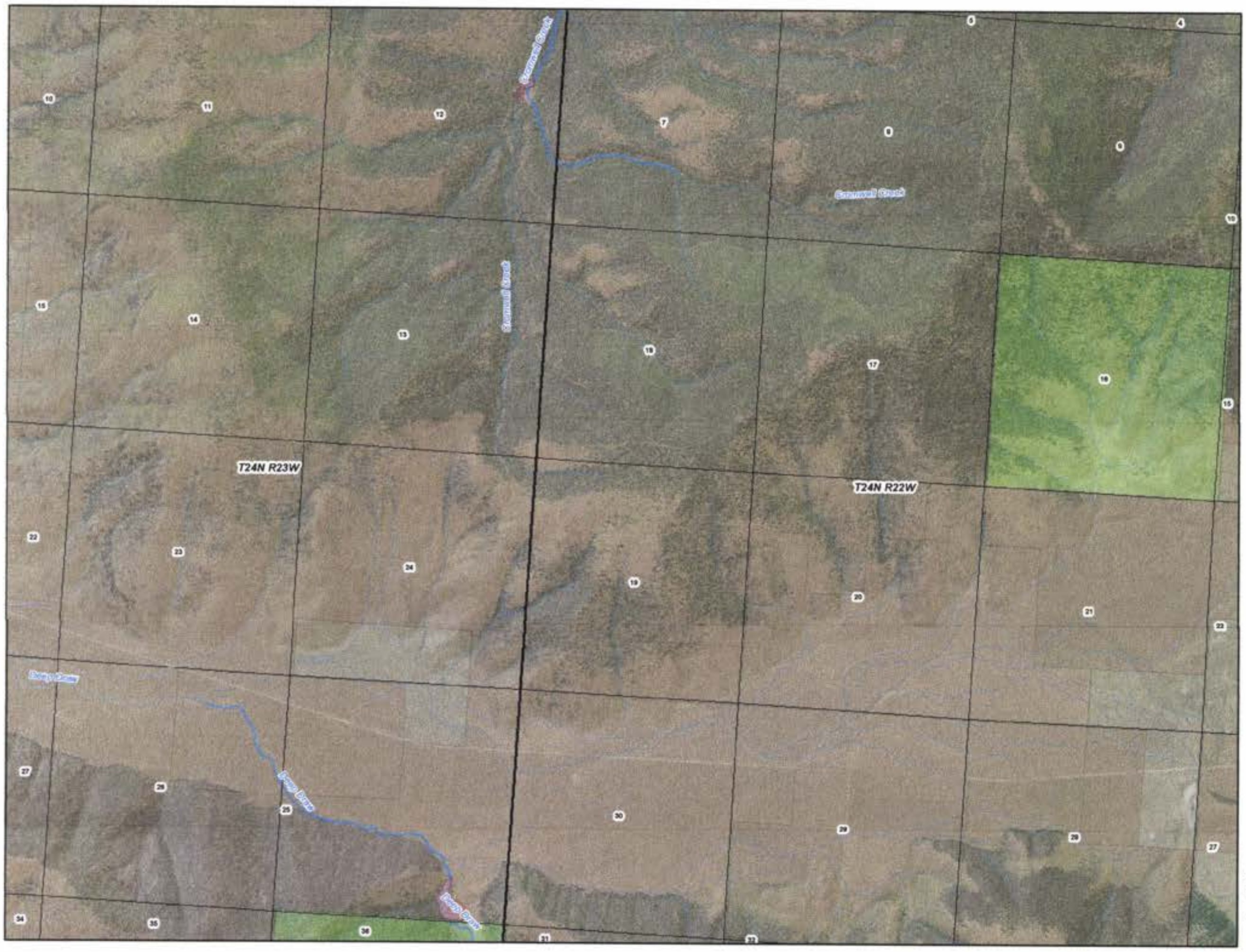
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T24N R23W
T24N R22W
10
11
12
7
8
9
5
4
15
14
13
18
17
16
22
23
24
19
20
21
27
26
25
30
29
28
34
35
36
31
32

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 6

Area of Interest
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▢ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

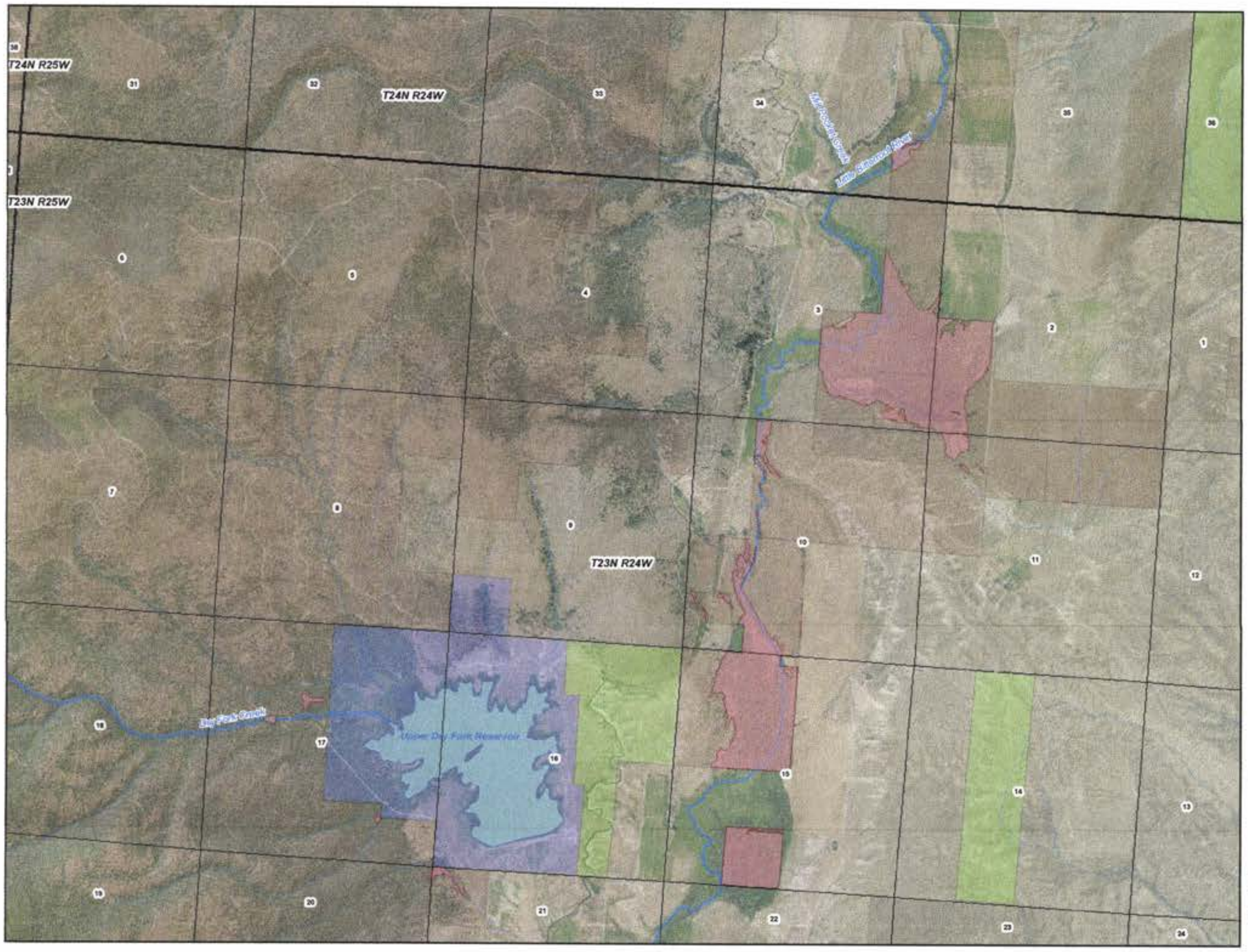
POU/POD Data Source: CSKT-MT Compact Wetlands (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 7


T24N R25W
T24N R24W
T23N R25W
T23N R24W
31
32
33
34
35
36
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
Little Bitterroot River
Dry Fork Creek
Upper Dry Fork Reservoir

Area of Interest
2
3
4
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

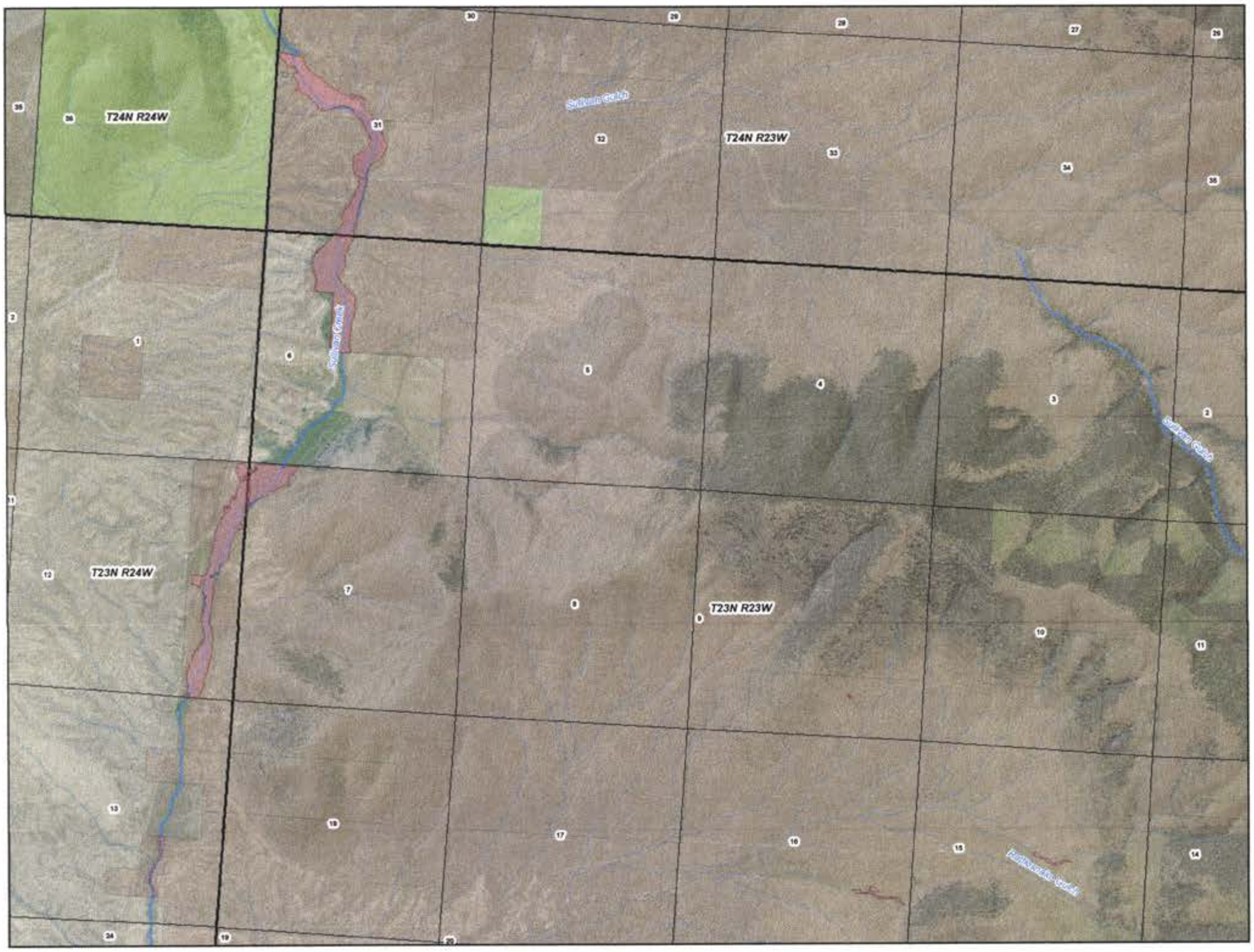
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T24N R24W
T24N R23W
T23N R24W
T23N R23W
Sullivan Gulch
Sullivan Creek
Sullivan Gulch
30
29
28
27
26
36
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11
13
18
17
16
15
14
24
19
20

Place of Use

CSKT Wetlands

76L 30052665

Exhibit 8

Area of Interest
4
2
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

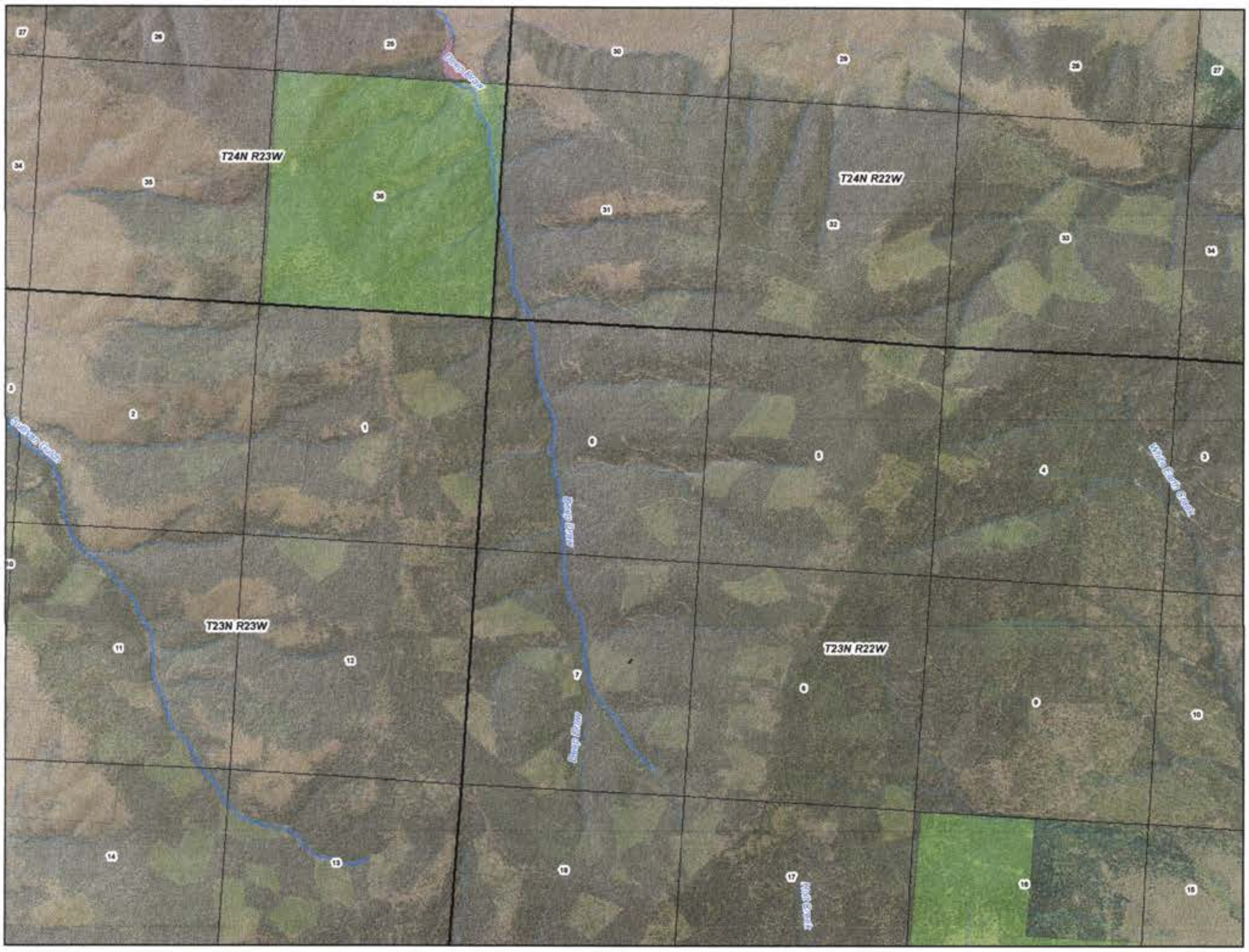
🟫 Tribal

🟦 Federal

🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T24N R23W
T24N R22W
T23N R23W
T23N R22W
Deep Draw
Deep Draw

Place of Use
CSKT Wetlands

76L
30052665

Exhibit 9

Area of Interest
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

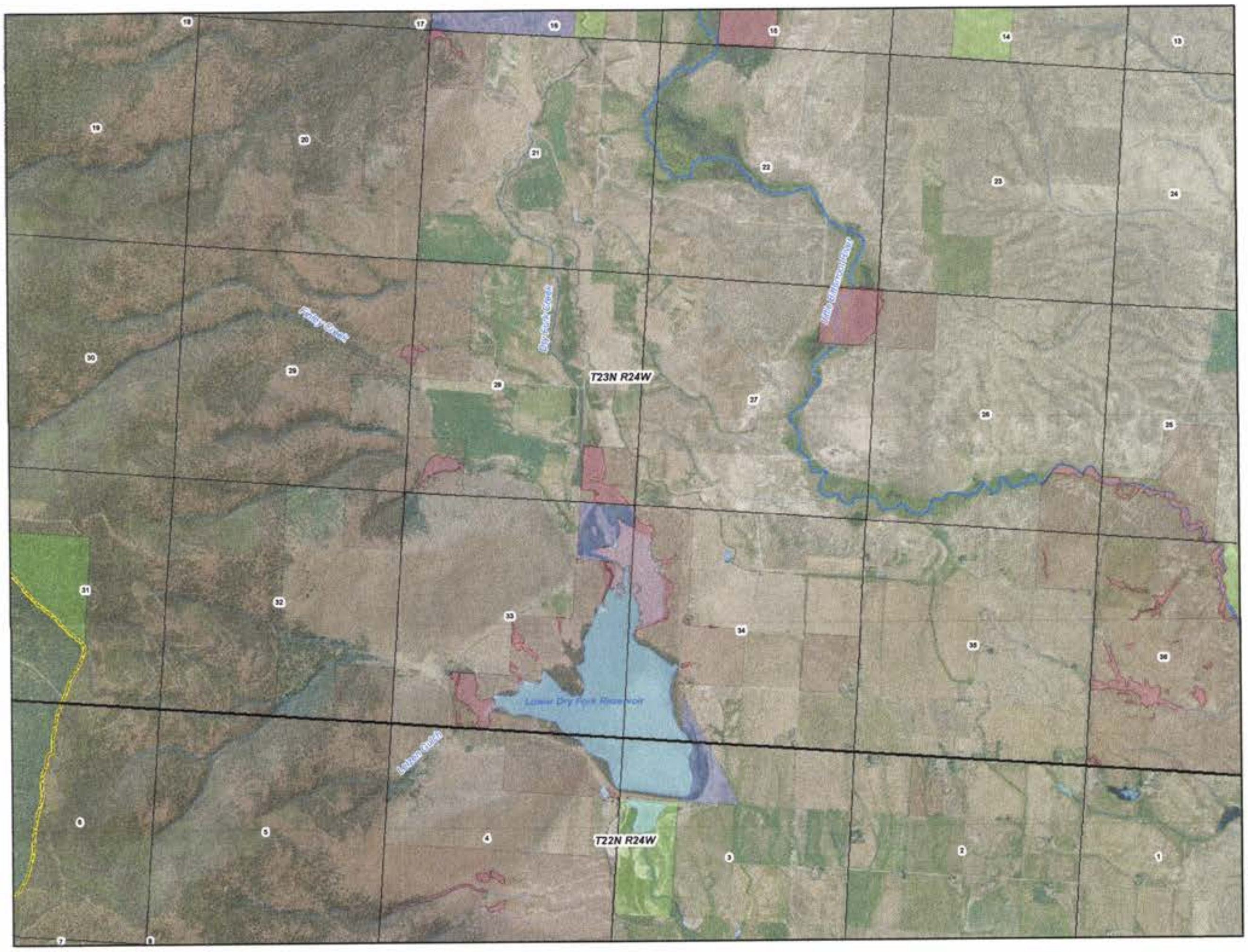
🟥	Places of Use
▭	Reservation Boundary

Land Owner

🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R24W
T22N R24W
Dry Fork Creek
Little Bitterroot River
Lower Dry Fork Reservoir

Place of Use
CSKT Wetlands

76L
30052665

Exhibit 10

Area of Interest
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

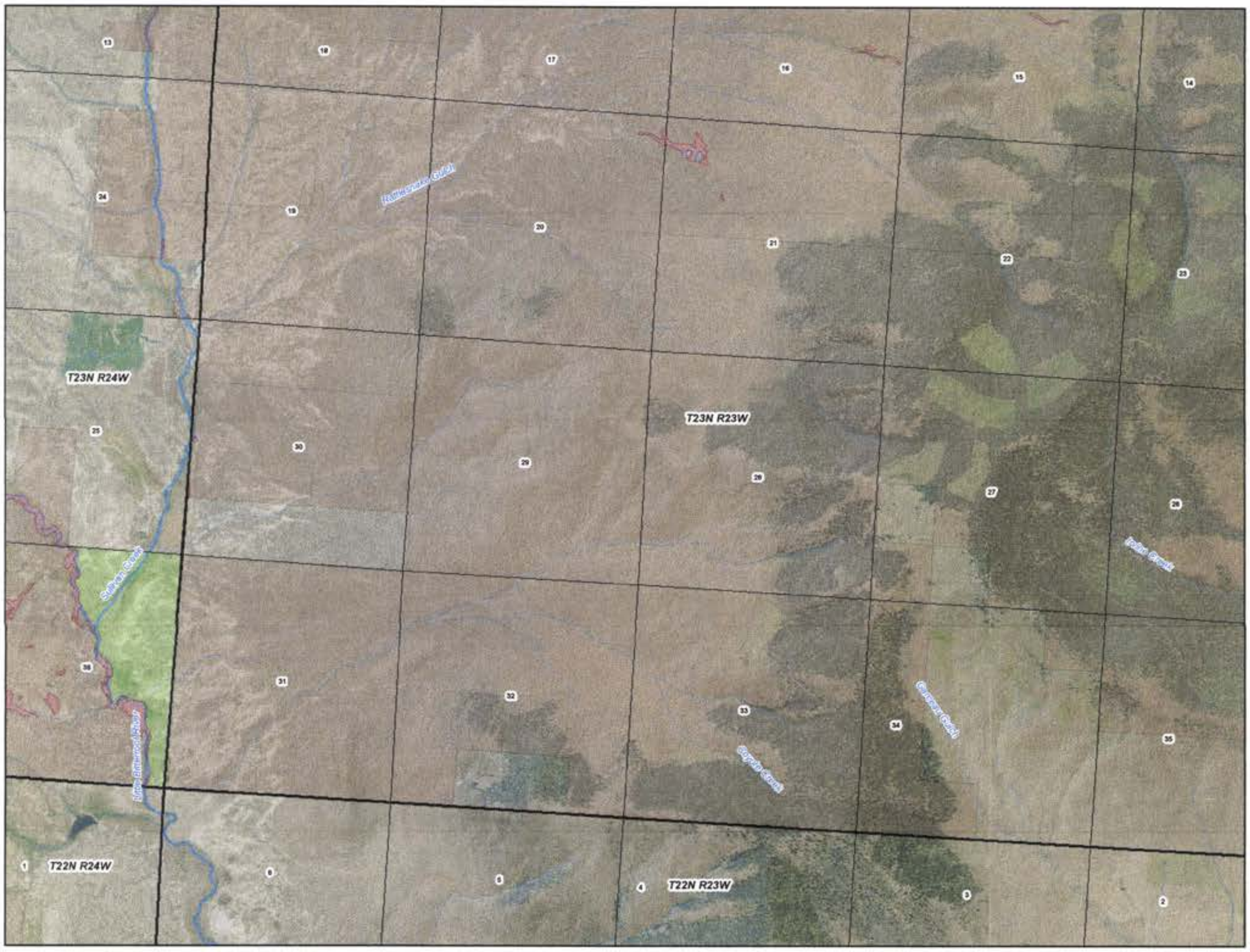
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


13
18
17
16
15
14
24
19
20
21
22
23
T23N R24W
25
30
29
T23N R23W
28
27
26
Sullivan Creek
36
31
32
33
34
35
Little Bitterroot River
Coyote Creek
1
T22N R24W
6
5
4
T22N R23W
3
2

Place of Use
CSKT Wetlands

76L
30052665

Exhibit 11

Area
of
Interest
2
3
4
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

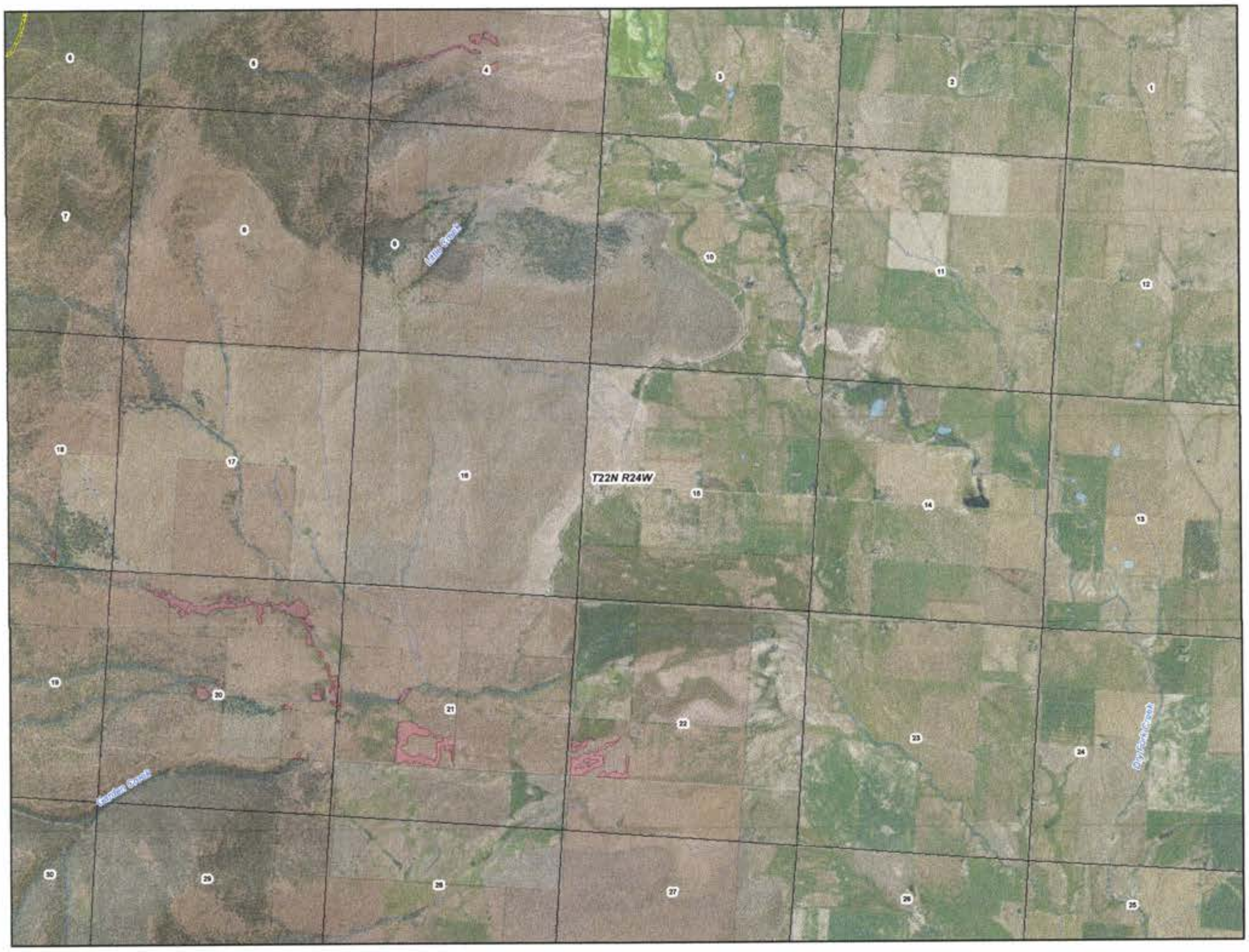
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


6
5
4
3
2
1
7
8
9
Little Creek
10
11
12
18
17
16
T22N R24W
15
14
13
19
20
21
22
23
24
30
29
28
27
26
25

Place of Use
CSKT Wetlands

76L
30052665

Exhibit 12

Area of Interest
4
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

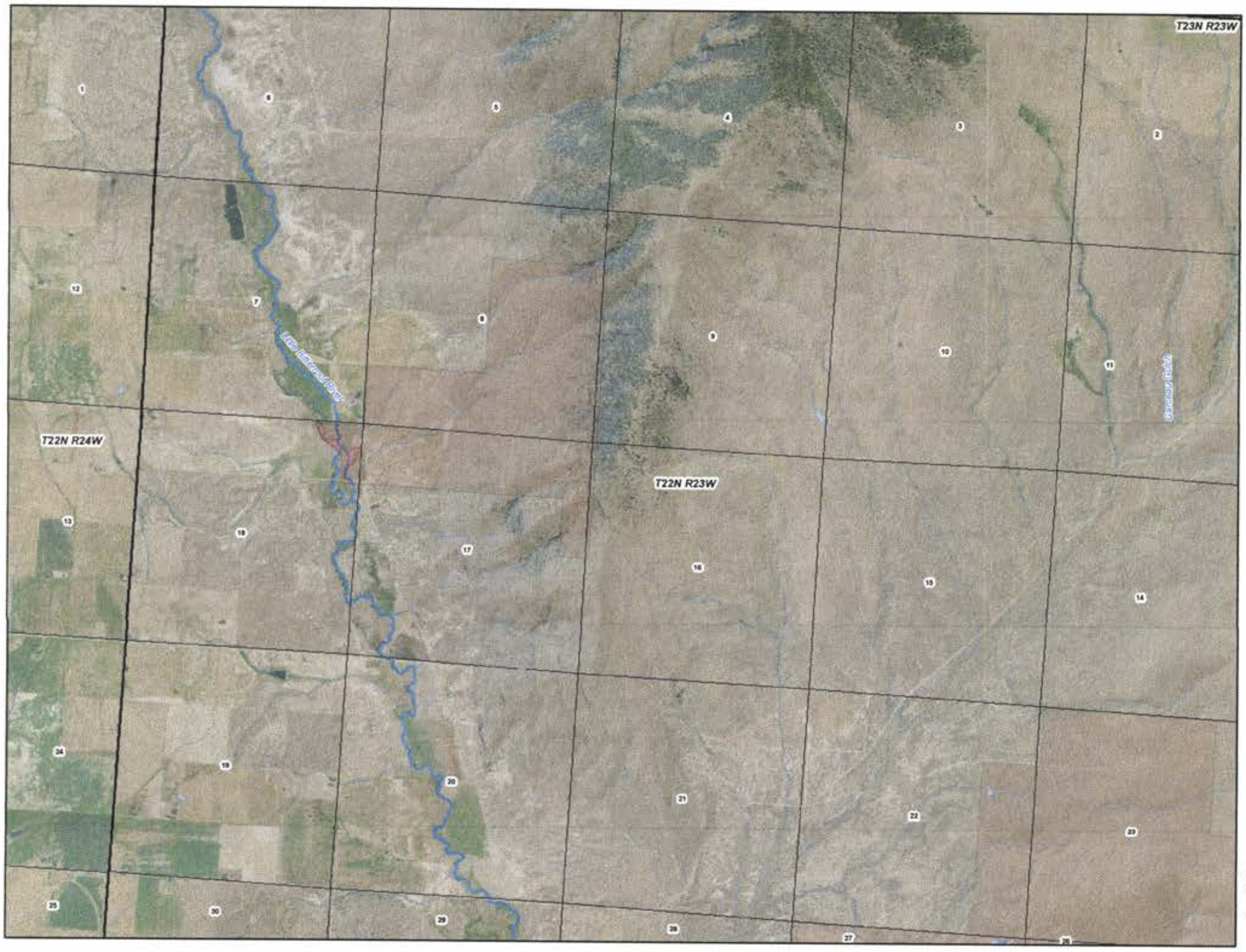
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

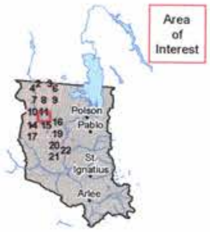

T23N R23W
1
6
5
4
3
2
12
7
8
9
10
11
Little Bitterroot River
T22N R24W
T22N R23W
13
18
17
16
15
14
24
19
20
21
22
23
25
30
29
28
27
26

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 13


Area of Interest
Polson
Pablo
St. Ignatius
Arlee
4 5
7 8 9
10 11
14 15 16
17 19
20 22
21

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

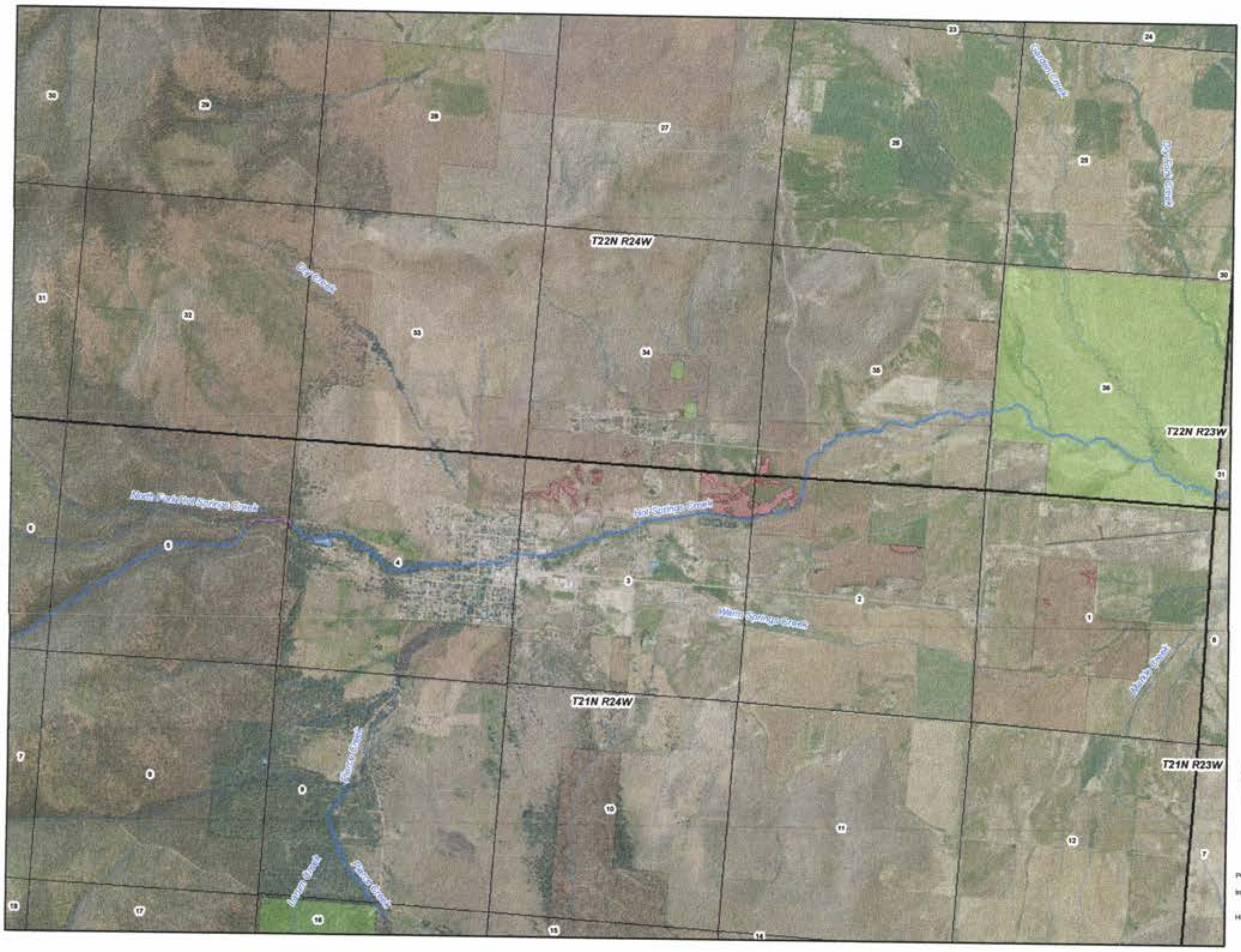
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T22N R24W
T22N R23W
T21N R24W
T21N R23W
North Fork Hot Springs Creek
Hot Springs Creek
Warm Springs Creek
Dry Fork Creek
30
29
28
27
26
25
24
23
31
32
33
34
35
36
30
31
6
5
4
3
2
1
6
7
8
9
10
11
12
7
18
17
16
15
14

Place of Use

CSKT Wetlands

76L 30052665

Exhibit 14

Area of Interest
4
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St. Ignatius
Arlee

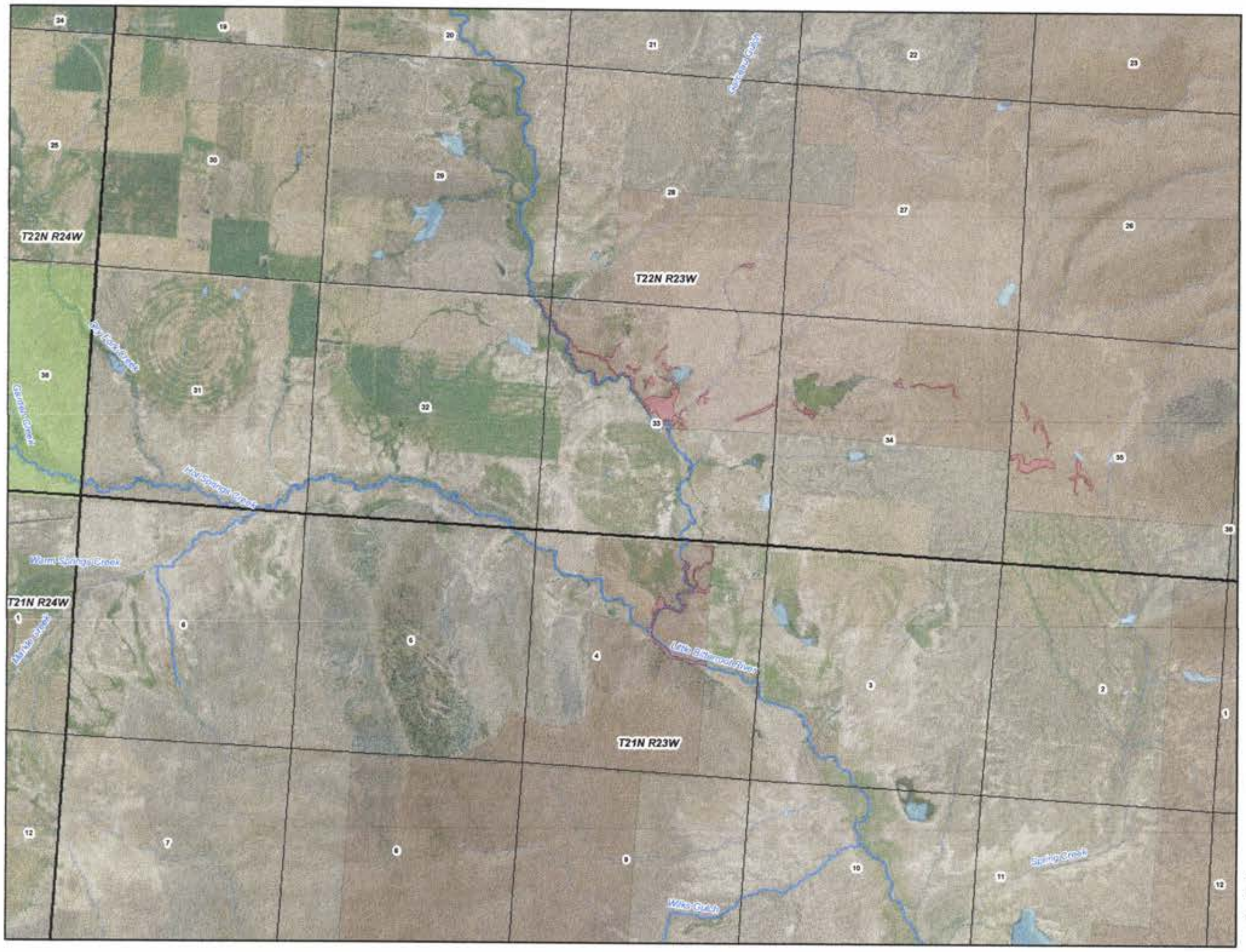
Flathead Indian Reservation

Legend

🟥	Places of Use
☐	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


24
19
20
21
22
23
25
30
29
28
27
26
T22N R24W
T22N R23W
Dry Fork Creek
36
31
32
33
34
35
36
Hot Springs Creek
Warm Springs Creek
T21N R24W
1
Markle Creek
6
5
4
3
2
1
Little Bitterroot River
T21N R23W
12
7
8
9
10
11
12
Spring Creek
Wilks Gulch

Place of Use
CSKT Wetlands

76L
30052665

Exhibit 15

Area of Interest
4
2
3
6
7
8
9
10
11
14
15
16
17
19
20
22
21
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

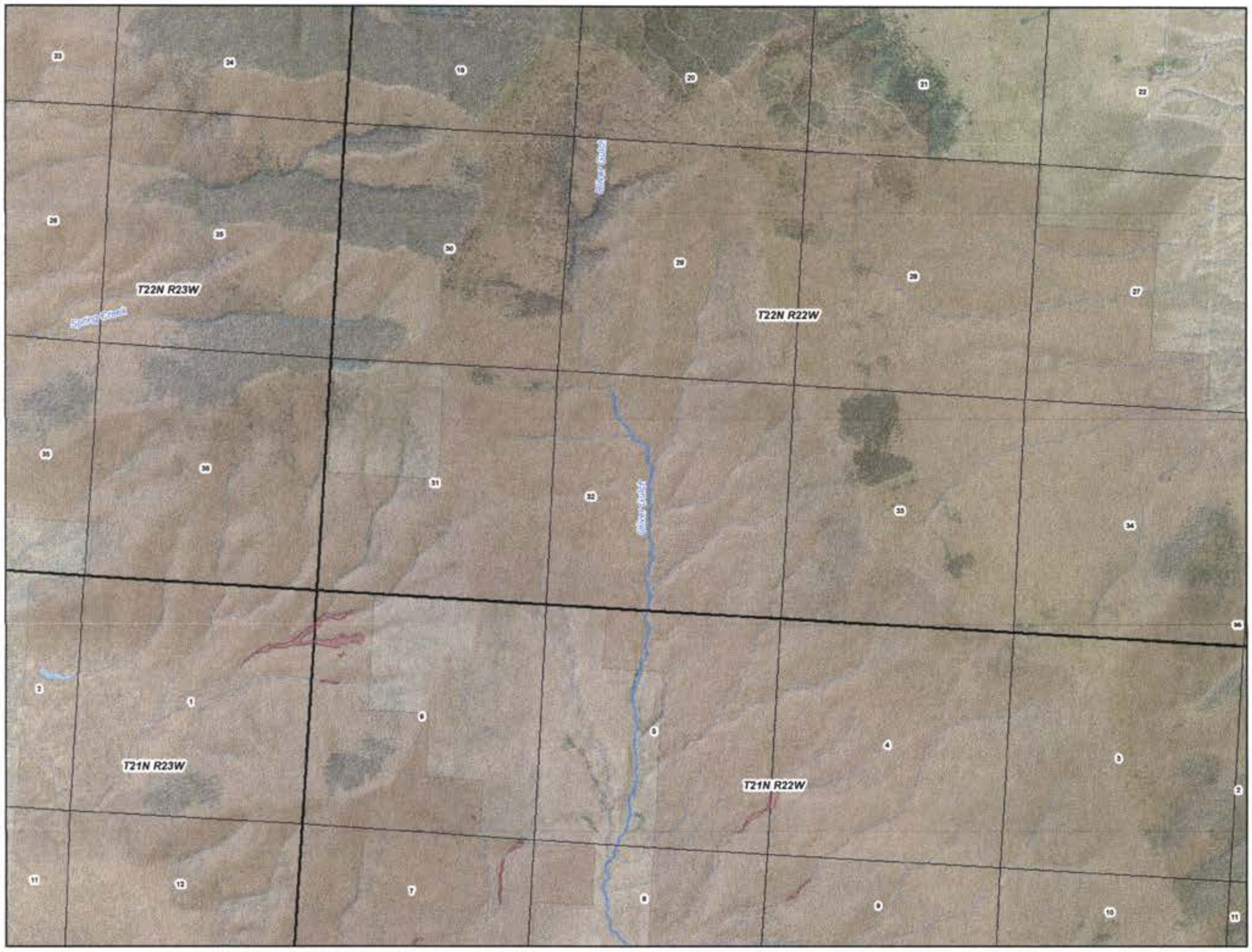
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


23
24
19
20
21
22
26
25
30
29
28
27
T22N R23W
Spring Creek
Oliver Gulch
T22N R22W
35
36
31
32
33
34
36
2
1
6
5
4
3
2
T21N R23W
T21N R22W
11
12
7
8
9
10
11

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 16

Area
of
Interest
4 2 5 6
7 8 9
10 11
14 15 16
17 19
20 22
21
Polson
Pablo
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

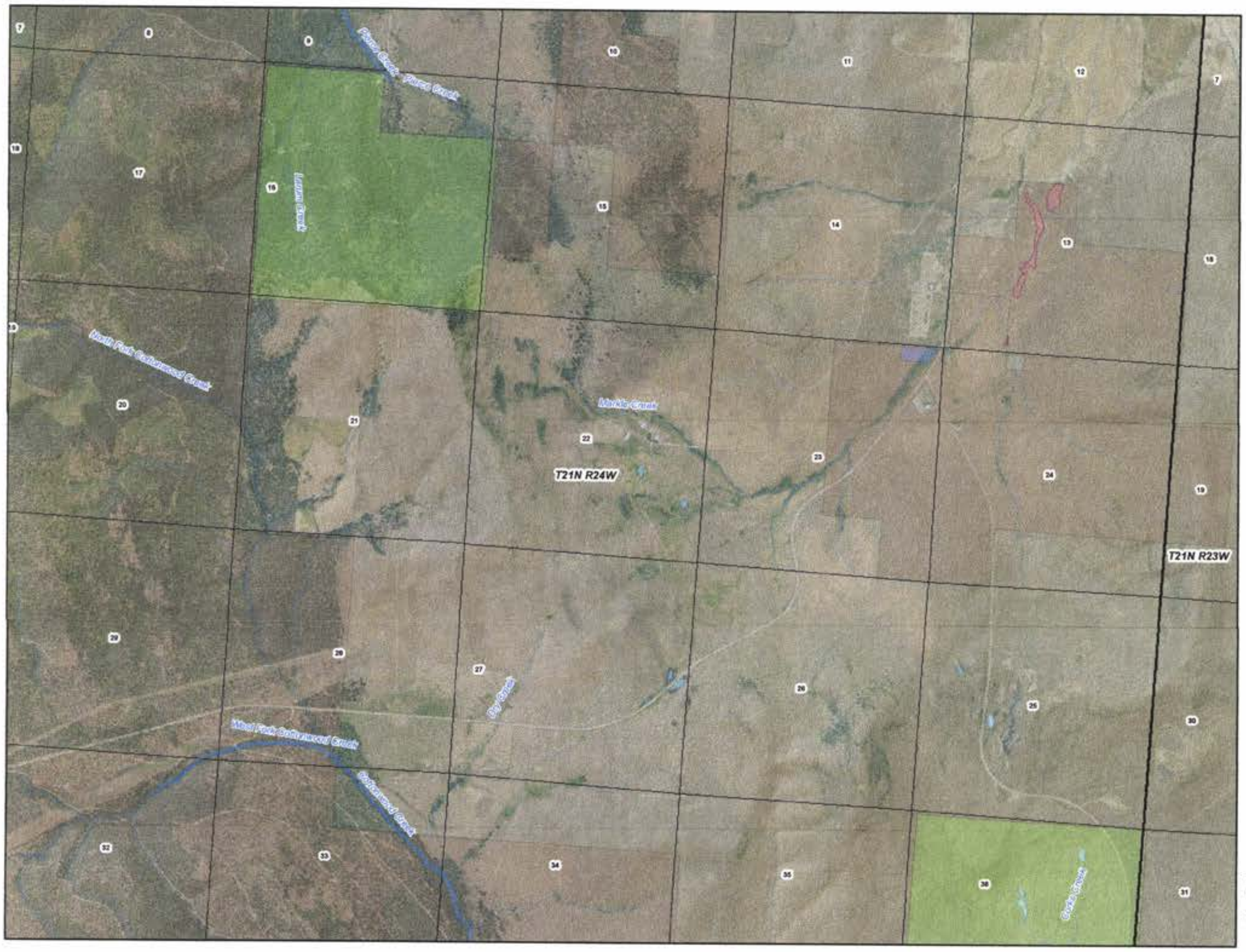
▨ Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Pierce Creek
North Fork Cottonwood Creek
Markle Creek
West Fork Cottonwood Creek
Cottonwood Creek
T21N R24W
T21N R23W
7
8
9
10
11
12
7
18
17
16
15
14
13
18
20
21
22
23
24
19
29
28
27
26
25
30
32
33
34
35
36
31

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 17

Area of Interest
4
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

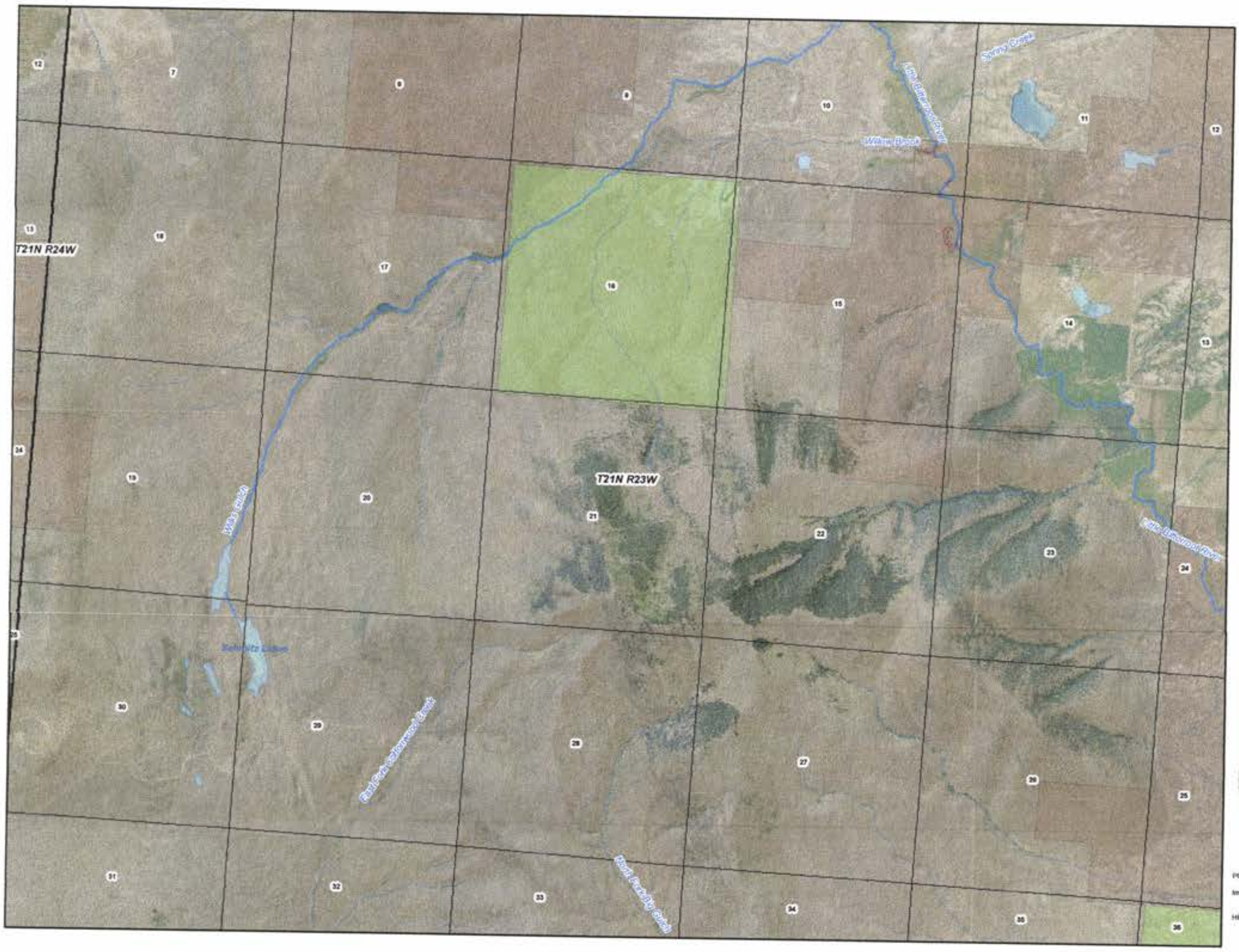
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


12
7
8
9
10
Spring Creek
Little Bitterroot River
Willow Brook
11
12
13
T21N R24W
18
17
16
15
14
13
24
19
20
T21N R23W
21
22
23
Little Bitterroot River
24
25
30
29
28
27
26
25
31
32
33
34
35
36

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 18

Area
of
Interest
4
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

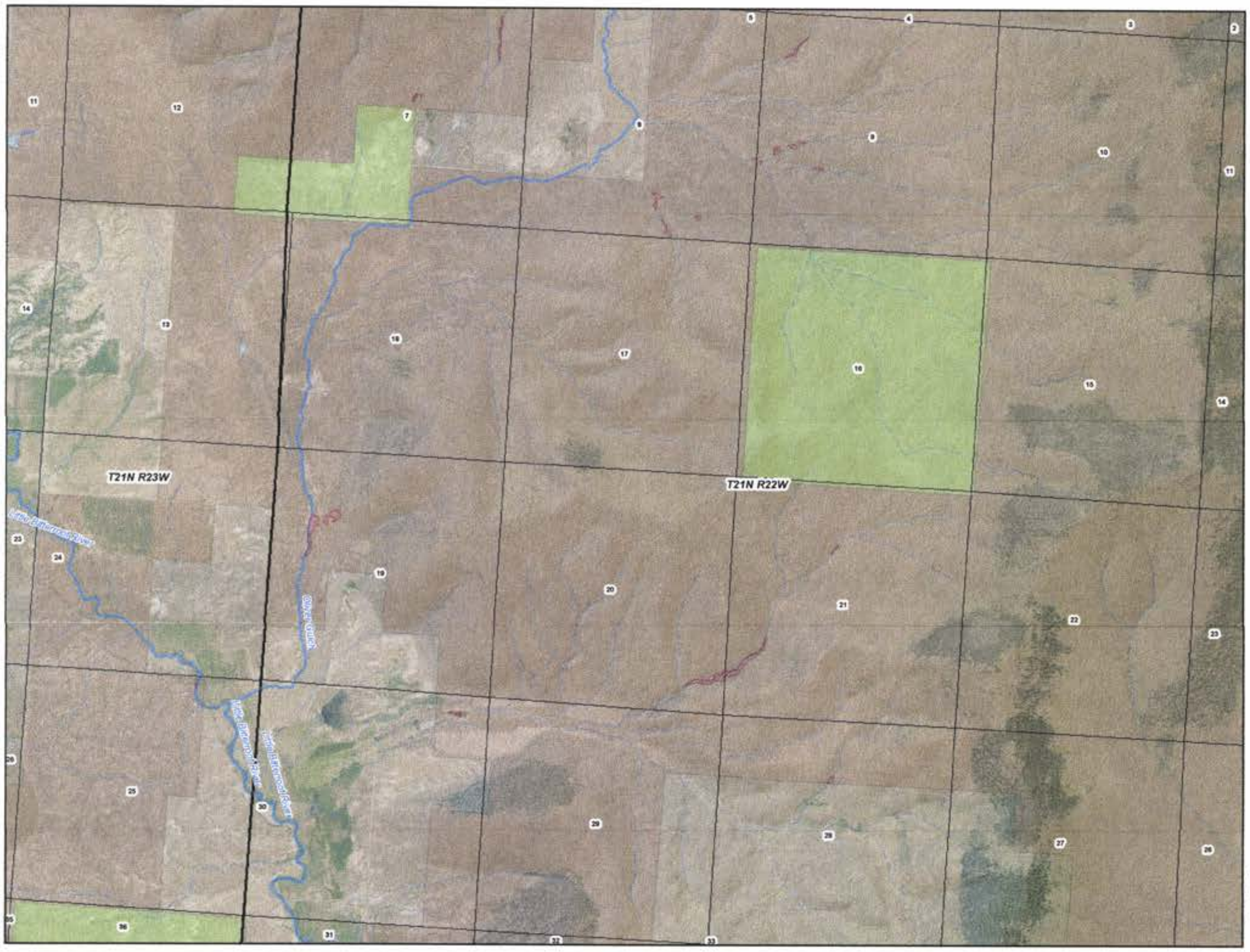
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T21N R23W
T21N R22W
11
12
7
6
5
4
3
2
8
9
10
11
14
13
18
17
16
15
14
23
24
19
20
21
22
23
26
25
30
29
28
27
26
35
36
31
32
33

Place of Use
CSKT Wetlands

76L
30052665

Exhibit 19

Area
of
Interest
4
5
6
7
8
9
10
11
14
15
16
17
19
20
22
21
Polson
Pablo
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

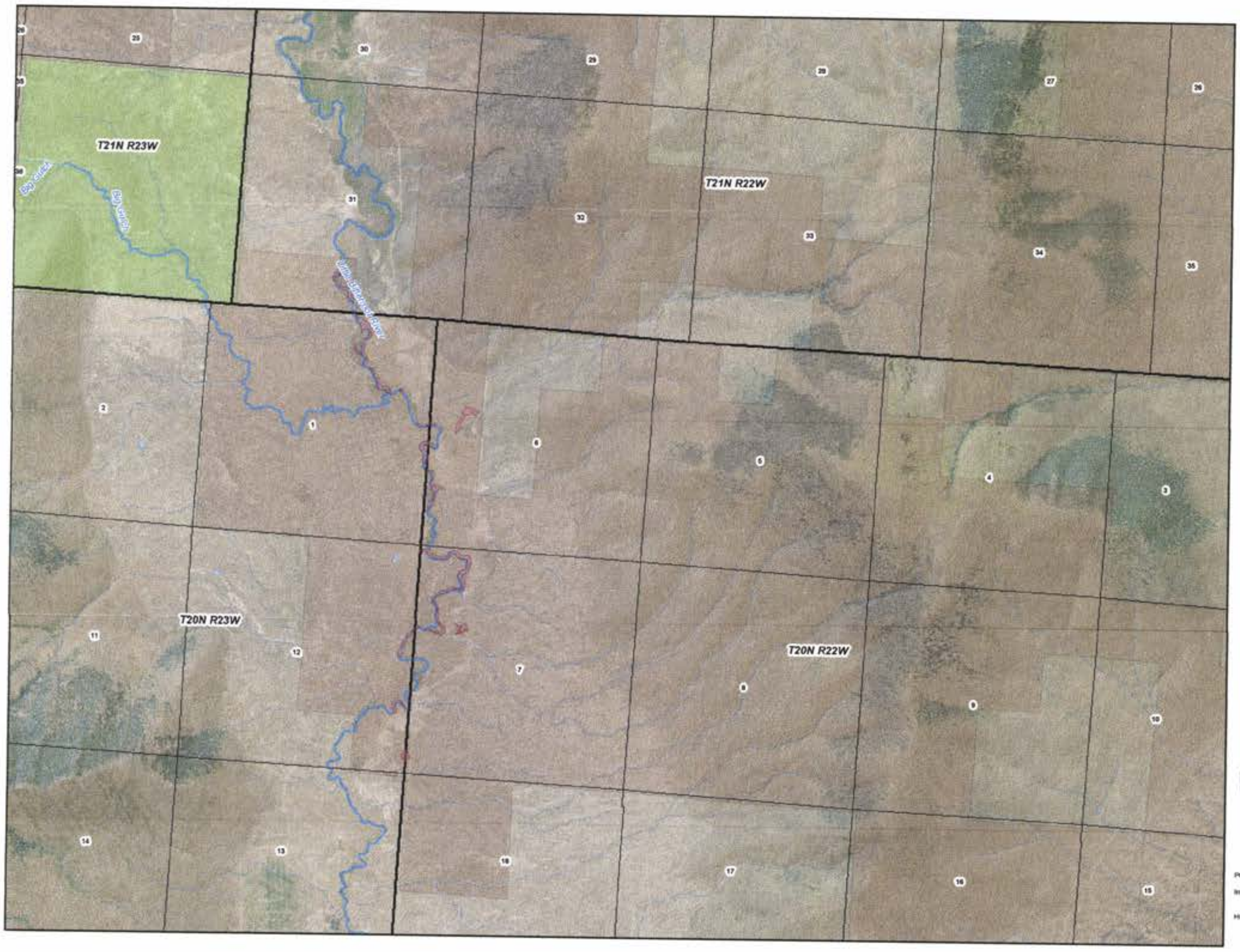
🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


25
30
29
28
27
26
T21N R23W
36
Big Gulch
Big Gulch
31
T21N R22W
32
33
34
35
2
1
6
5
4
3
T20N R23W
11
12
7
T20N R22W
8
9
10
14
13
18
17
16
15

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 20

Area
of
Interest
2
3
4
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St
Ignatius
Arlee

Flathead Indian Reservation

Legend

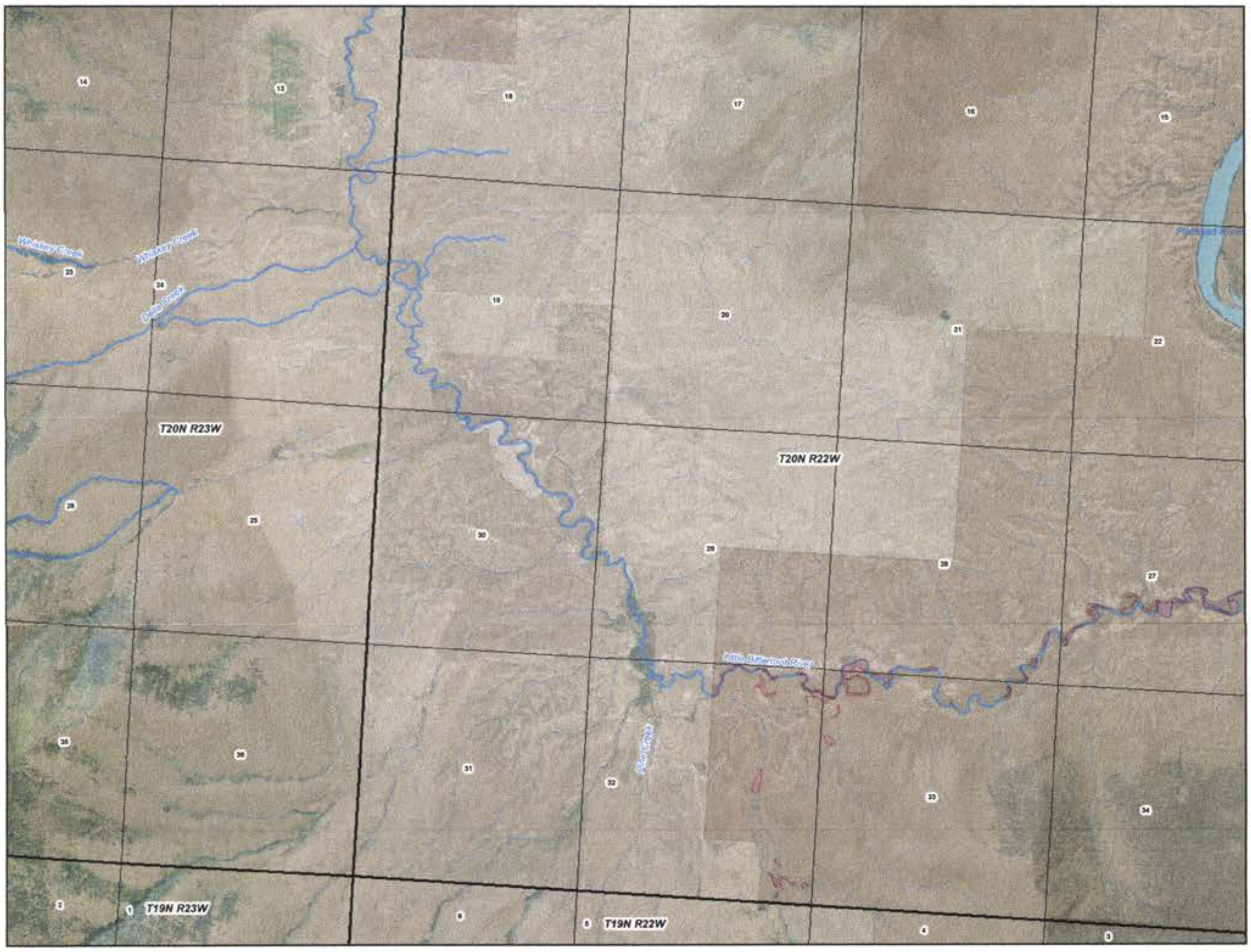
🟥	Places of Use
☐	Reservation Boundary

Land Owner

🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


14
13
18
17
16
15
Whiskey Creek
Whiskey Creek
23
24
19
20
21
22
Flathead River
T20N R23W
T20N R22W
26
25
30
29
28
27
Little Bitterroot River
35
36
31
32
33
34
2
1
T19N R23W
6
5
T19N R22W
4
3

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 21

Area
of
Interest
4
7 8 9
10 11
14 15 16
17
19
20
21 22
Polson
Pablo
St.
Ignatius
Arlee

Flathead Indian Reservation

Legend

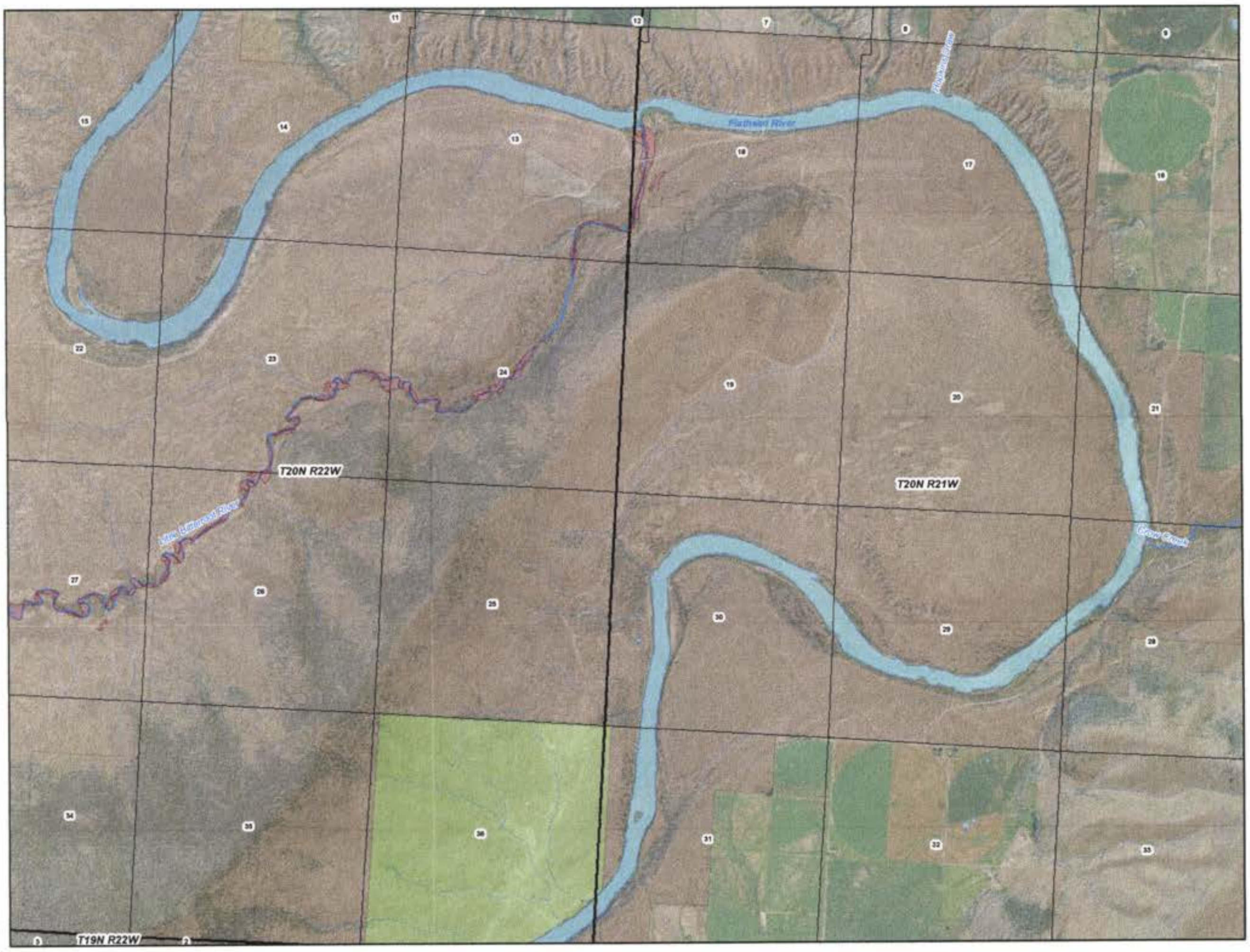
🟥 Places of Use
☐ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


11
12
7
8
9
15
14
13
Flathead River
18
17
16
22
23
24
19
20
21
T20N R22W
T20N R21W
Crow Creek
27
26
25
30
29
28
34
35
36
31
32
33
3
T19N R22W
2

Place of Use

CSKT Wetlands

76L
30052665

Exhibit 22

Area of Interest
4
2
5
6
7
8
9
10
11
14
15
16
17
19
20
21
22
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

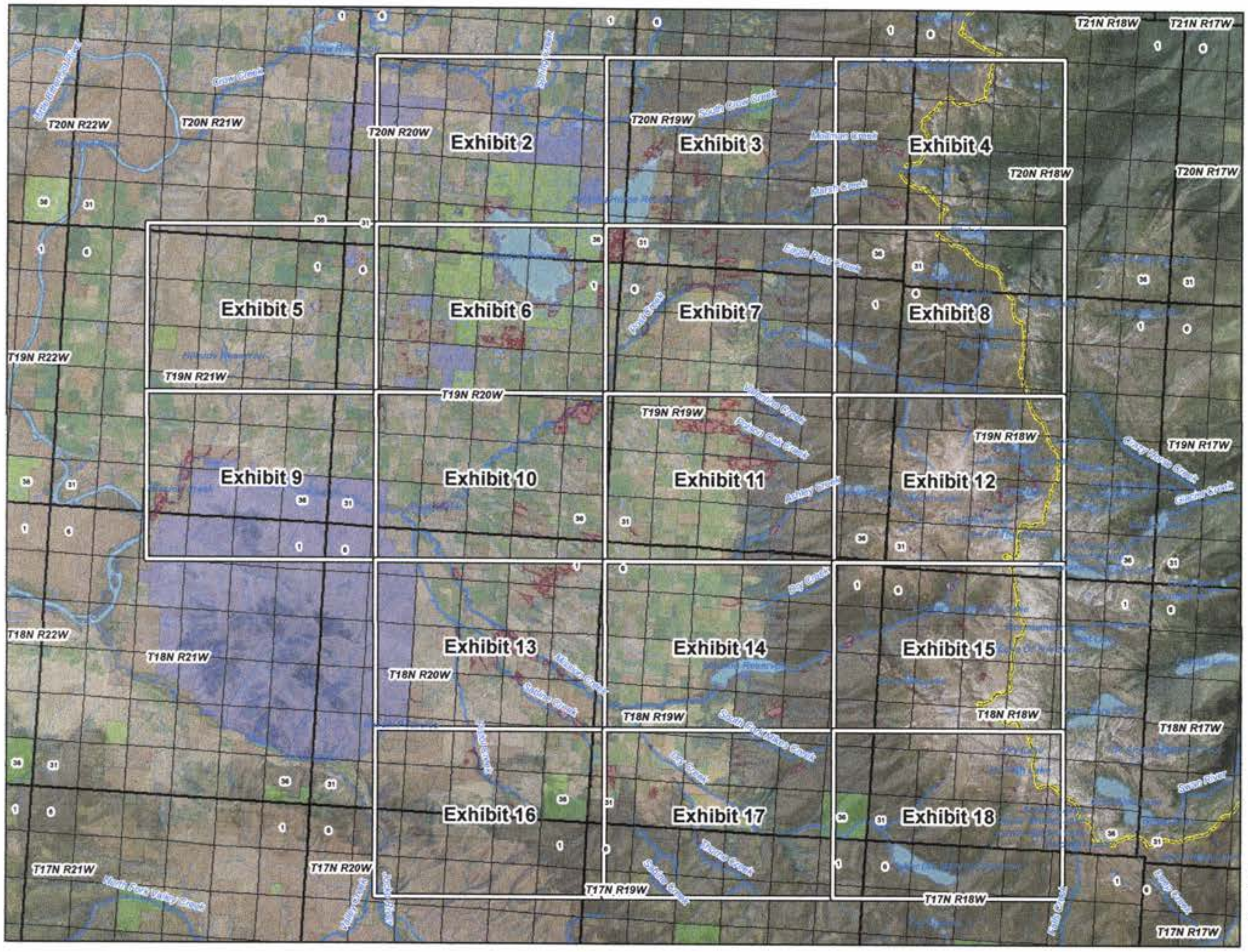
POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 1


T21N R18W
T21N R17W
T20N R22W
T20N R21W
T20N R20W
T20N R19W
T20N R18W
T20N R17W
T19N R22W
T19N R21W
T19N R20W
T19N R19W
T19N R18W
T19N R17W
T18N R22W
T18N R21W
T18N R20W
T18N R19W
T18N R18W
T18N R17W
T17N R21W
T17N R20W
T17N R19W
T17N R18W
T17N R17W
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8
Exhibit 9
Exhibit 10
Exhibit 11
Exhibit 12
Exhibit 13
Exhibit 14
Exhibit 15
Exhibit 16
Exhibit 17
Exhibit 18
Crow Creek
South Crow Creek
Marsh Creek
Eagle Pass Creek
Post Creek
Ashley Creek
Crazy Horse Creek
Glacier Creek
Dry Creek
Mission Creek
South Fork Mission Creek
Swan River
Falls Creek
Valley Creek
North Fork Valley Creek
1
6
36
31

Area
of
Interest
Hot
Springs
Polson
Pablo
Arlee
2
3
4
5
6
7
8
12
9
13
11
15
16
17
18

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

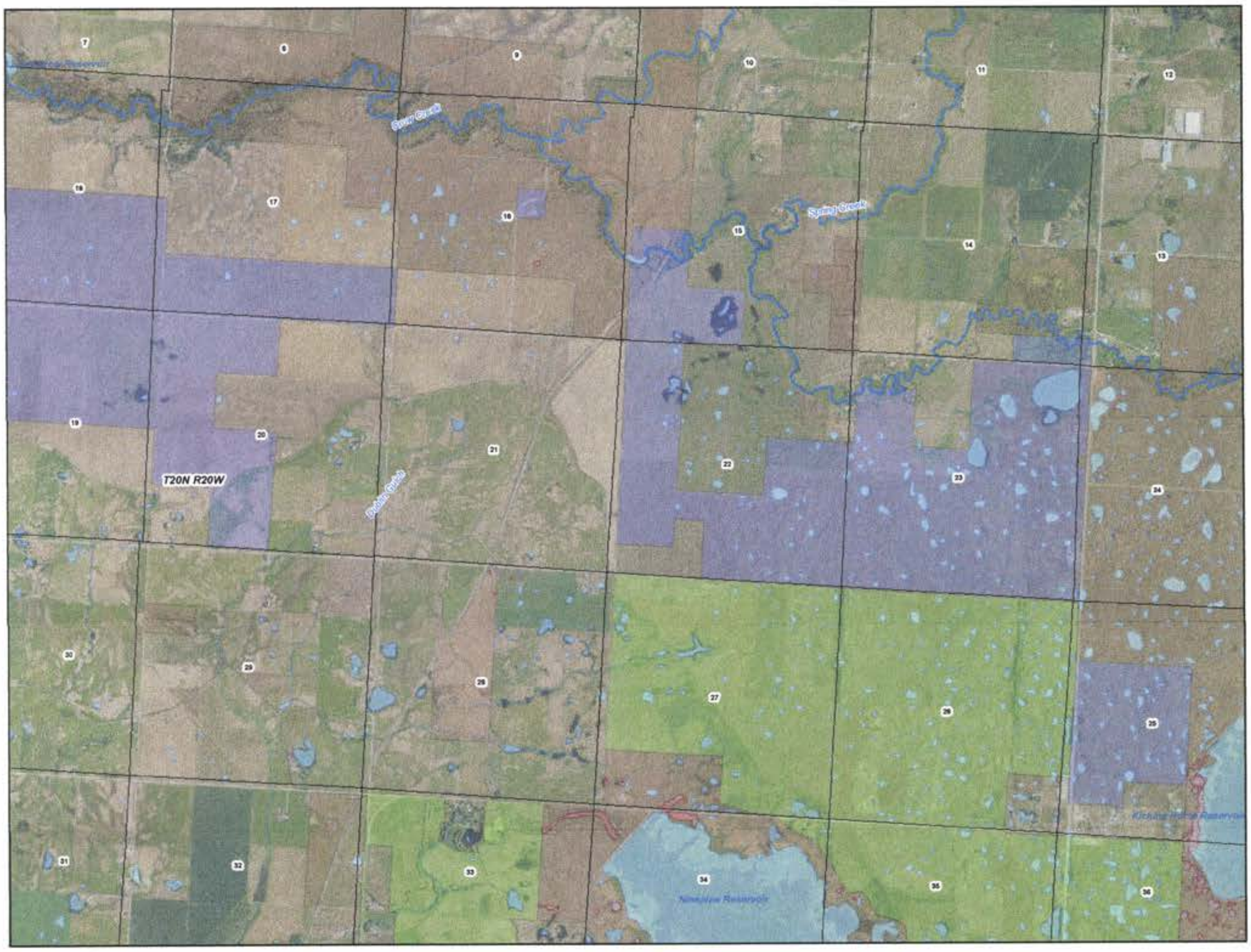
🟫 Tribal

🟦 Federal

🟩 State

0 1.25 2.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


7
8
9
10
11
12
18
17
16
15
14
13
19
20
21
22
23
24
30
29
28
27
26
25
31
32
33
34
35
36
T20N R20W
Crow Creek
Spring Creek
Ninepipe Reservoir
Kicking Horse Reservoir

Place of Use

CSKT Wetlands

76L 30052666

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
Arlee

Flathead Indian Reservation

Legend

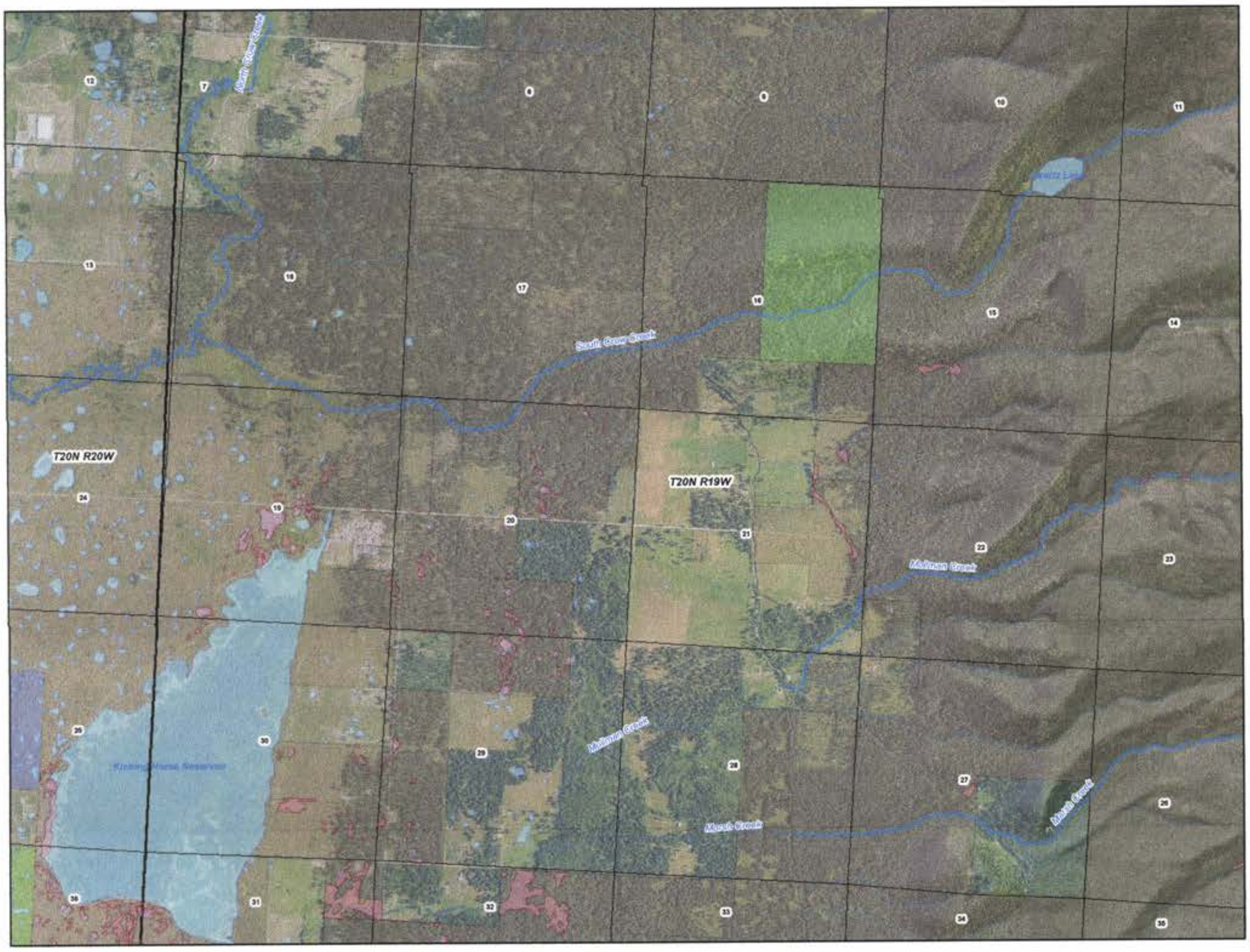
- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


12
7
North Crow Creek
8
9
10
11
13
18
17
16
South Crow Creek
15
14
T20N R20W
T20N R19W
24
19
20
21
22
Mollman Creek
23
25
30
Kicking Horse Reservoir
29
Mollman Creek
28
27
Marsh Creek
26
Marsh Creek
36
31
32
33
34
35

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
2
3
4
5
6
7
8
12
9
13
11
15
16
17
18
Arlee

Flathead Indian Reservation

Legend

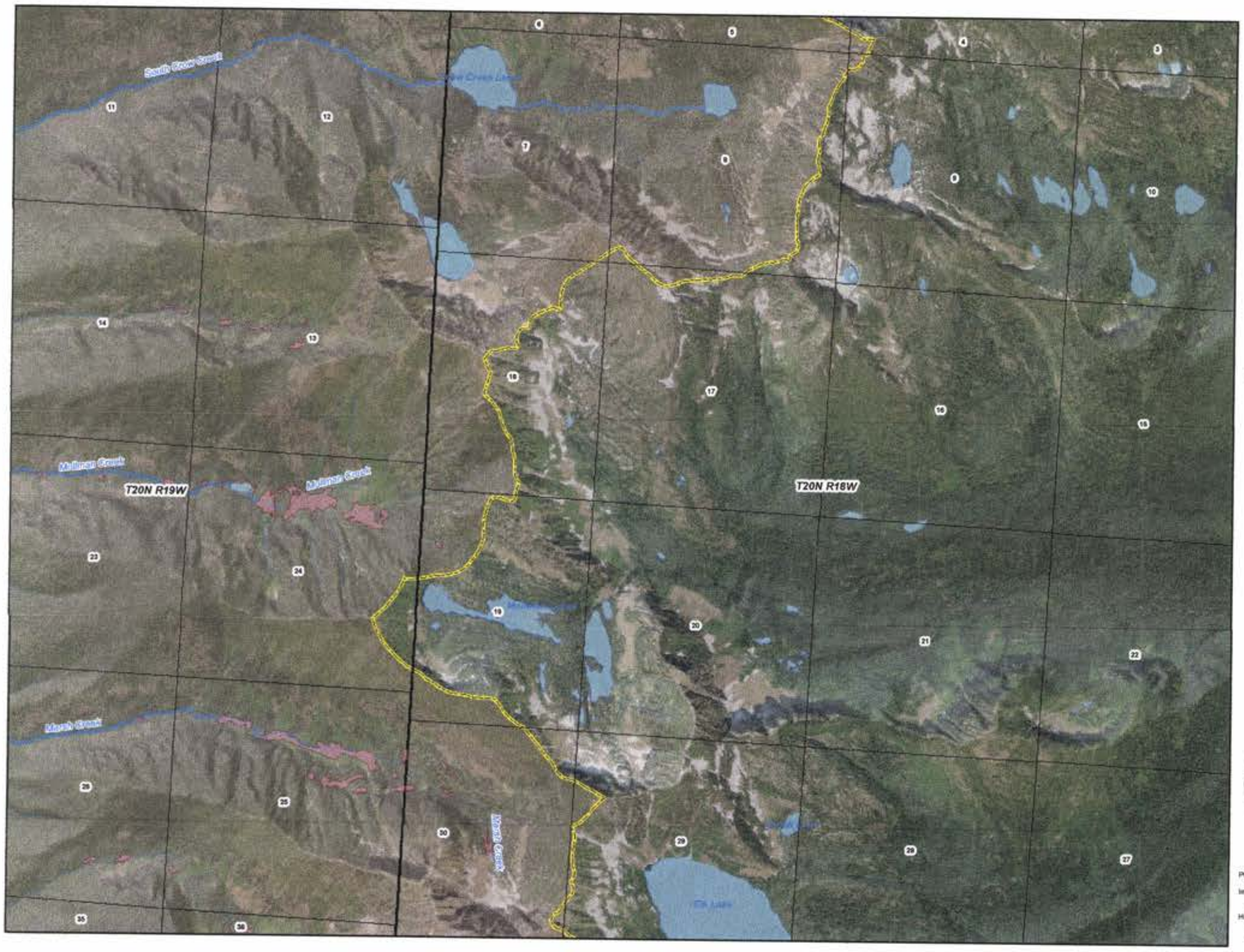
- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


South Crow Creek
Crow Creek Lake
Mollman Creek
Mollman Creek
T20N R19W
T20N R18W
Marsh Creek
Marsh Creek
Elk Lake
11
12
6
5
4
3
7
8
9
10
14
13
18
17
16
15
23
24
19
20
21
22
26
25
30
29
28
27
35
36

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
Arlee
2 3
5 6 7 8 12
9 13 11 15
16 17 18

Flathead Indian Reservation

Legend

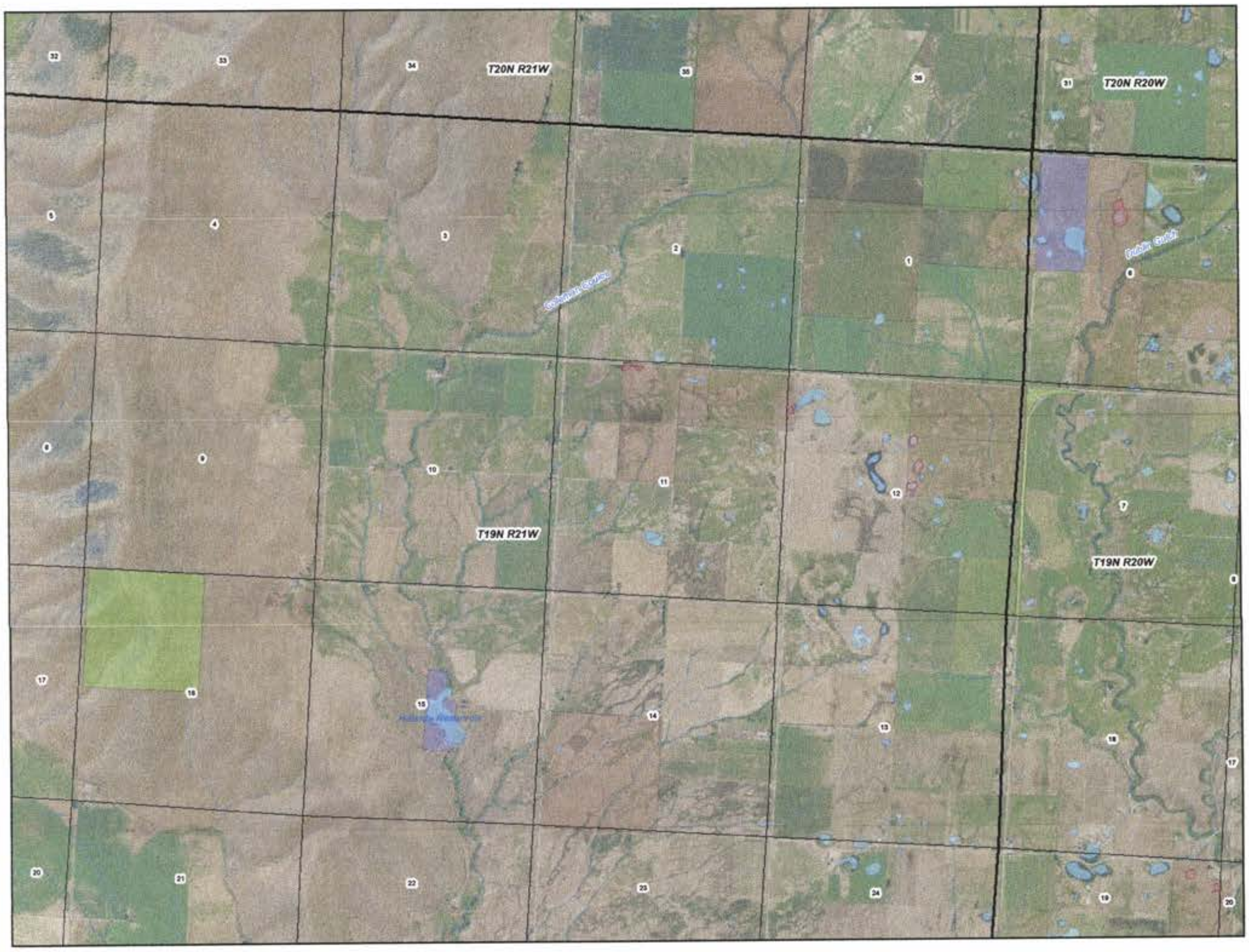
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


32
33
34
T20N R21W
35
36
31
T20N R20W
5
4
3
2
1
6
8
9
10
11
12
7
T19N R21W
T19N R20W
8
17
16
15
14
13
18
17
20
21
22
23
24
19
20

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 5

Area
of
Interest
Hot
Springs
Polson
Pablo
2
3
4
5
6
7
8
12
9
10
11
15
16
17
18
Arlee

Flathead Indian Reservation

Legend

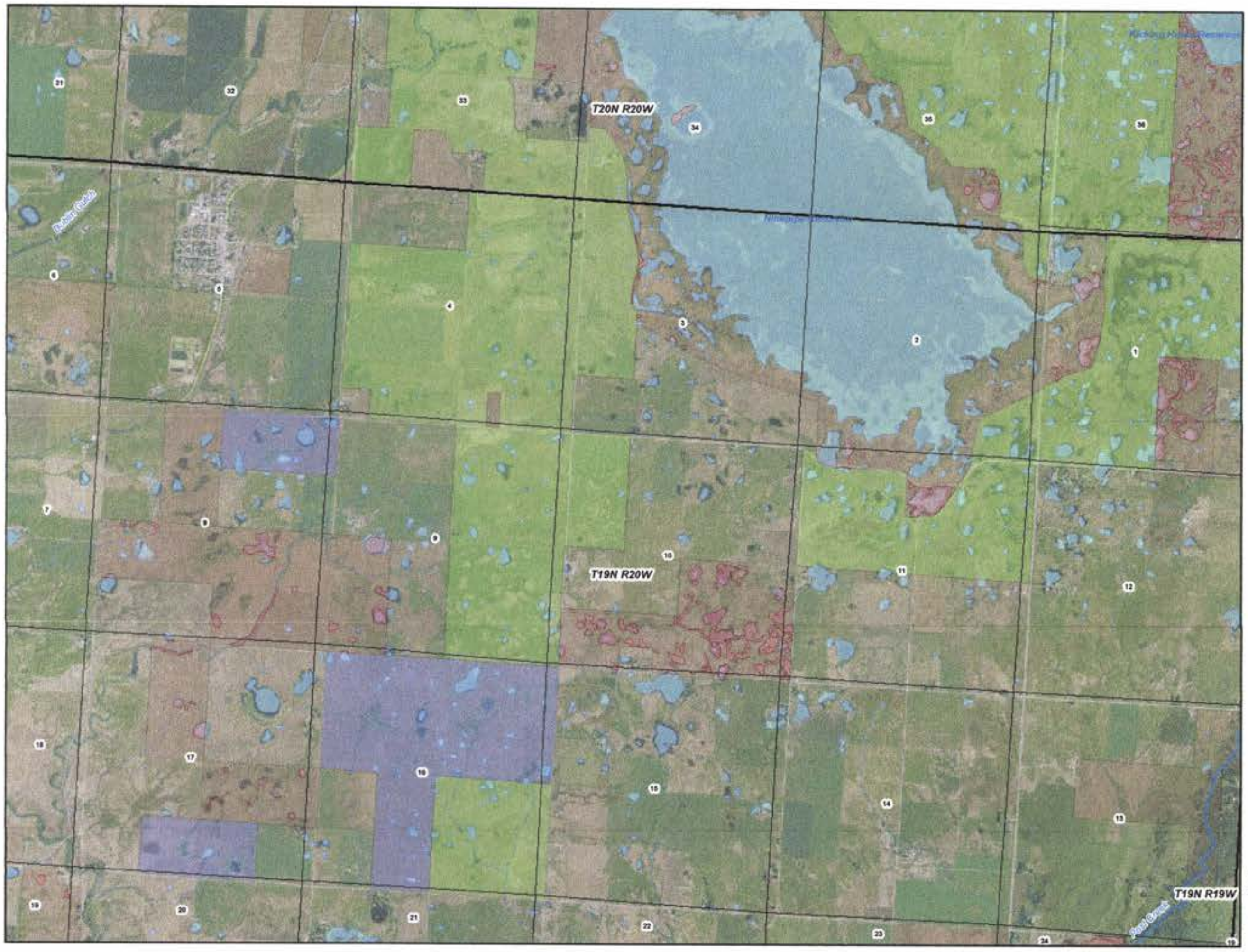
- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T20N R20W
T19N R20W
T19N R19W
Ninepipe Reservoir
Kicking Horse Reservoir
Dublin Gulch
Crow Creek
31
32
33
34
35
36
6
5
4
3
2
1
7
8
9
10
11
12
18
17
16
15
14
13
19
20
21
22
23
24
19

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 6

Area of Interest
Hot Springs
Polson
Pablo
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
15
16
17
18

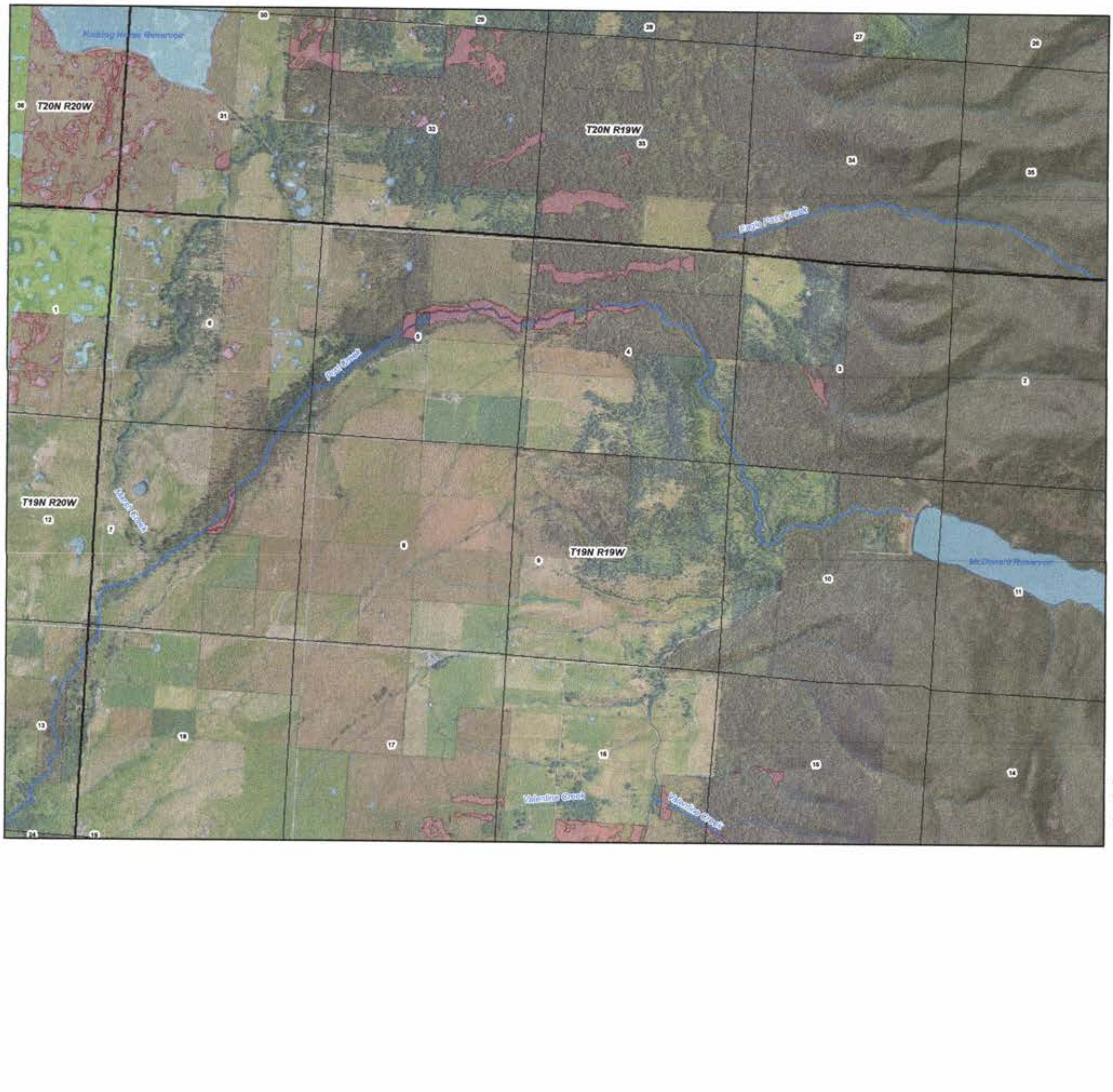
Flathead Indian Reservation

Legend

🟥	Places of Use
☐	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second).


Kicking Horse Reservoir
T20N R20W
T20N R19W
Eagle Pass Creek
Post Creek
Mud Creek
T19N R20W
T19N R19W
McDonald Reservoir
Valentine Creek
36
30
29
28
27
26
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11
13
18
17
16
15
14
24
19

Place of Use

CSKT Wetlands

76L 30052666

Exhibit 7

Area of Interest
Hot Springs
Polson
Pablo
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
15
16
17
18

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

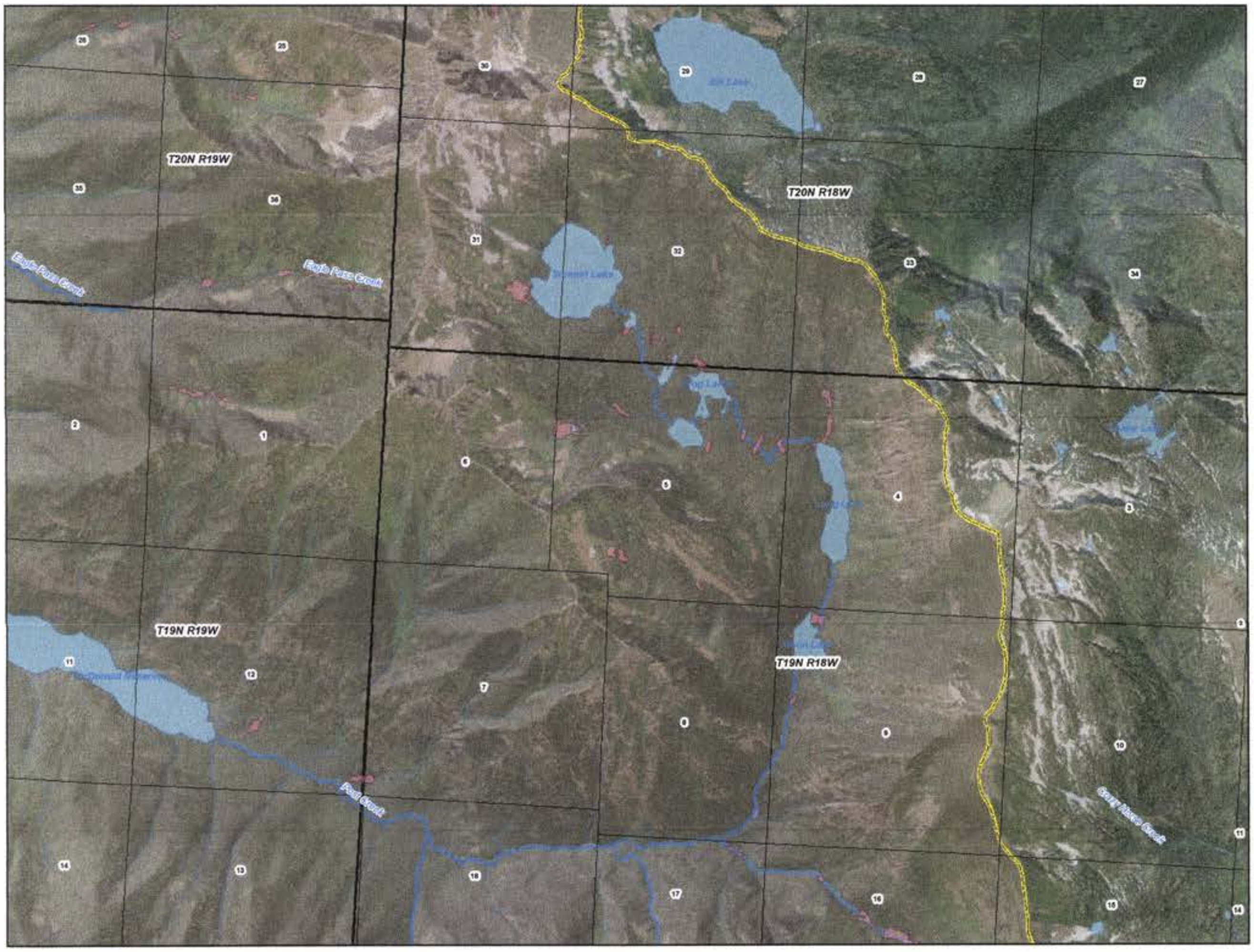
🟫 Tribal

🟦 Federal

🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T20N R19W
T20N R18W
T19N R19W
T19N R18W
Elk Lake
Summit Lake
Eagle Pass Creek
Eagle Pass Creek
McDonald Reservoir
Post Creek

Place of Use

CSKT Wetlands

76L 30052666

Exhibit 8

Area of Interest
Hot Springs
Polson
Pablo
Arlee
2
3
4
5
6
7
8
12
9
13
11
15
16
17
18

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

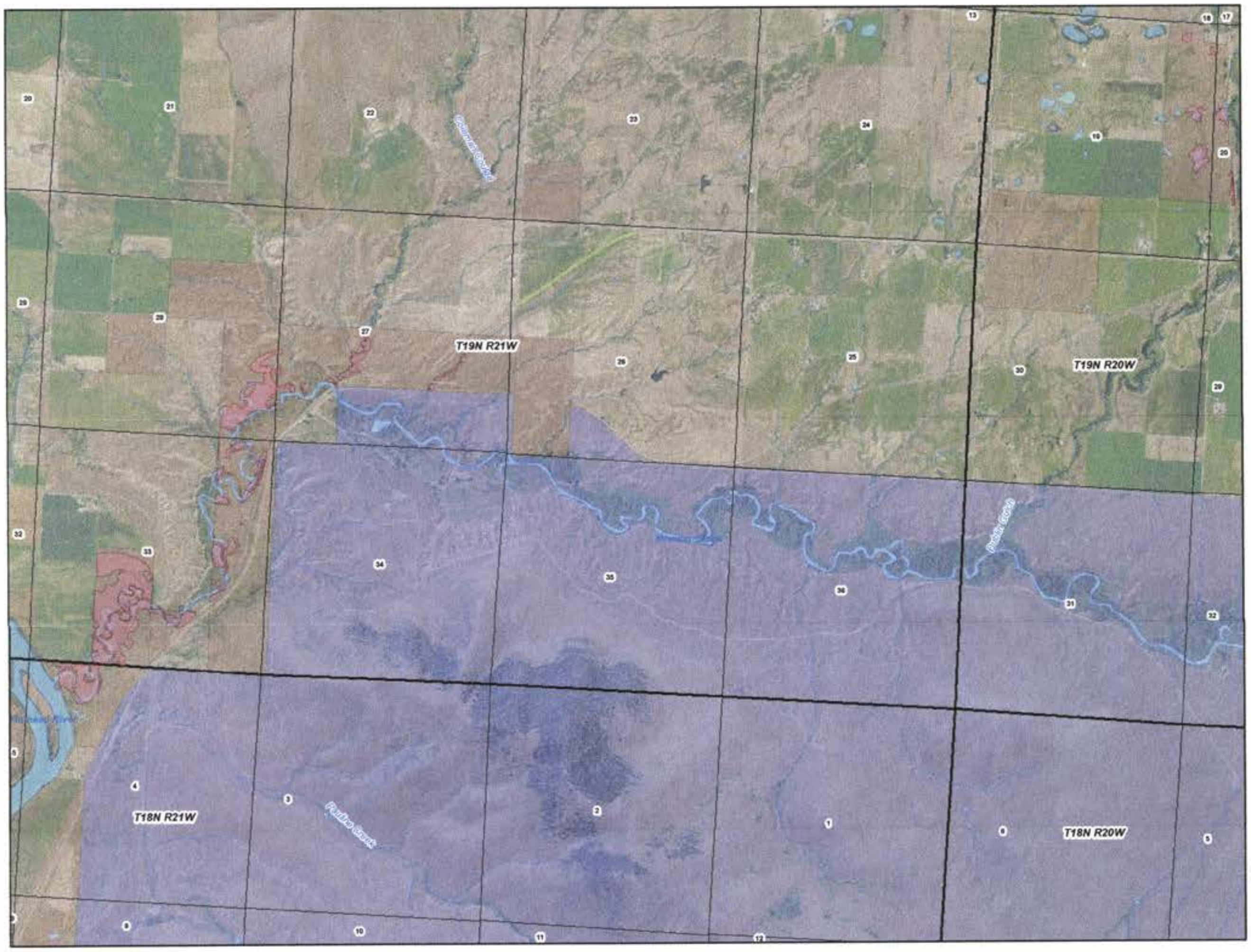
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


20
21
22
23
24
13
18
17
19
20
29
28
27
T19N R21W
26
25
30
T19N R20W
29
32
33
34
35
36
31
32
5
4
T18N R21W
3
2
1
6
T18N R20W
5
9
10
11
12

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 9

Area of Interest
Hot Springs
Polson
Pablo
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

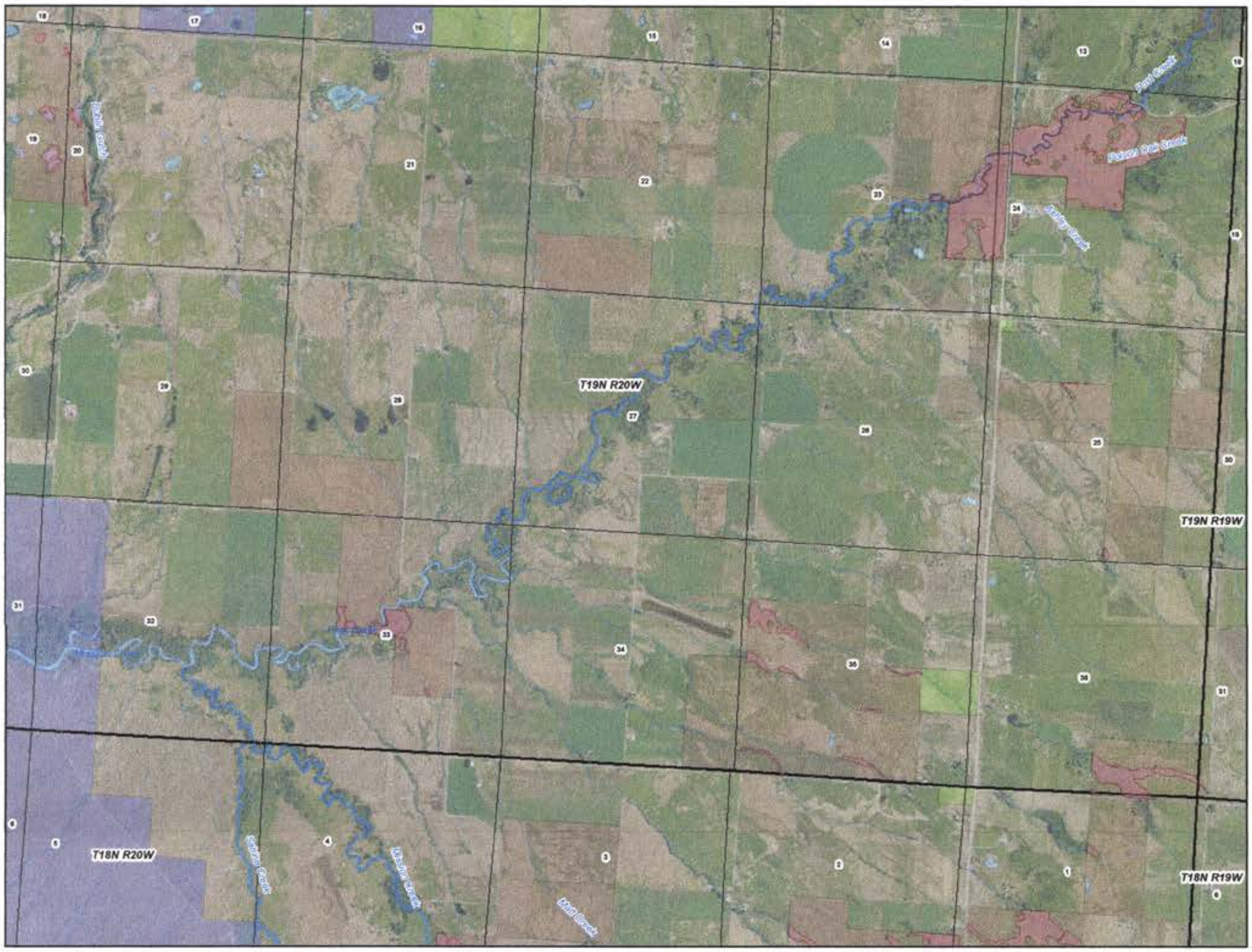
🟫 Tribal

🟦 Federal

🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

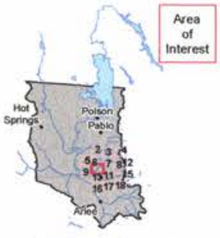

18
17
16
15
14
13
18
19
20
21
22
23
24
19
30
29
28
27
26
25
30
31
32
33
34
35
36
31
6
5
4
3
2
1
6
T19N R20W
T19N R19W
T18N R20W
T18N R19W
Post Creek
Ashley Creek
Mud Creek

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 10


Area of Interest
Hot Springs
Polson
Pablo
Arlee
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Flathead Indian Reservation

Legend

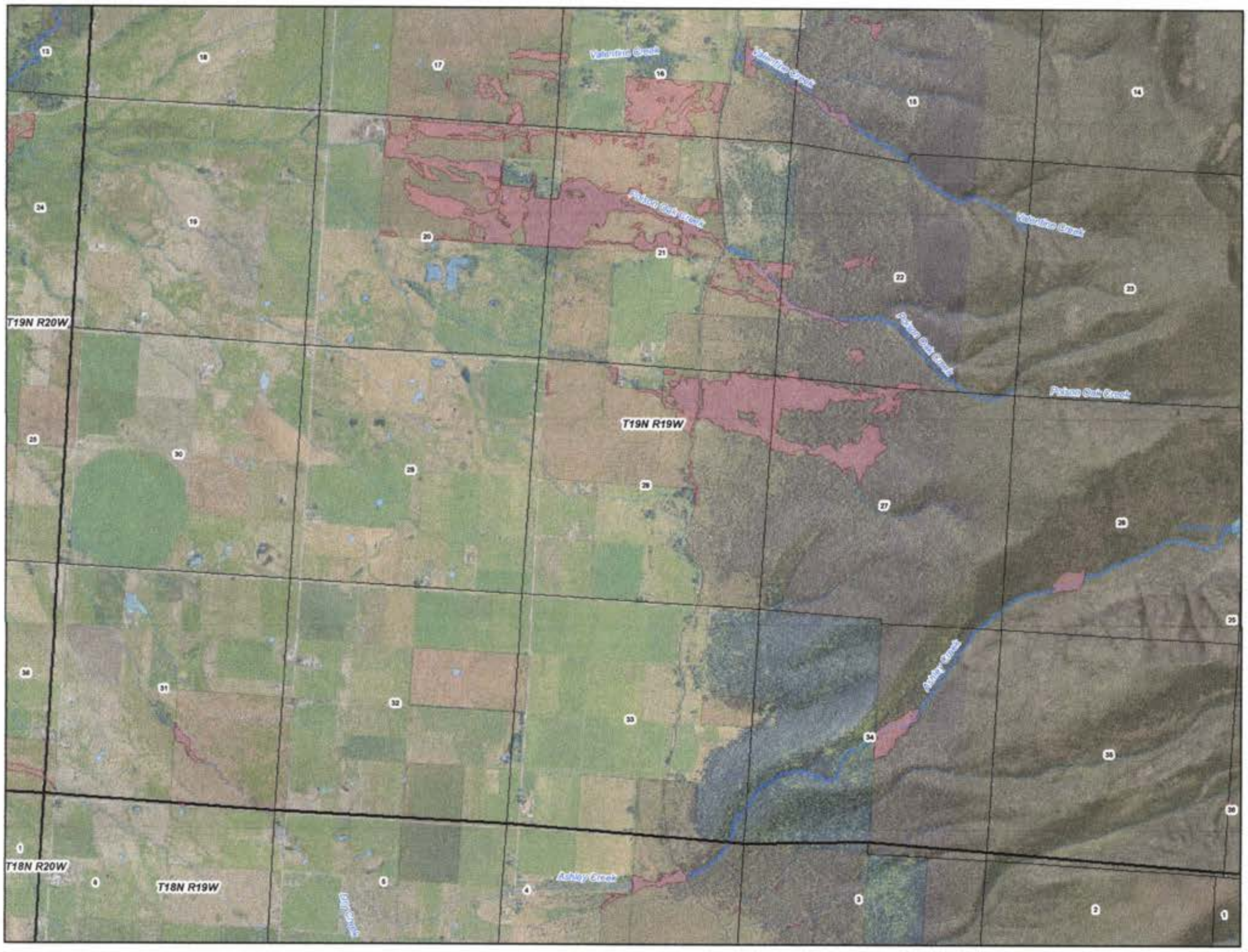
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Valentine Creek
Poison Oak Creek
Ashley Creek
T19N R20W
T19N R19W
T18N R20W
T18N R19W
13
18
17
16
15
14
24
19
20
21
22
23
25
30
29
28
27
26
36
31
32
33
34
35
1
6
5
4
3
2

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 11

Area of Interest
Hot Springs
Polson
Pablo
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Flathead Indian Reservation

Legend

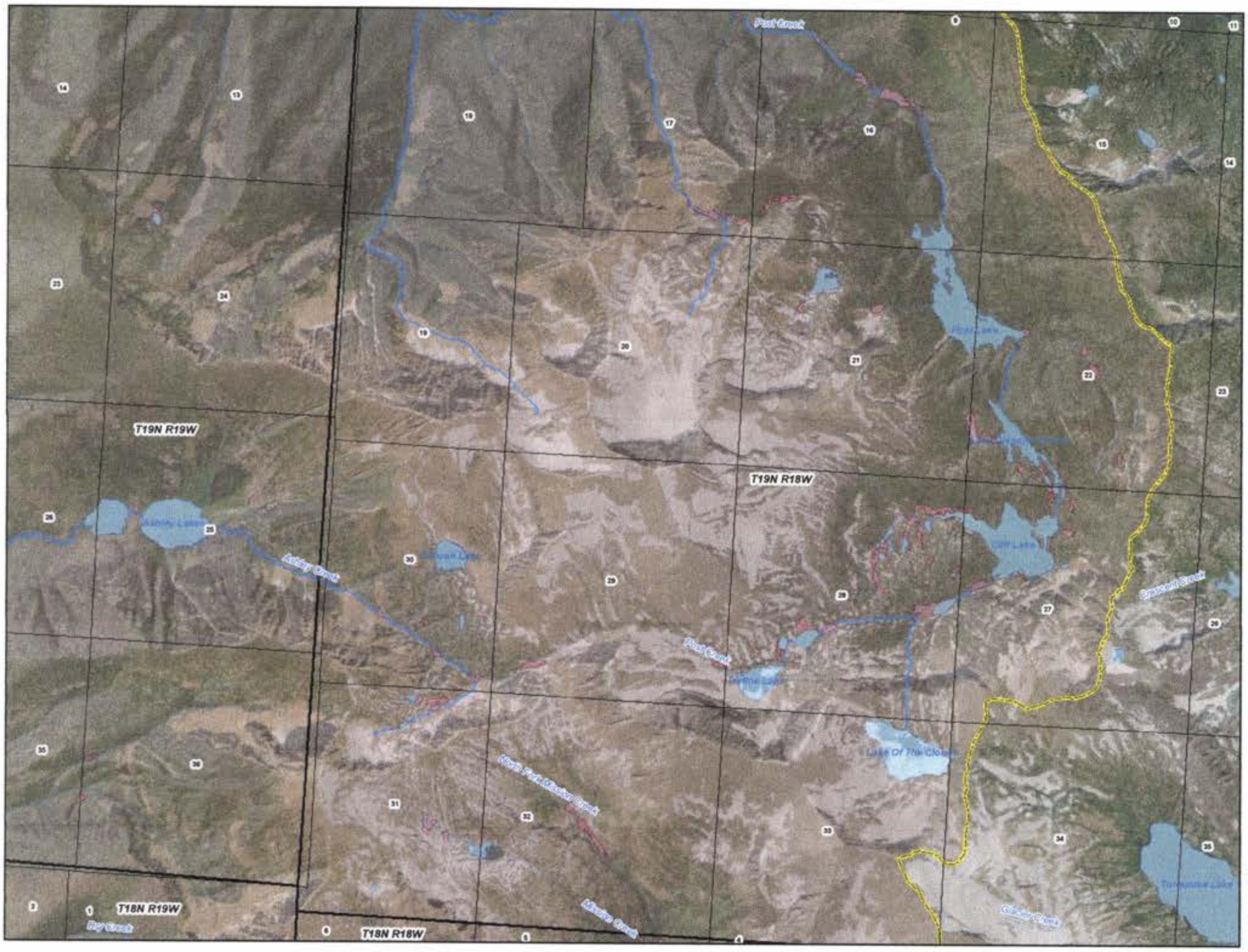
- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Post Creek
T19N R19W
T19N R18W
T18N R19W
T18N R18W
Ashley Lakes
Ashley Creek
Cliff Lake
Lake Of The Clouds
Turquoise Lake
Crescent Creek
North Fork Mission Creek
Mission Creek
Glacier Creek
Dry Creek
14
13
18
17
16
15
9
10
11
23
24
19
20
21
22
26
25
30
29
28
27
35
36
31
32
33
34
2
1
6
5
4

Place of Use
CSKT Wetlands

76L
30052666

Exhibit 12

Area of Interest
Hot Springs
Polson
Pablo
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
15
16
17
18

Flathead Indian Reservation

Legend

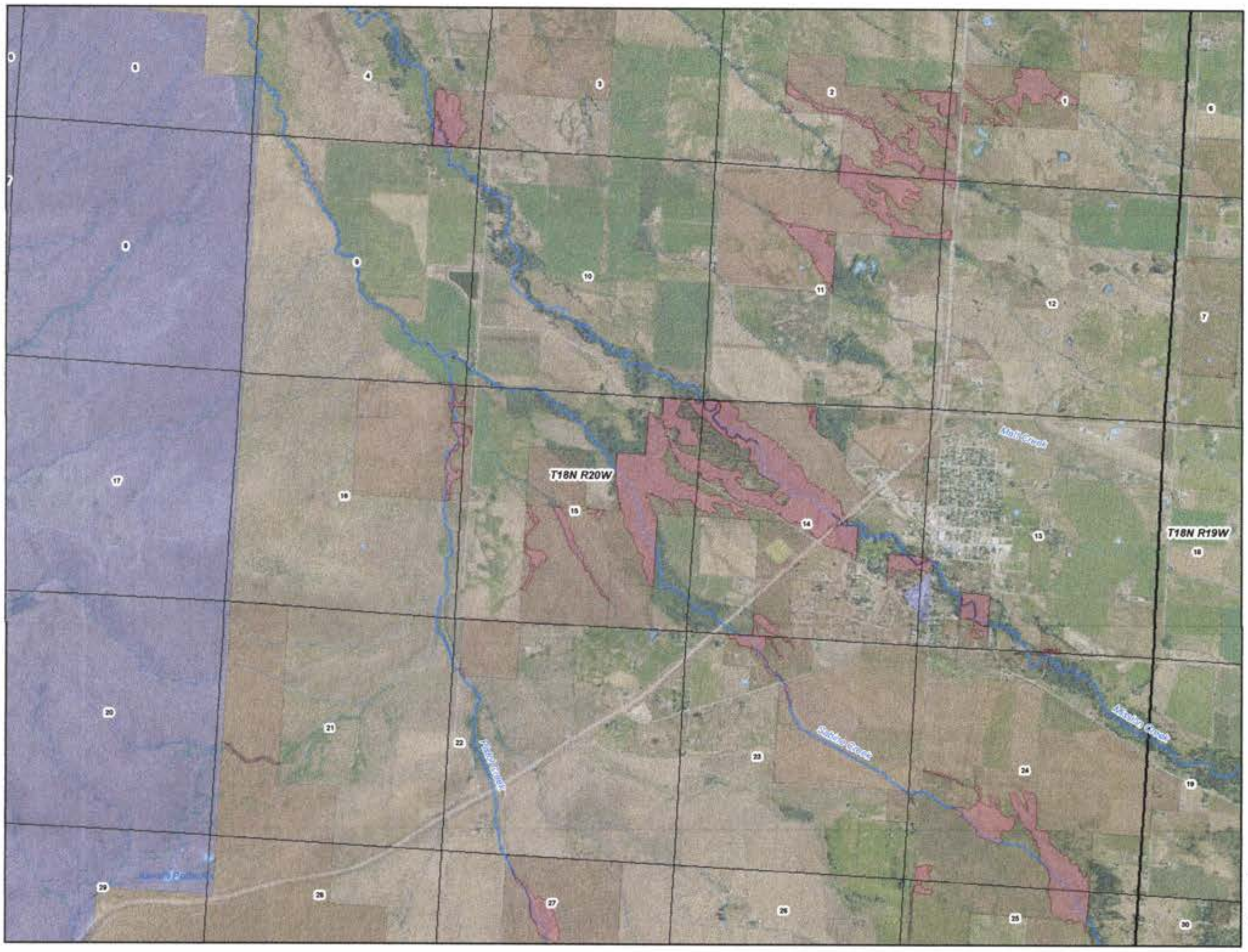
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


6
4
3
2
1
6
8
10
11
12
7
17
16
T18N R20W
15
14
13
T18N R19W
18
20
21
22
23
24
19
Sabine Creek
Mission Creek
29
28
27
26
25
30

Place of Use
CSKT Wetlands

76L
30052666

Exhibit 13

Area of Interest
Hot Springs
Polson
Pablo
Arlee
2
3
4
5
6
7
8
12
9
13
11
15
16
17
18

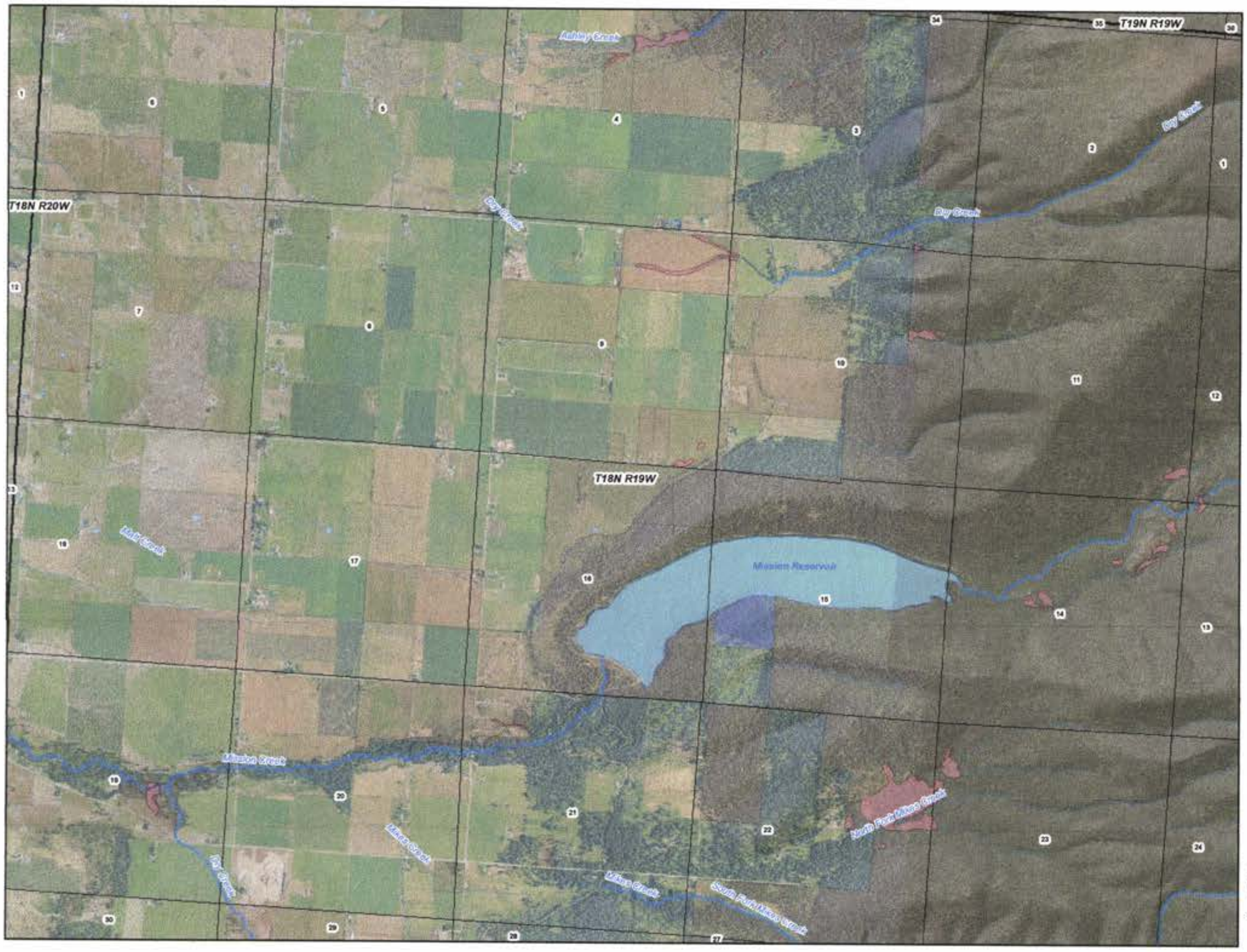
Flathead Indian Reservation

Legend

🟥	Places of Use
☐	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Ashley Creek
T19N R19W
Dry Creek
Dry Creek
Dry Creek
T18N R20W
T18N R19W
Mud Creek
Mission Reservoir
Mission Creek
Mikes Creek
Dry Creek
North Fork Mikes Creek
Mikes Creek
South Fork Mikes Creek

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 14

Area of Interest
Hot Springs
Polson
Pablo
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

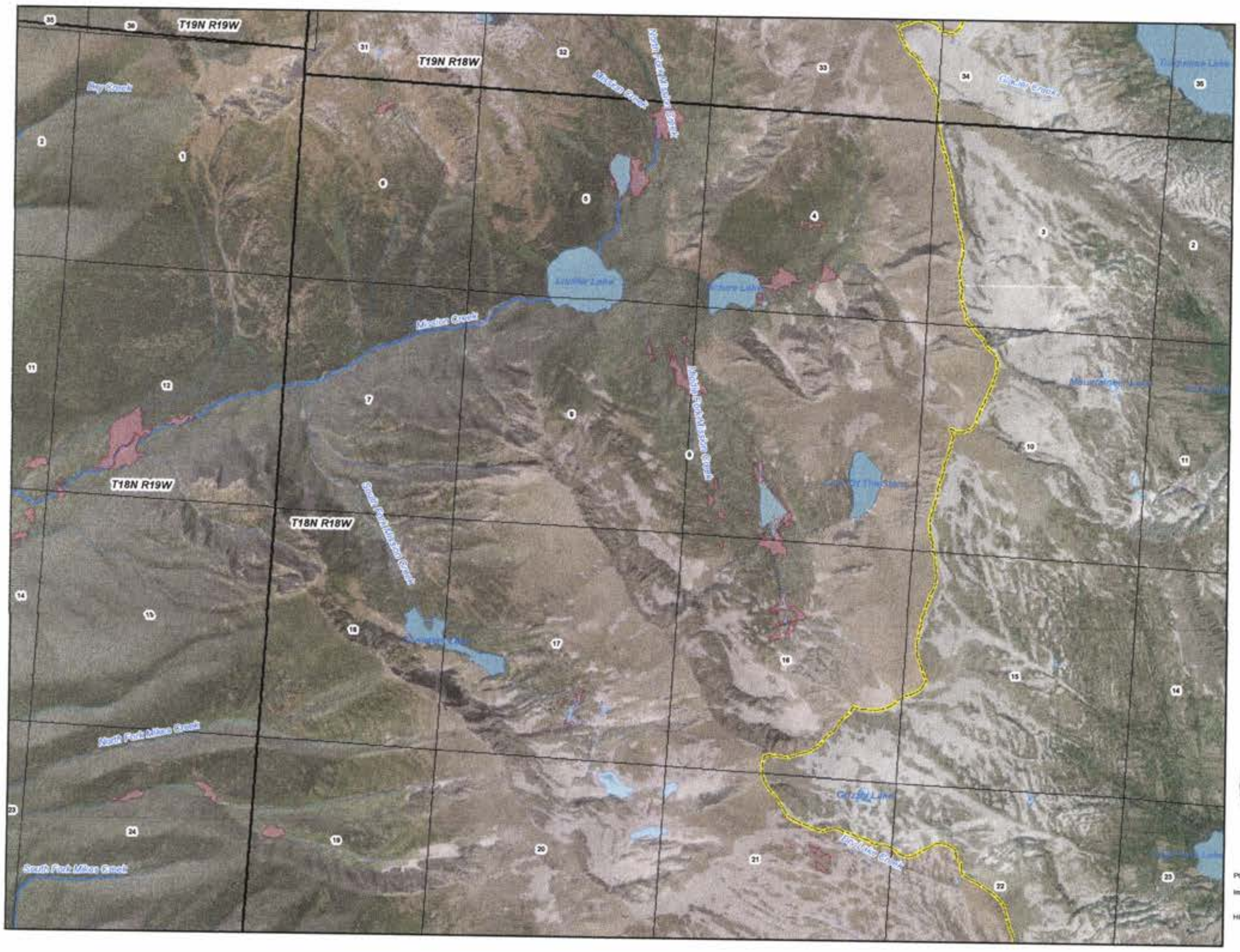
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T19N R19W
T19N R18W
T18N R19W
T18N R18W
Mission Creek
North Fork Mission Creek
Middle Fork Mission Creek
South Fork Mission Creek
Glacier Creek
Mountaineer Lake
Lake Of The Stars
North Fork Mikes Creek
South Fork Mikes Creek
Grizzly Lake

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 15

Area
of
Interest
Hot Springs
Polson
Pablo
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▨ Reservation Boundary

Land Owner

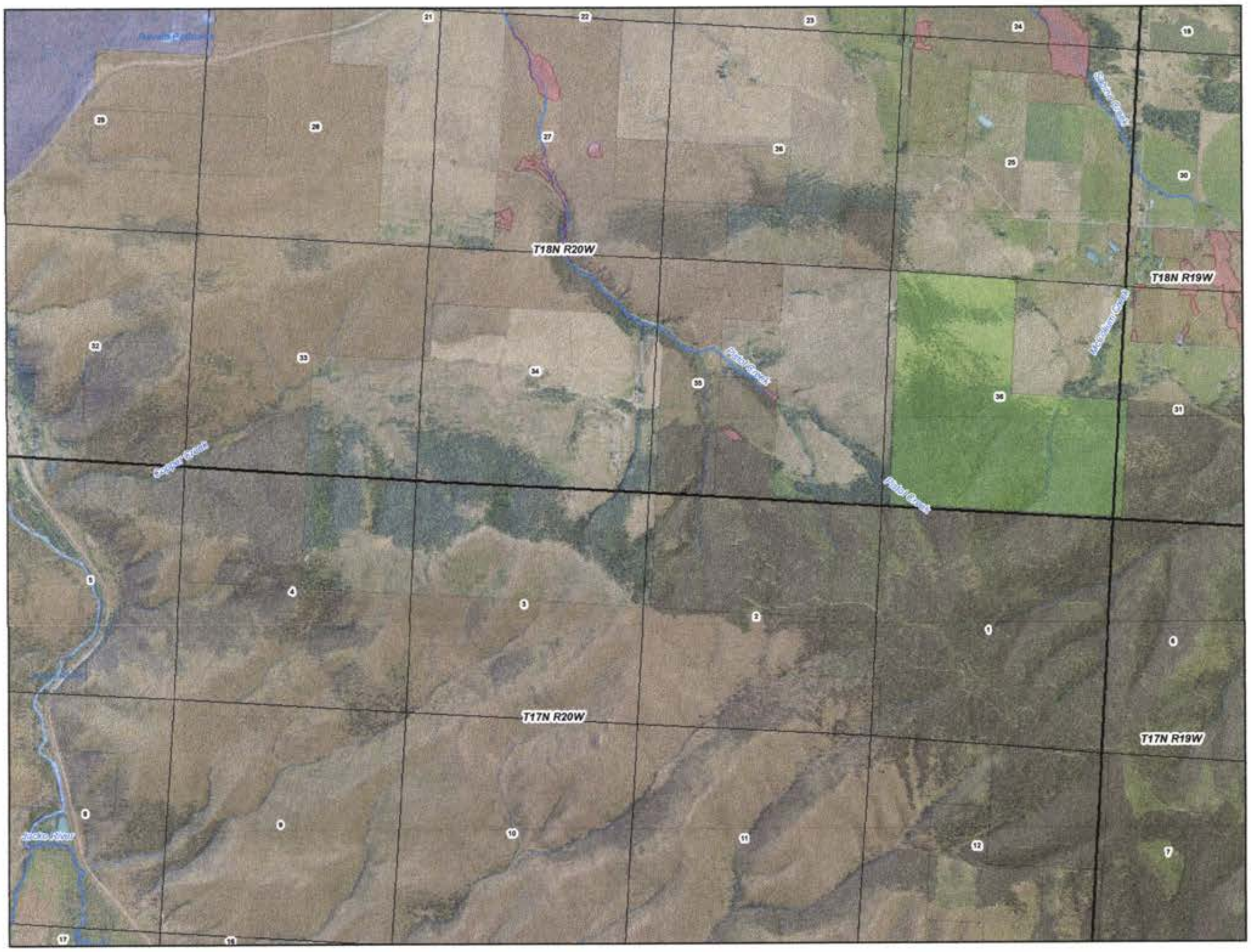
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


21
22
23
24
19
29
28
27
26
25
30
T18N R20W
T18N R19W
32
33
34
35
36
31
Copper Creek
Pistol Creek
Pistol Creek
5
4
3
2
1
6
T17N R20W
T17N R19W
8
9
10
11
12
7
Jocko River
17
16

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 16

Area
of
Interest
Hot
Springs
Polson
Pablo
2
3
4
5
6
7
8
12
9
13
11
15
16
17
18
Arlee

Flathead Indian Reservation

Legend

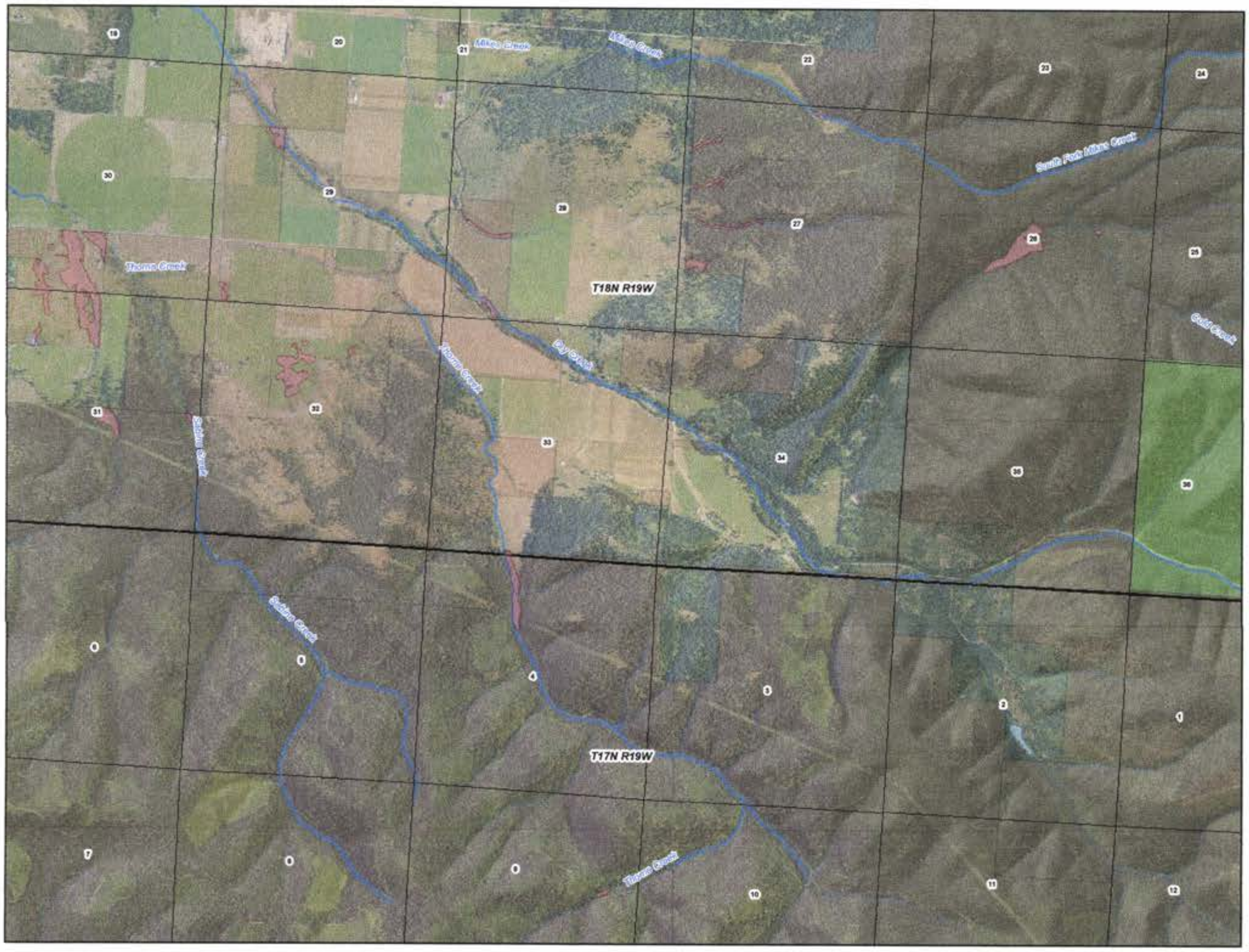
- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


19
20
21
Mikes Creek
Mikes Creek
22
23
24
30
29
28
27
26
25
South Fork Mikes Creek
Thorne Creek
T18N R19W
Dry Creek
Thorne Creek
Cold Creek
31
Sabine Creek
32
33
34
35
36
Sabine Creek
6
5
4
3
2
1
T17N R19W
7
8
9
Thorne Creek
10
11
12

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 17

Area of Interest
Hot Springs
Polson
Pablo
2
3
4
5
6
7
8
12
9
13
11
15
16
17
18
Arlee

Flathead Indian Reservation

Legend

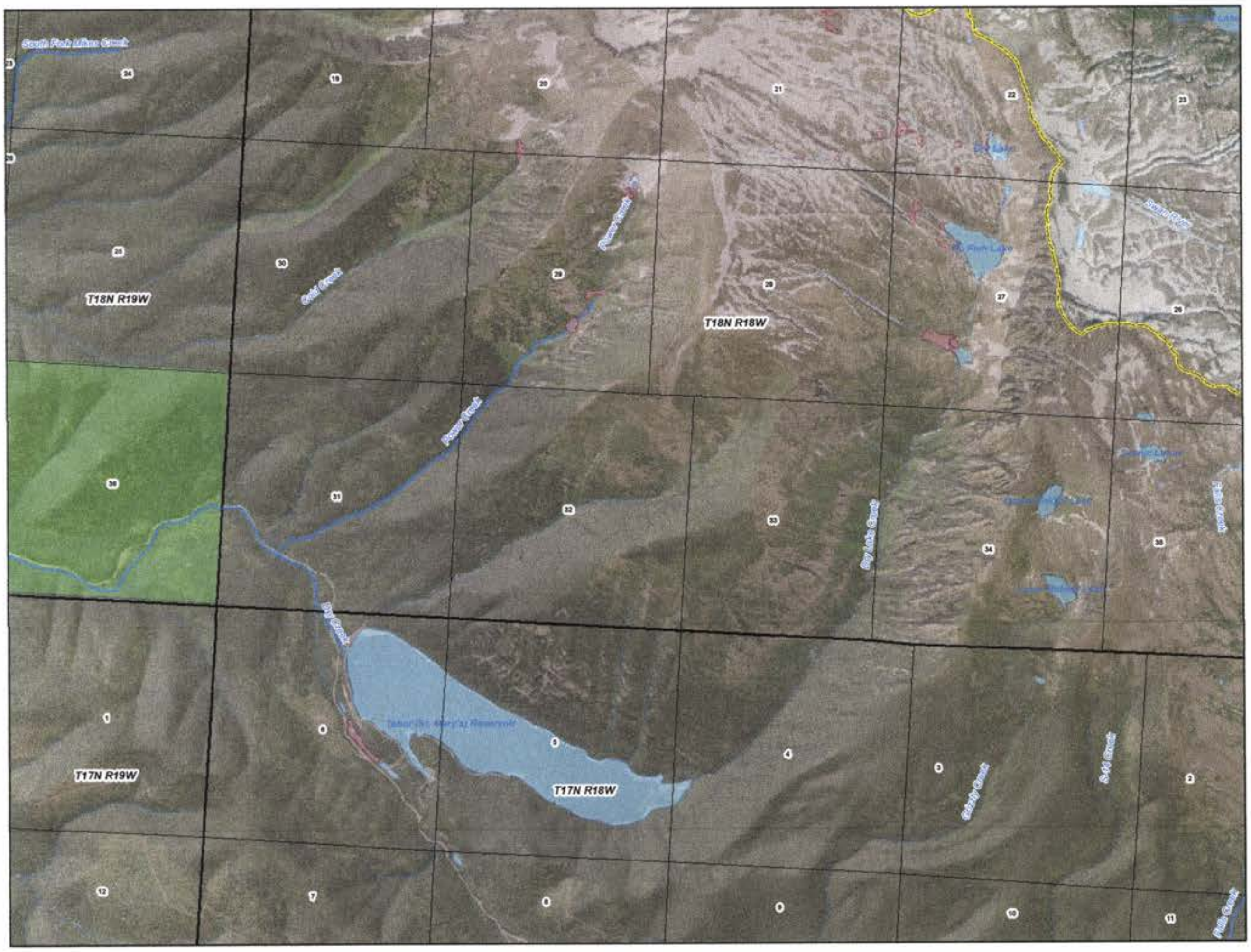
🟥	Places of Use
☐	Reservation Boundary

Land Owner

🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


South Fork Mikes Creek
24
19
20
21
22
23
25
30
29
28
27
26
T18N R19W
T18N R18W
Cold Creek
Power Creek
Dry Lake
Big Fish Lake
Swan River
36
31
32
33
34
35
Dry Lake Creek
Dry Creek
Tabor (St. Mary's) Reservoir
1
6
5
4
3
2
T17N R19W
T17N R18W
Grizzly Creek
S-44 Creek
12
7
8
9
10
11

Place of Use

CSKT Wetlands

76L
30052666

Exhibit 18

Area of Interest
Hot Springs
Polson
Pablo
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
15
16
17
18

Flathead Indian Reservation

Legend

🟥 Places of Use

🟨 Reservation Boundary

Land Owner

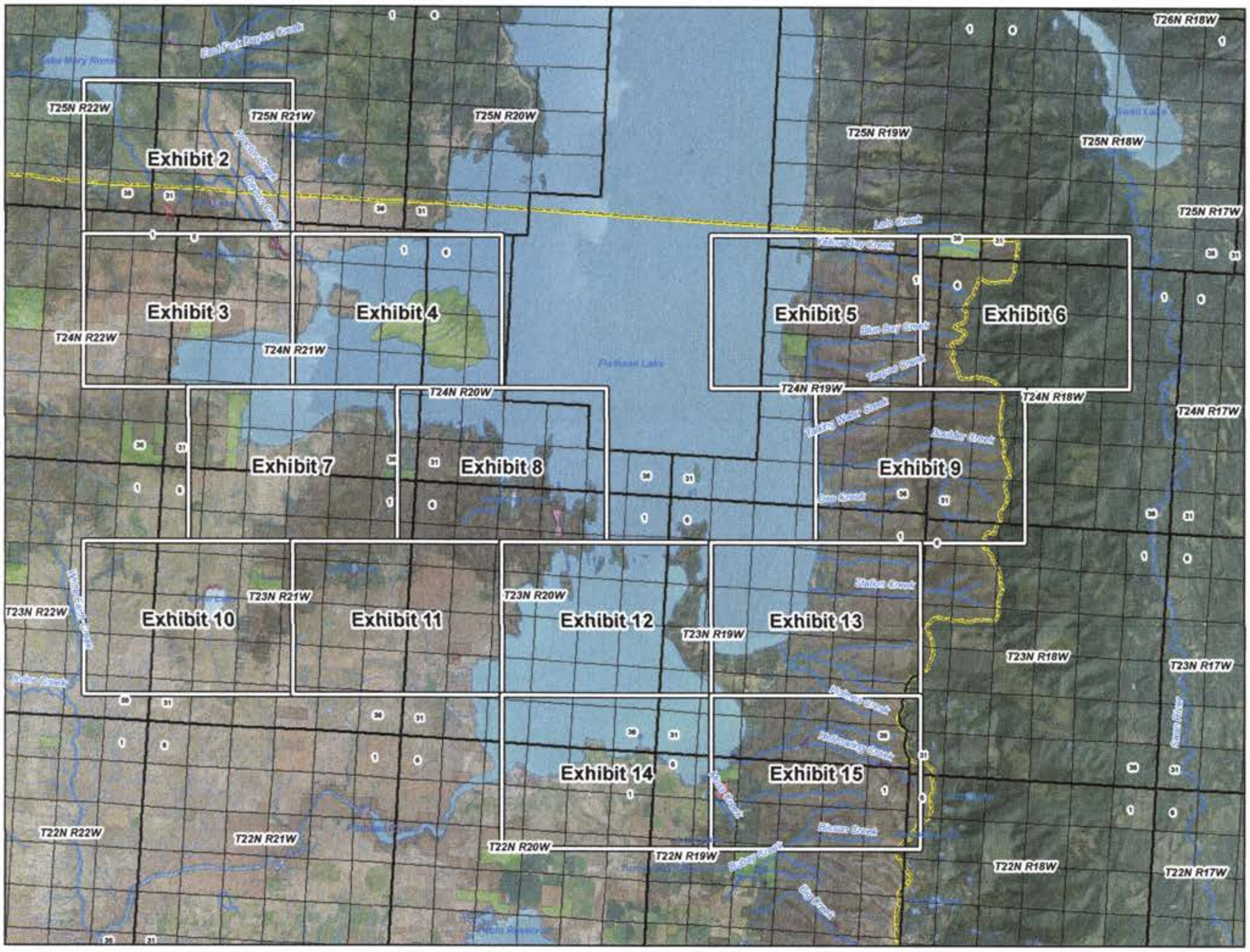
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T26N R18W
Lake Mary Ronan
East Fork Dayton Creek
T25N R22W
T25N R21W
T25N R20W
T25N R19W
T25N R18W
Swan Lake
T25N R17W
Exhibit 2
Lake Creek
Yellow Bay Creek
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
T24N R22W
T24N R21W
Blue Bay Creek
Flathead Lake
T24N R20W
T24N R19W
T24N R18W
T24N R17W
Boulder Creek
Exhibit 7
Exhibit 8
Exhibit 9
T23N R22W
T23N R21W
T23N R20W
Station Creek
T23N R19W
Exhibit 10
Exhibit 11
Exhibit 12
Exhibit 13
T23N R18W
T23N R17W
Exhibit 14
Exhibit 15
T22N R22W
T22N R21W
T22N R20W
T22N R19W
T22N R18W
T22N R17W

Place of Use

CSKT Wetlands

76LJ
30052667

Exhibit 1

Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

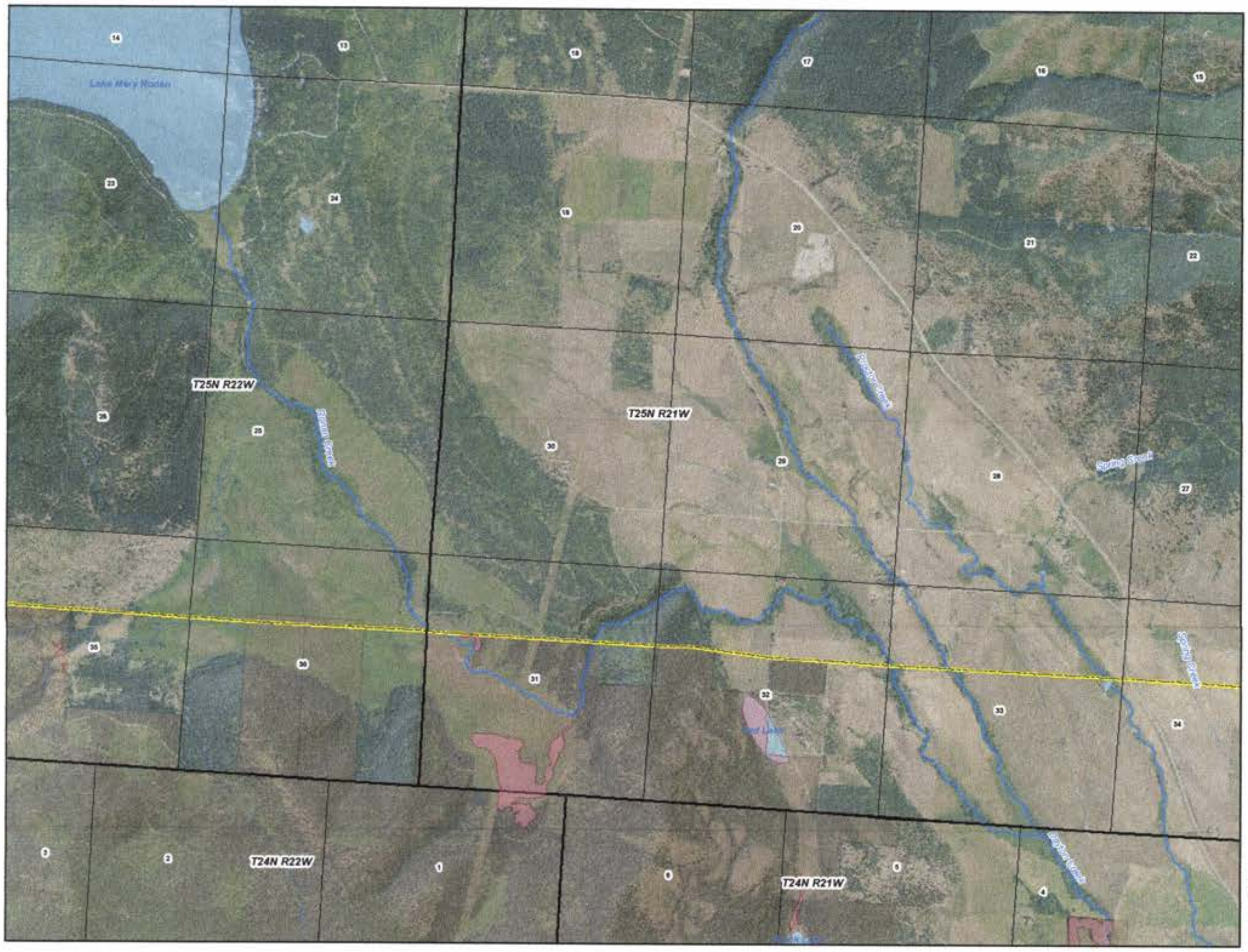
🟫 Tribal

🟦 Federal

🟩 State

0
1.25
2.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Lake Mary Ronan
14
13
18
17
16
15
23
24
19
20
21
22
T25N R22W
26
25
T25N R21W
30
29
28
27
Spring Creek
35
36
31
32
33
34
Spring Creek
Dayton Creek
3
2
T24N R22W
1
6
5
T24N R21W
4

Place of Use

CSKT Wetlands

76LJ
30052667

Exhibit 2

Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
5
6
4
7
10
11
8
12
9
14
15
13

Flathead Indian Reservation

Legend

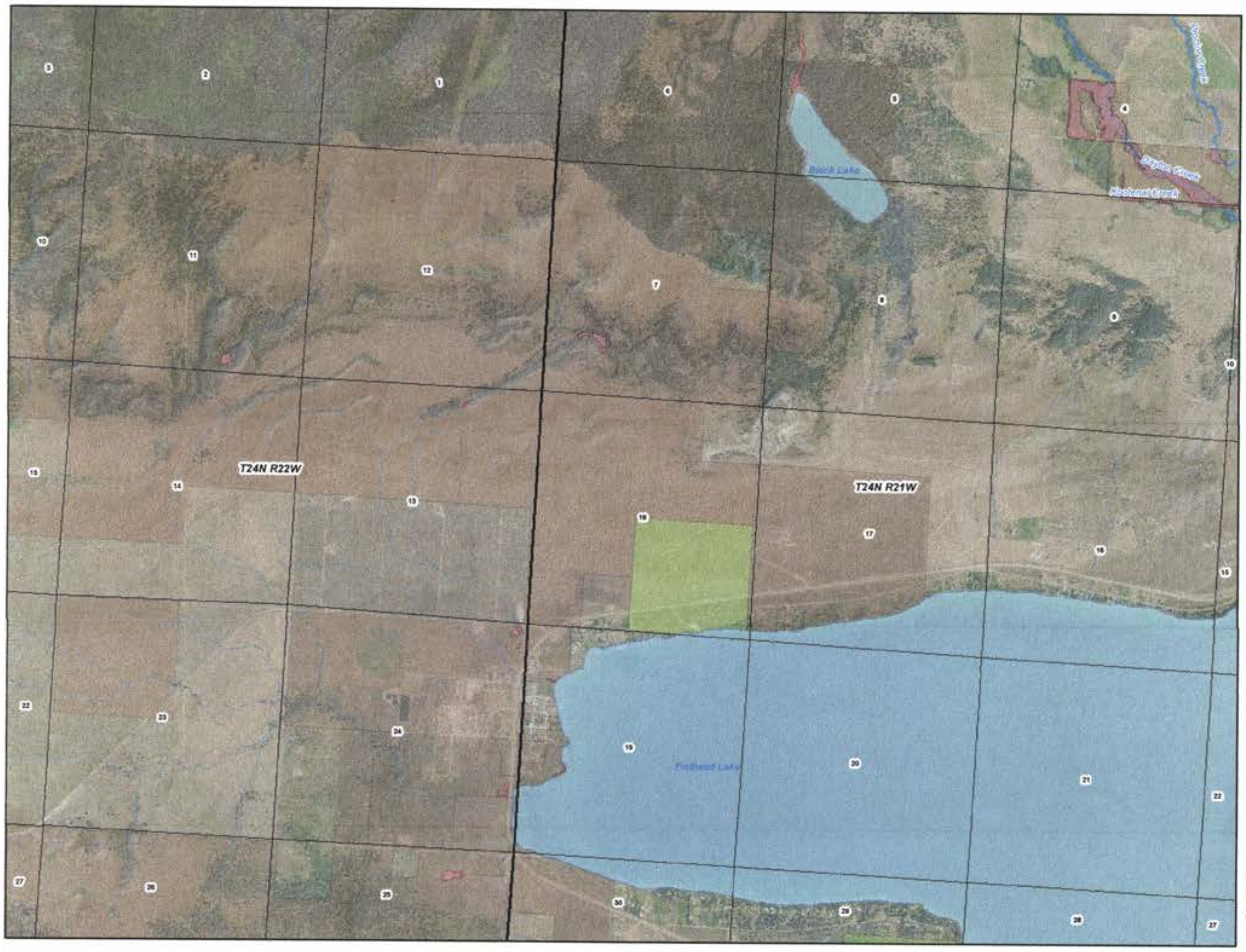
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


3
2
1
6
5
4
Black Lake
Dayton Creek
Kootenai Creek
10
11
12
7
8
9
10
15
14
T24N R22W
13
18
17
T24N R21W
16
15
22
23
24
19
Flathead Lake
20
21
22
27
26
25
30
29
28
27

Place of Use

CSKT Wetlands

76LJ
30052667

Exhibit 3

Area
of
Interest
2
4
5
6
7
8
9
10
11
12
13
14
15
Hot
Springs
Pablo
St
Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

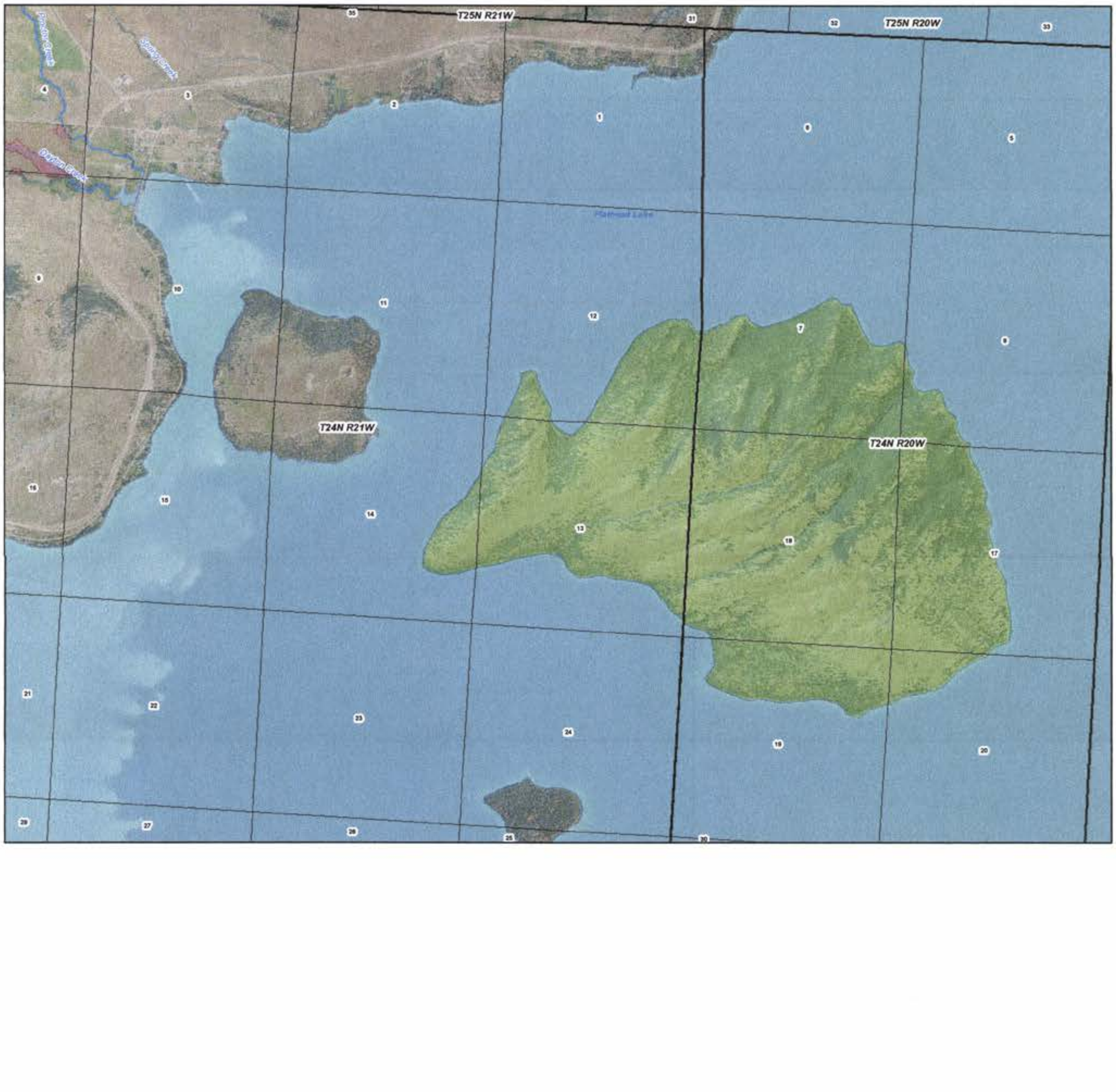
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T25N R21W
T25N R20W
T24N R21W
T24N R20W
Flathead Lake
Dayton Creek
35
31
32
33
4
3
2
1
6
5
9
10
11
12
7
8
16
15
14
13
18
17
21
22
23
24
19
20
28
27
26
25
30

Place of Use

CSKT Wetlands

76LJ
30052667

Exhibit 4

Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

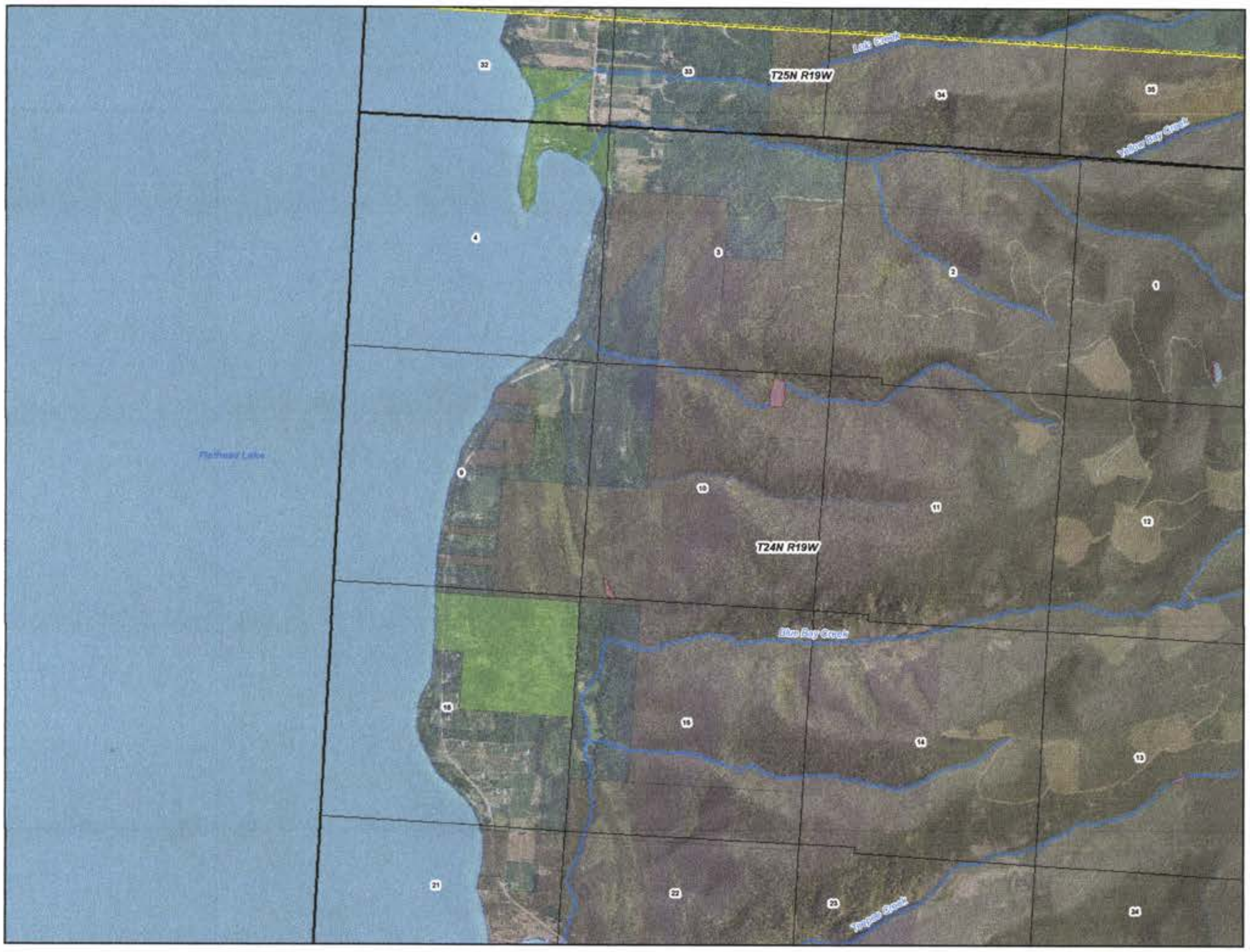
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


32
33
T25N R19W
34
35
Yellow Bay Creek
4
3
2
1
Flathead Lake
9
10
11
12
T24N R19W
Blue Bay Creek
16
15
14
13
21
22
23
24

Place of Use

CSKT Wetlands

76LJ 30052667

Exhibit 5

Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

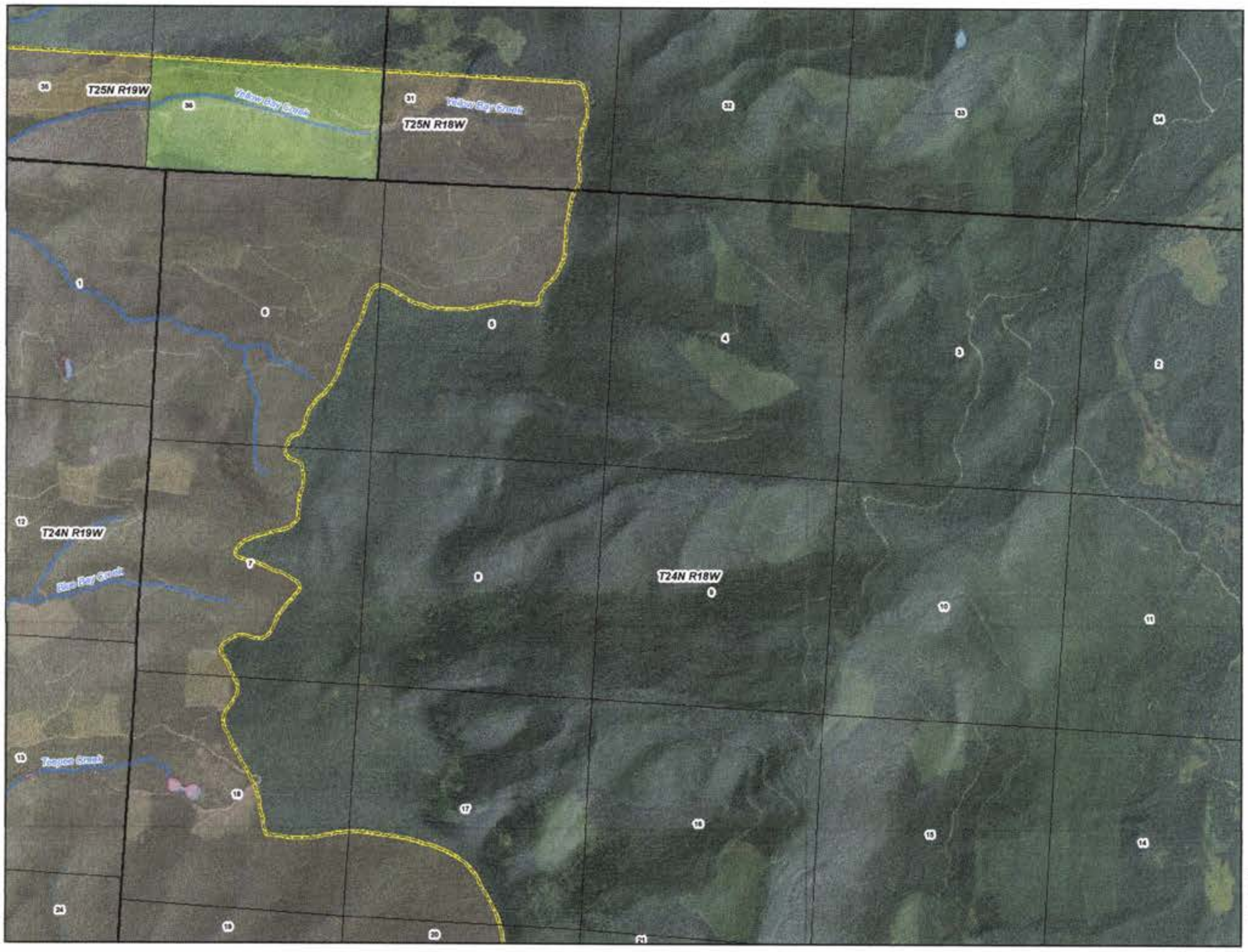
POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

Place of Use

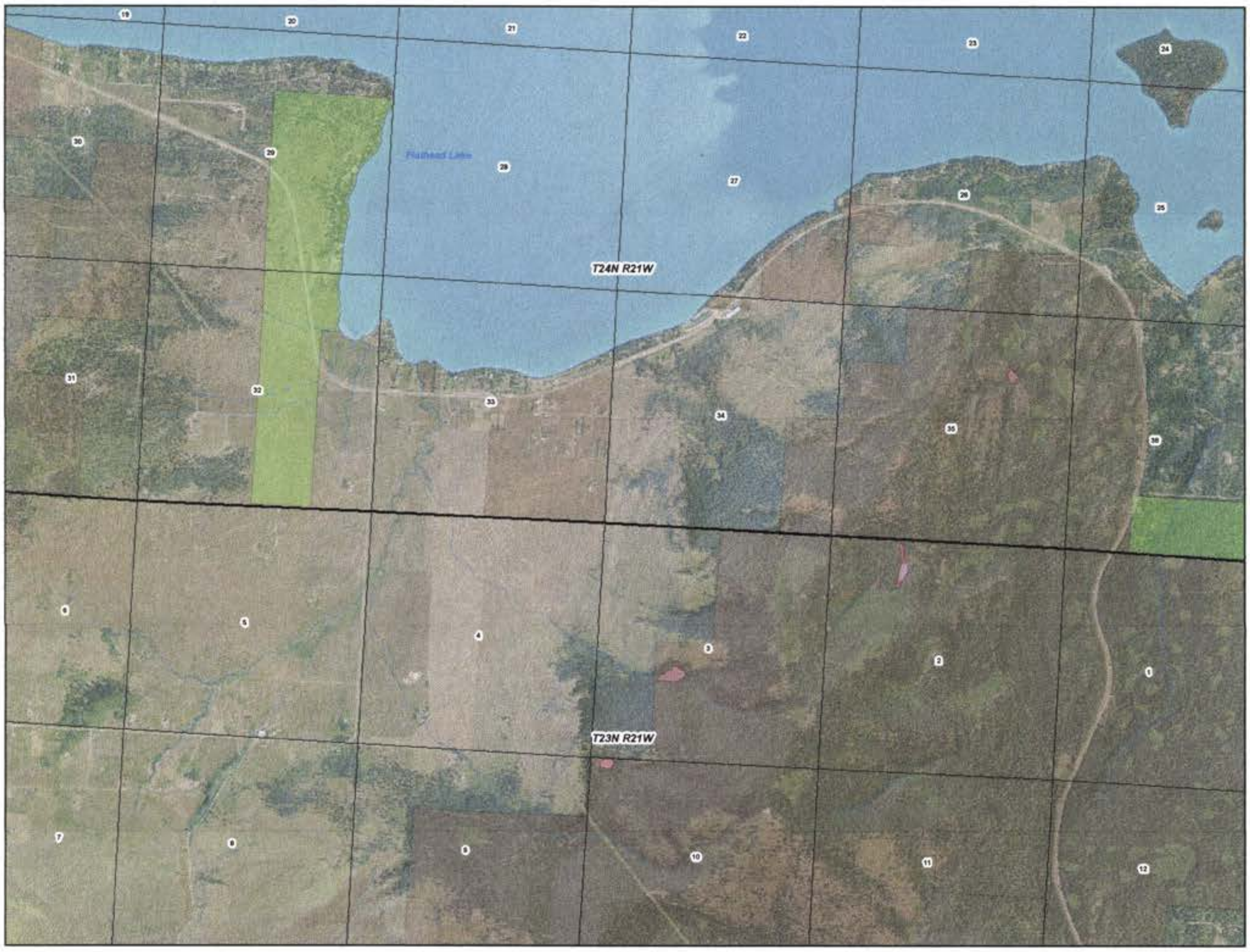
CSKT Wetlands

76LJ 30052667

Exhibit 6


35
T25N R19W
36
Yellow Bay Creek
31
Yellow Bay Creek
T25N R18W
32
33
34
1
6
5
4
3
2
12
T24N R19W
7
Blue Bay Creek
8
T24N R18W
9
10
11
13
Teepee Creek
18
17
16
15
14
24
19
20
21
Area of Interest
Hot Springs
Pablo
St. Ignatius
Arlee
Flathead Indian Reservation
Legend
Places of Use
Reservation Boundary
Land Owner
Tribal
Federal
State
0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


19
20
21
22
23
24
30
29
Flathead Lake
28
27
26
25
T24N R21W
31
32
33
34
35
36
6
5
4
3
2
1
T23N R21W
7
8
9
10
11
12

Place of Use

CSKT Wetlands

76LJ 30052667

Exhibit 7

Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

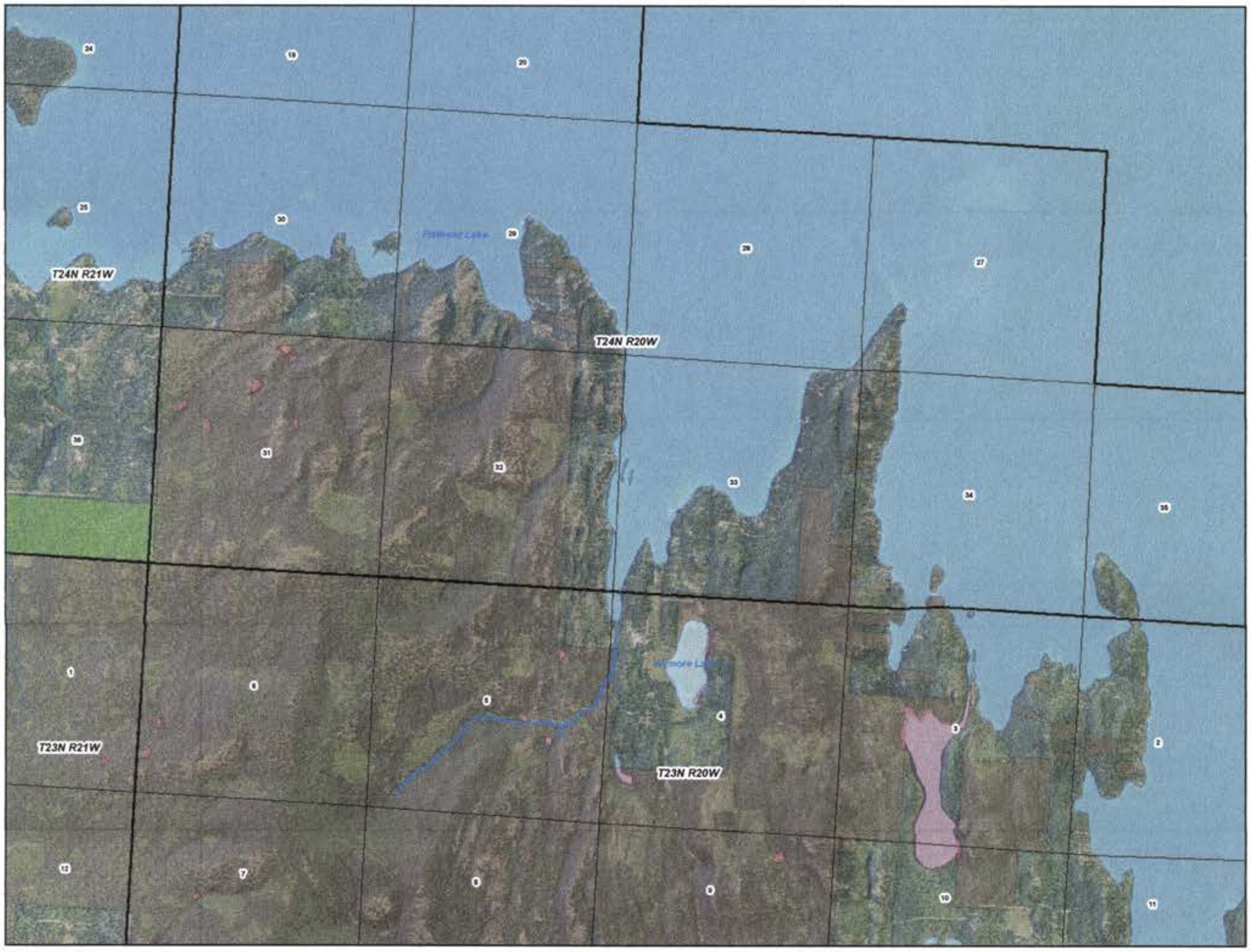
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


24
19
20
25
30
29
Flathead Lake
28
27
T24N R21W
T24N R20W
36
31
32
33
34
35
1
6
5
4
3
2
T23N R21W
T23N R20W
12
7
8
9
10
11

Place of Use

CSKT Wetlands

76LJ 30052667

Exhibit 8

Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Flathead Indian Reservation

Legend

- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- ▨ Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov).
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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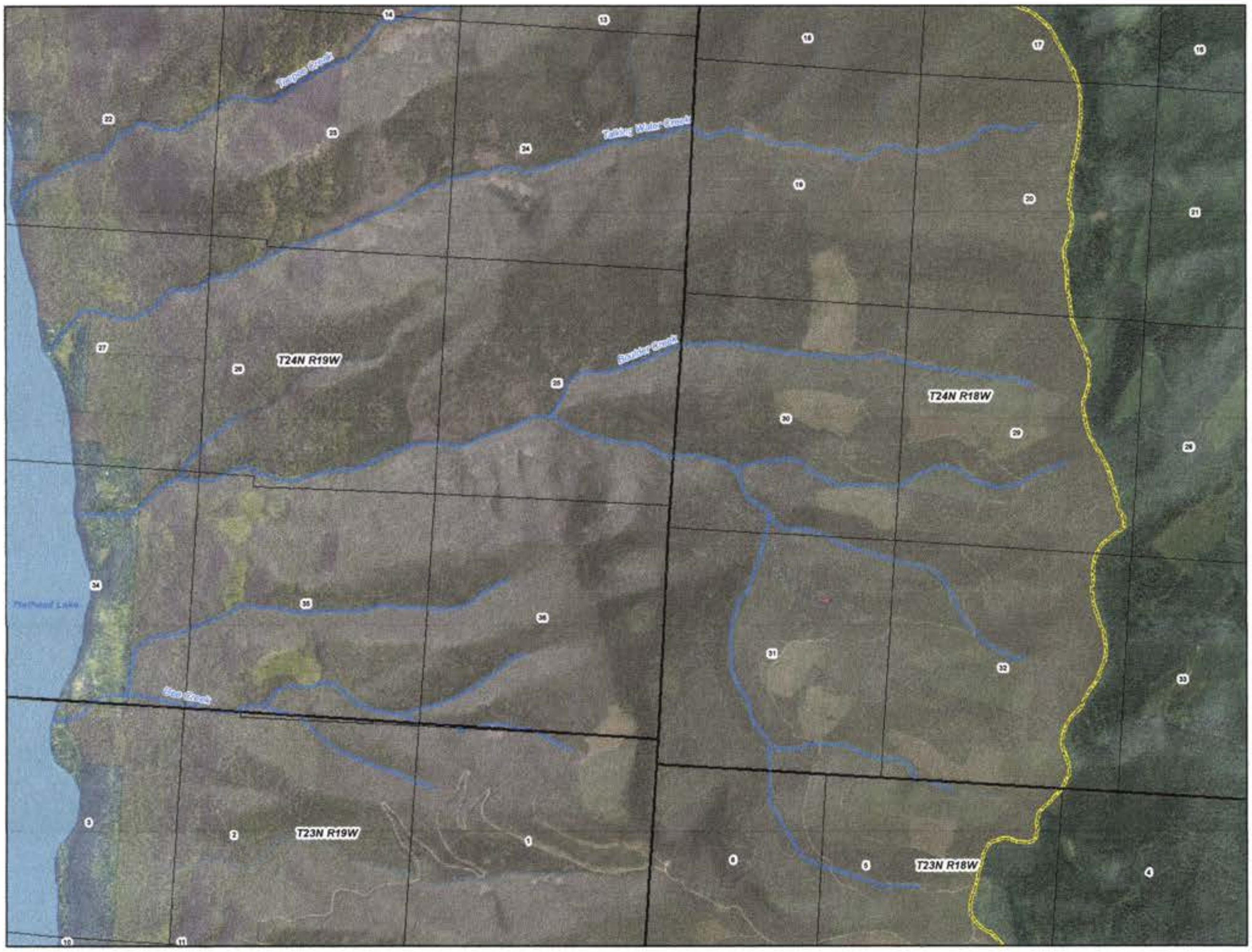
14
13
18
17
16
22
23
24
Talking Water Creek
19
20
21
27
26
T24N R19W
Boulder Creek
25
30
T24N R18W
29
28
34
Flathead Lake
35
36
31
32
33
Doe Creek
3
2
T23N R19W
1
6
5
T23N R18W
4
10
11

Place of Use

CSKT Wetlands

76LJ
30052667

Exhibit 9

Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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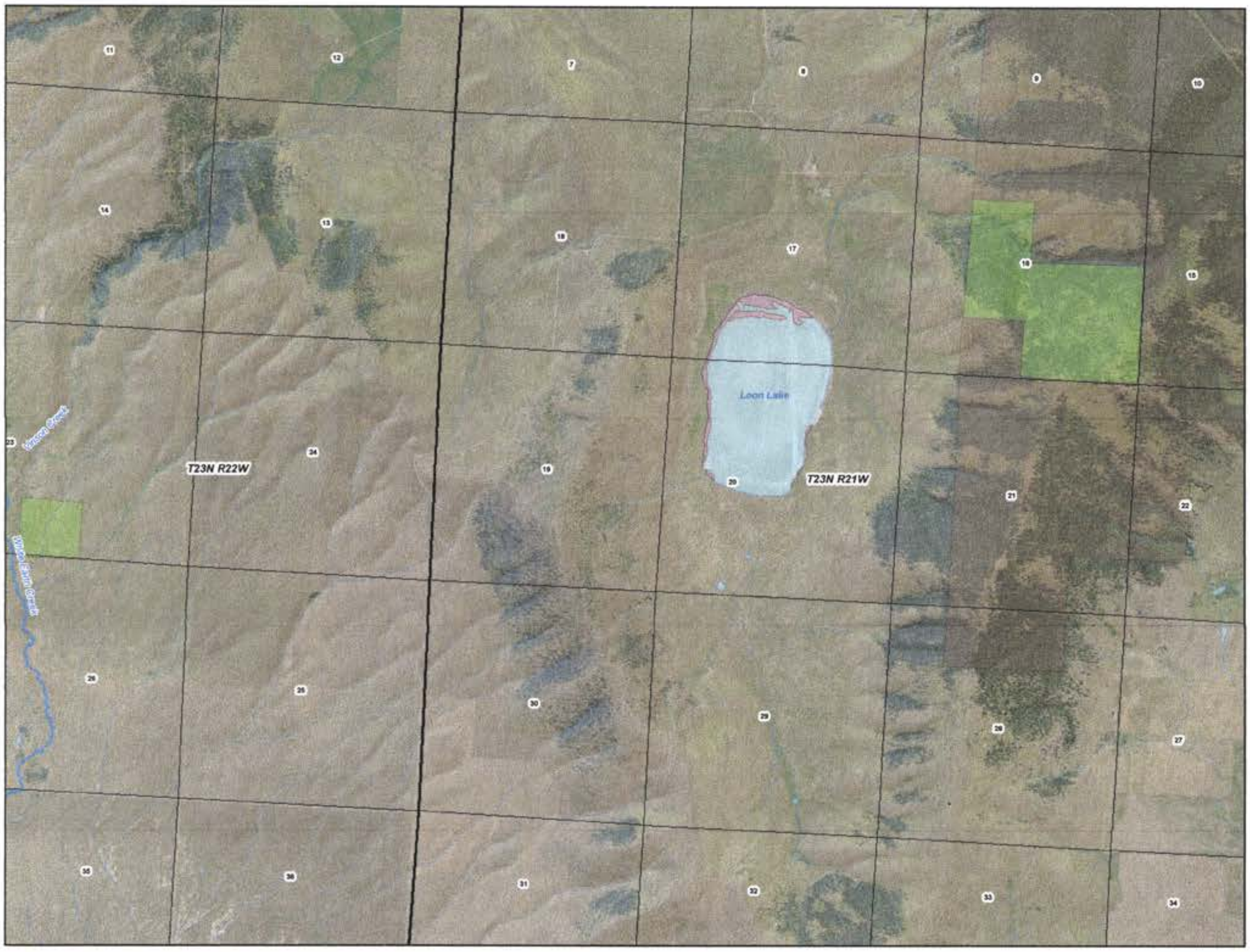
11
12
7
8
9
10
14
13
18
17
16
15
T23N R22W
24
19
Loon Lake
20
T23N R21W
21
22
26
25
30
29
28
27
35
36
31
32
33
34

Place of Use

CSKT Wetlands

76LJ
30052667

Exhibit 10

Area of Interest
Hot Springs
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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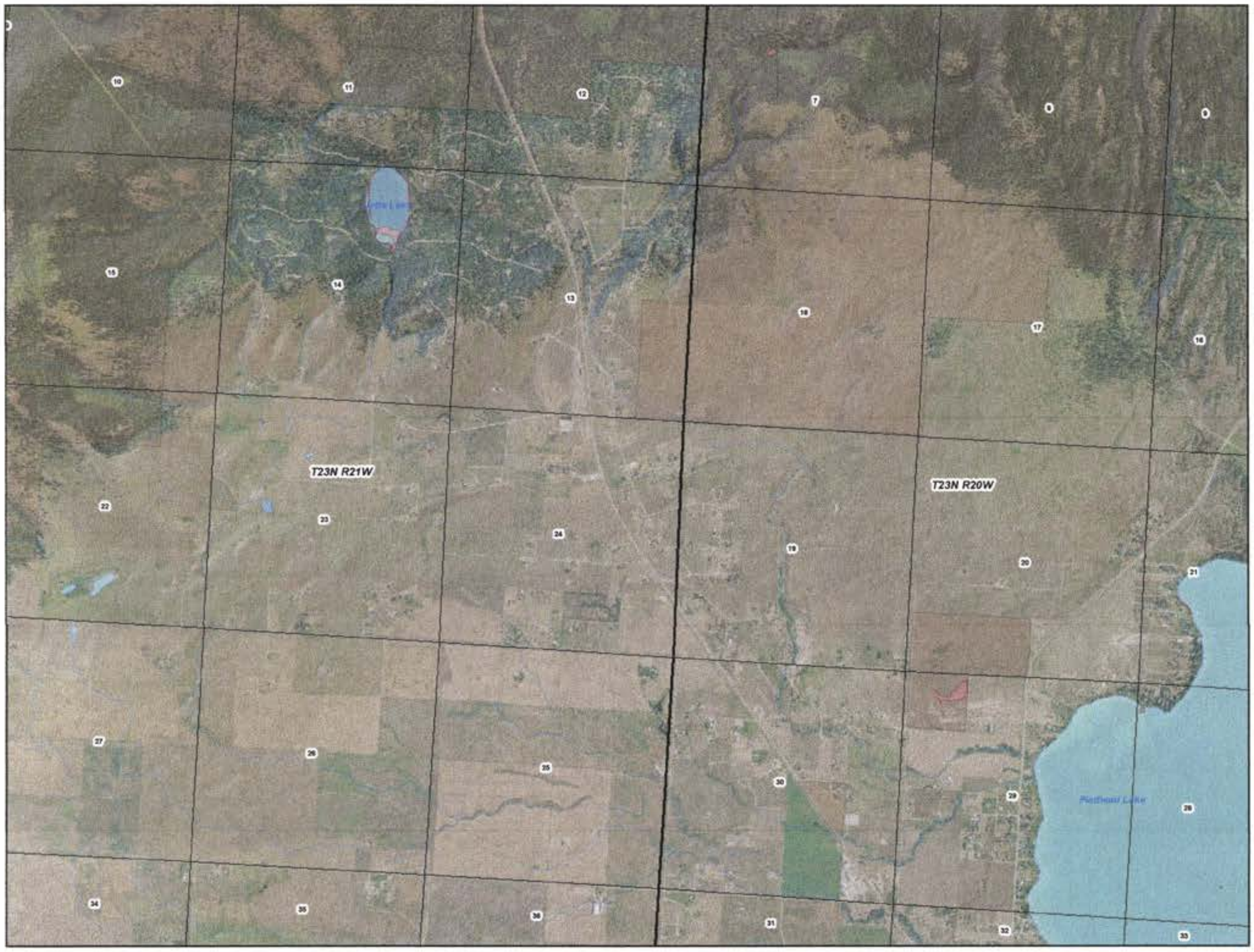

10
11
12
7
15
14
13
18
17
16
T23N R21W
T23N R20W
22
23
24
19
20
21
27
26
25
30
29
Flathead Lake
28
34
35
36
31
32
33

Place of Use

CSKT Wetlands

76LJ 30052667

Exhibit 11

Area of Interest
Hot Springs
Pablo
St. Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Flathead Indian Reservation

Legend

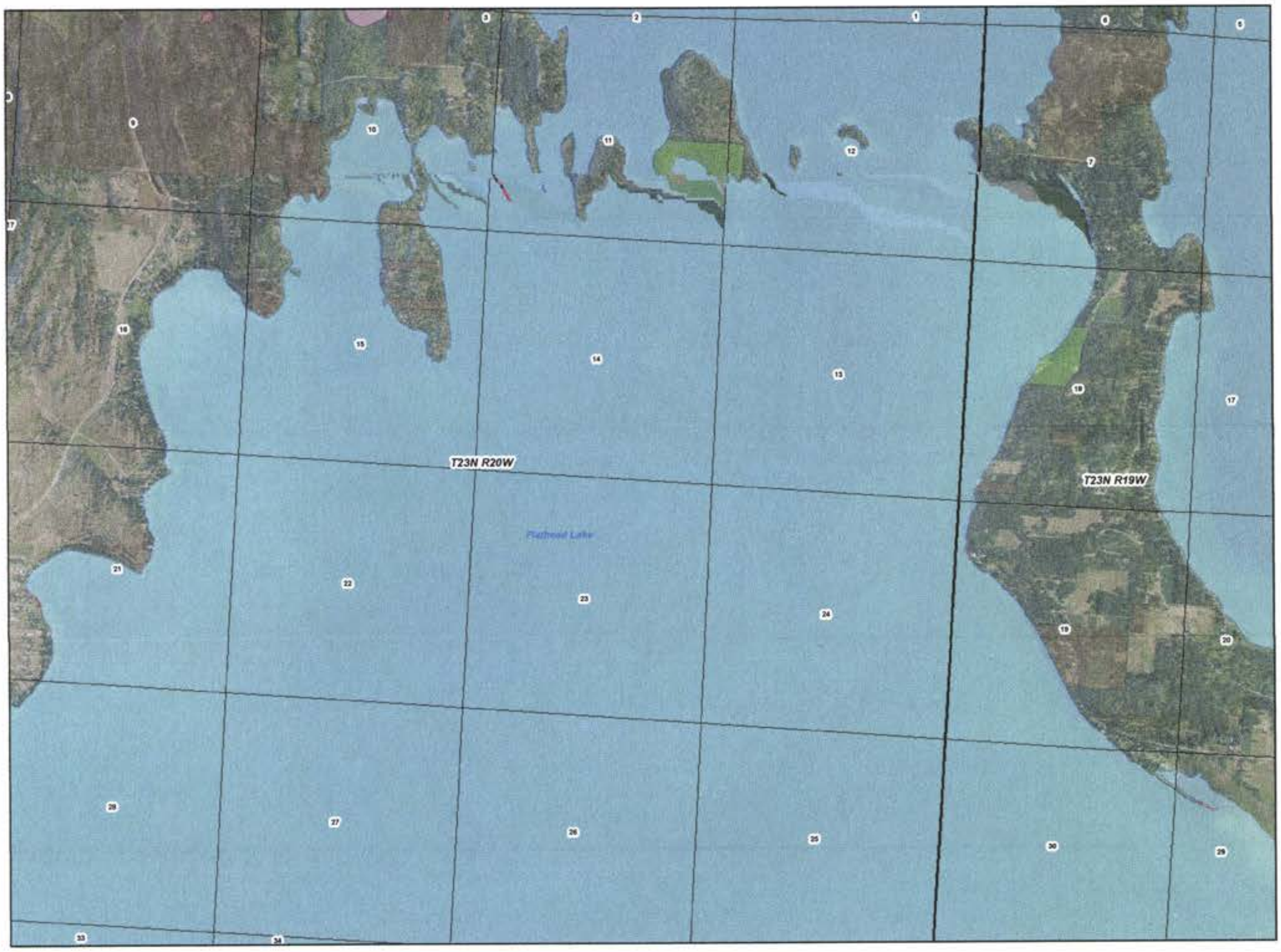
- 🟥 Places of Use
- ☐ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


3
2
1
6
5
9
10
11
12
7
16
15
14
13
18
17
T23N R20W
T23N R19W
Flathead Lake
21
22
23
24
19
20
28
27
26
25
30
29
33
34

Place of Use
CSKT Wetlands

76LJ 30052667

Exhibit 12

Area of Interest
1
2
3
4
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6
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8
9
10
11
12
13
14
15
Hot Springs
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

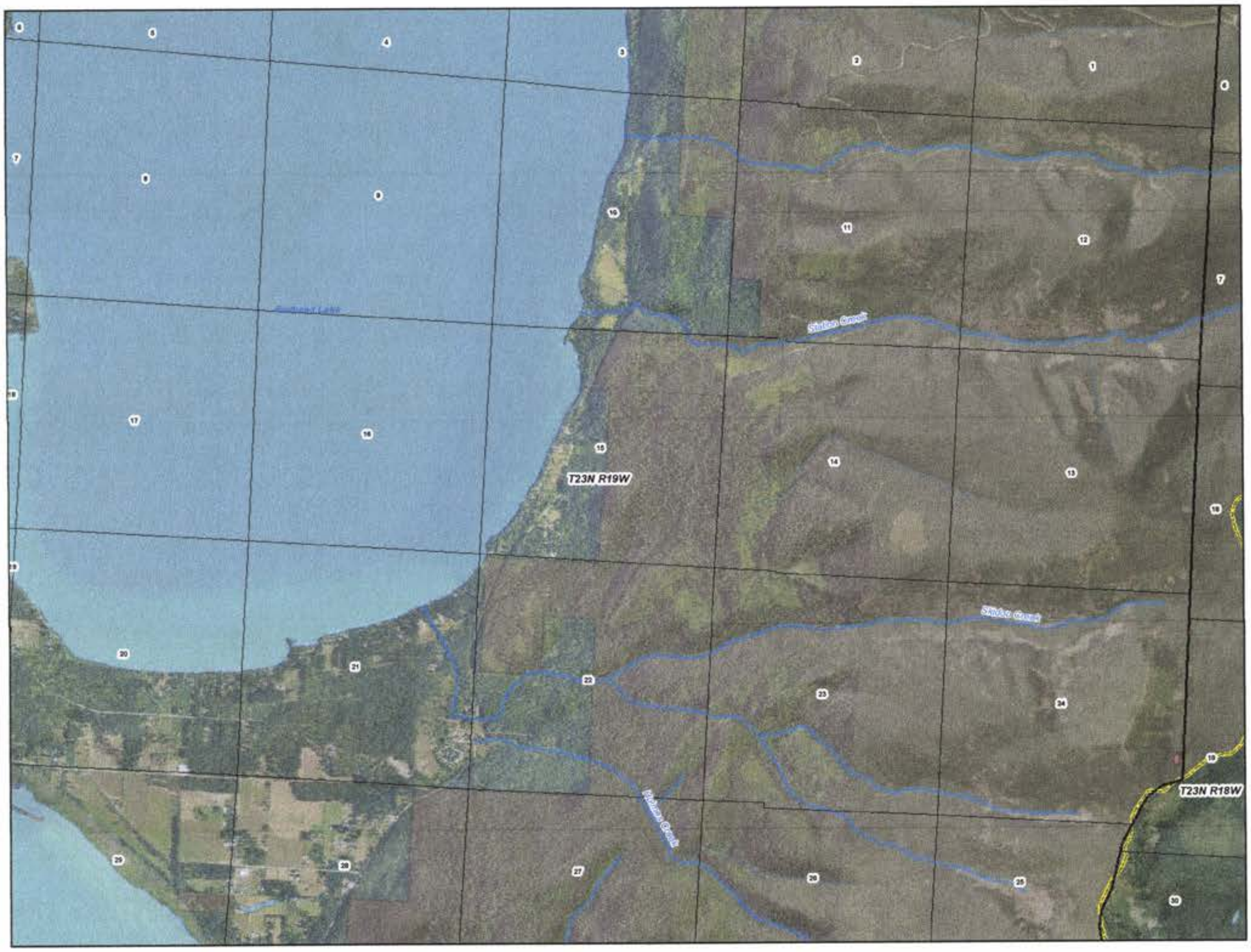
☐ Reservation Boundary

Land Owner

🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


6
5
4
3
2
1
6
7
8
9
10
11
12
7
17
16
15
T23N R19W
14
13
18
20
21
22
23
24
19
T23N R18W
29
28
27
26
25
30

Place of Use

CSKT Wetlands

76LJ
30052667

Exhibit 13

Area of Interest
Hot Springs
Pablo
St. Ignatius
Arlee
3
2
4
5
6
7
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9
10
11
12
13
14
15
16

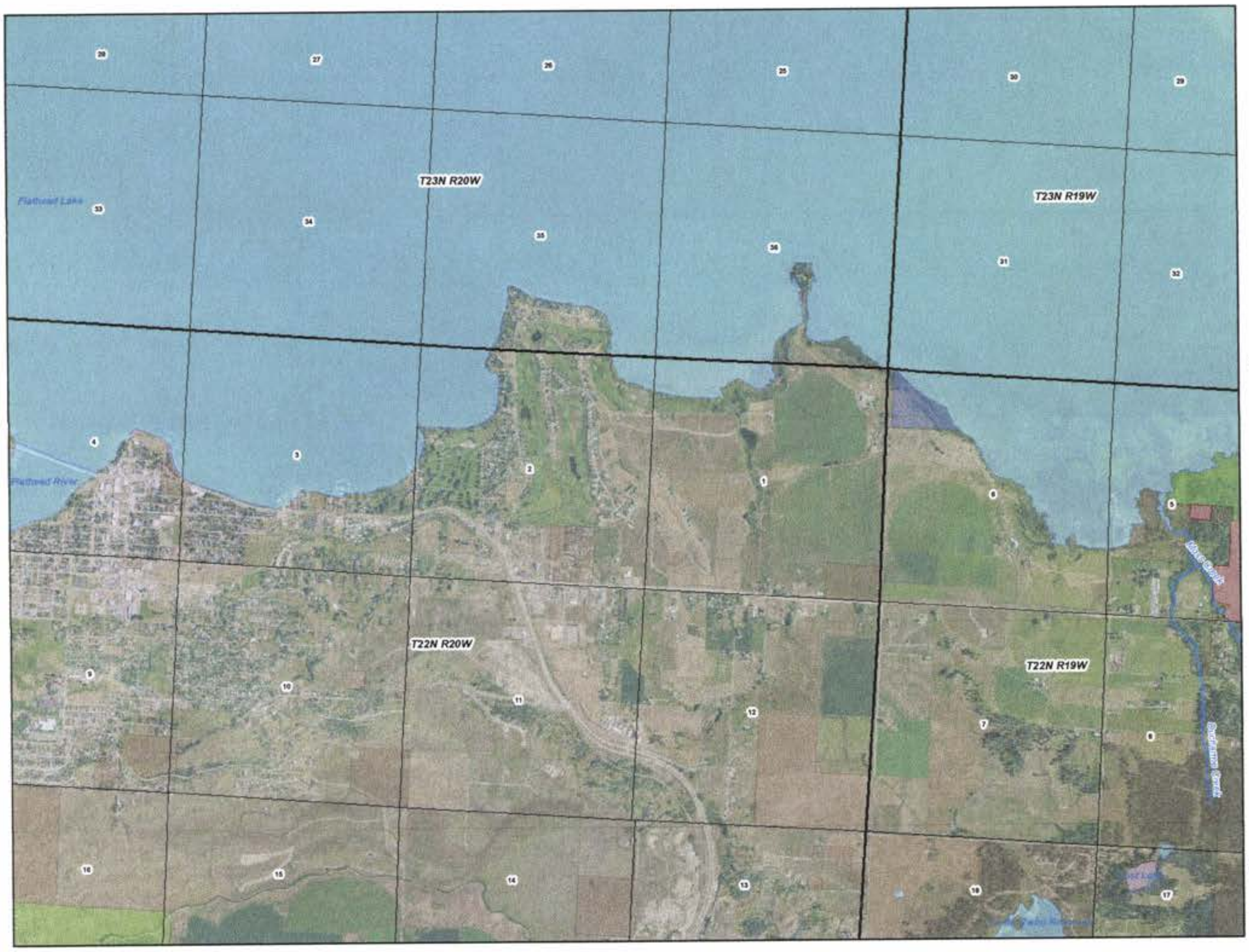
Flathead Indian Reservation

Legend

🟥	Places of Use
▭	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T23N R20W
T23N R19W
T22N R20W
T22N R19W
Flathead Lake
Flathead River
28
27
26
25
30
29
33
34
35
36
31
32
4
3
2
1
6
5
9
10
11
12
7
8
16
15
14
13
18
17

Place of Use
CSKT Wetlands

76LJ
30052667

Exhibit 14

Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

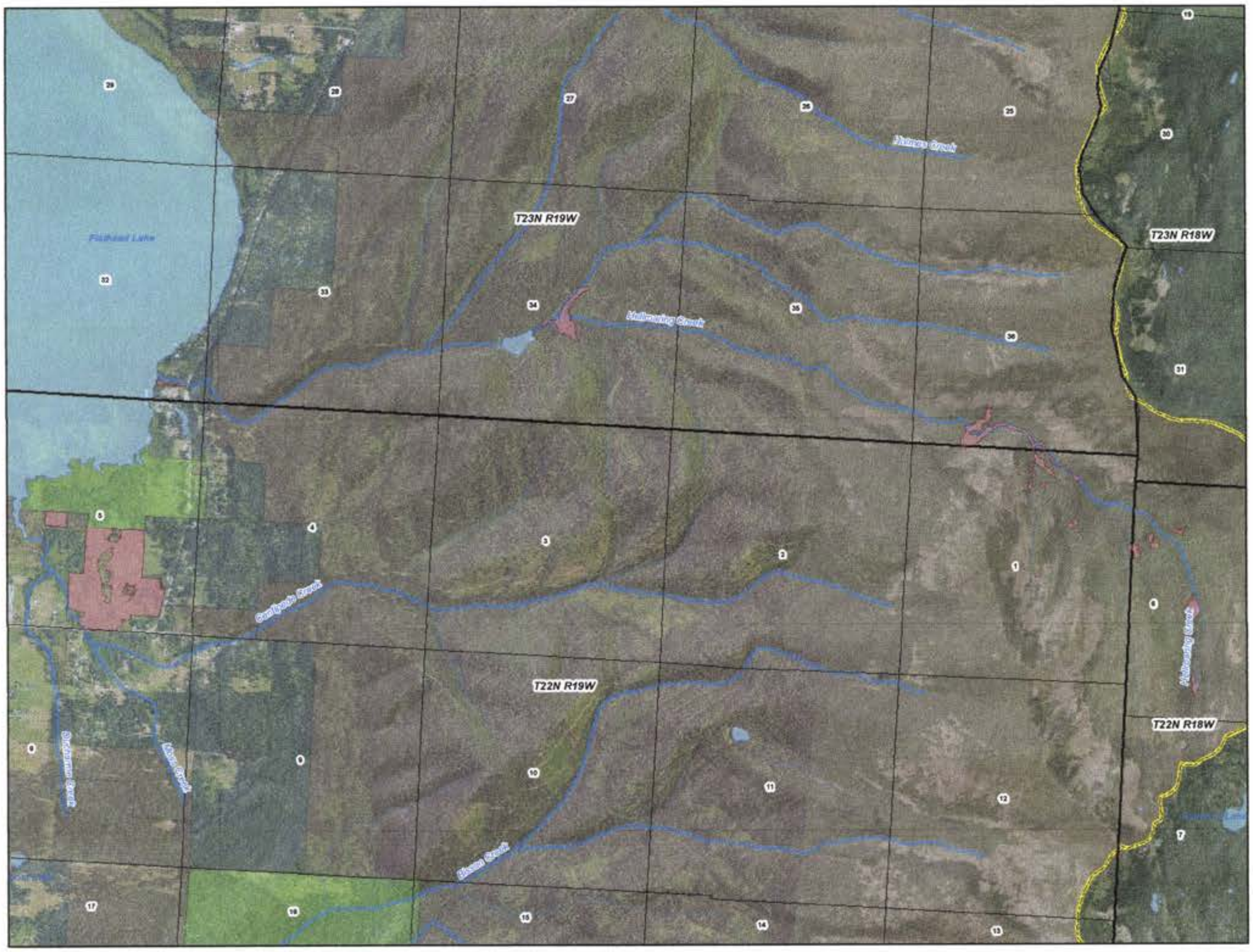
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


Flathead Lake
T23N R19W
T23N R18W
T22N R19W
T22N R18W
Hellroaring Creek
29
28
27
26
25
19
32
33
34
35
36
30
31
5
4
3
2
1
6
8
9
10
11
12
7
17
16
15
14
13

Place of Use
CSKT Wetlands

76LJ
30052667

Exhibit 15

Area
of
Interest
Hot
Springs
Pablo
St
Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Flathead Indian Reservation

Legend

🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0
0.25
0.5
Miles

POU/POD Data Source: CSKT-MT Compact Wetlands
(available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052668 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS HIGH MOUNTAIN LAKE WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE LAKES.

Source Name: CAMAS CREEK

Source Type: ALL NATURALLY OCCURING WATER

SOURCE LOCATED WITHIN AN INTERIOR DRAINAGE.

THE SOURCE IS HIGH MOUNTAIN LAKES TRIBUTARY TO CAMAS CREEK. THESE LAKE(S) INCLUDE RAINBOW (DOG) LAKE.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INLAKE

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				2	20N	25W	SANDERS
2				3	20N	25W	SANDERS
3				4	20N	25W	SANDERS
4				35	21N	25W	SANDERS
5				36	21N	25W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE LAKES.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE LAKES WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

Remarks:

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

SEE 30052668 MAP EXHIBIT(S) 1.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052669 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS HIGH MOUNTAIN LAKE WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE LAKES.

Source Name: CROW CREEK

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS HIGH MOUNTAIN LAKES TRIBUTARY TO CROW CREEK. THESE LAKE(S) INCLUDE 62 UNNAMED LAKES, COURVILLE LAKE (2), CROW LAKE (4), LOST LAKE (3), MIDDLE CROW LAKE, MUD LAKE (4), NORTH CROW LAKE, SCHWARZ LAKE, AND TERRACE LAKE.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INLAKE

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				5	20N	18W	LAKE
2				6	20N	18W	LAKE
3				7	20N	18W	LAKE
4				8	20N	18W	LAKE
5				18	20N	18W	LAKE
6				1	20N	19W	LAKE
7				10	20N	19W	LAKE
8				12	20N	19W	LAKE
9				13	20N	19W	LAKE
10				7	21N	18W	LAKE
11				8	21N	18W	LAKE
12				17	21N	18W	LAKE
13				18	21N	18W	LAKE
14				19	21N	18W	LAKE
15				20	21N	18W	LAKE
16				29	21N	18W	LAKE
17				30	21N	18W	LAKE
18				31	21N	18W	LAKE
19				32	21N	18W	LAKE
20				1	21N	19W	LAKE
21				2	21N	19W	LAKE
22				11	21N	19W	LAKE
23				12	21N	19W	LAKE
24				24	21N	19W	LAKE
25				25	21N	19W	LAKE
26				36	21N	19W	LAKE
27				11	22N	19W	LAKE
28				13	22N	19W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
29				24	22N	19W	LAKE
30				25	22N	19W	LAKE
31				26	22N	19W	LAKE
32				35	22N	19W	LAKE
33				36	22N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

SEE 30052669 MAP EXHIBIT(S) 1 THROUGH 5.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE LAKES.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE LAKES WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052670 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:

USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS HIGH MOUNTAIN LAKE WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE LAKES.

Source Name: FLATHEAD RIVER

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS HIGH MOUNTAIN LAKES TRIBUTARY TO FLATHEAD RIVER. THESE LAKE(S) INCLUDE 10 UNNAMED LAKES AND THREE LAKES (3).

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INLAKE

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				20	17N	22W	SANDERS
2				27	17N	22W	SANDERS
3				28	17N	22W	SANDERS
4				35	17N	22W	SANDERS
5				5	17N	23W	SANDERS
6				6	17N	23W	SANDERS
7				8	17N	23W	SANDERS
8				1	17N	24W	SANDERS

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE LAKES WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE LAKES.

Remarks:

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

SEE 30052670 MAP EXHIBIT(S) 1 THROUGH 3.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76LJ 30052671 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS HIGH MOUNTAIN LAKE WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE LAKES.

Source Name: FLATHEAD RIVER (FLATHEAD LAKE)

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS HIGH MOUNTAIN LAKES TRIBUTARY TO FLATHEAD RIVER (FLATHEAD LAKE). THESE LAKE(S) INCLUDE 1 UNNAMED LAKE AND BLACK LAKE.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INLAKE

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				1	24N	19W	LAKE
2				5	24N	21W	LAKE
3				8	24N	21W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

SEE 30052671 MAP EXHIBIT(S) 1.

THIS RIGHT CANNOT BE EXERCISED TO MAKE A CALL AGAINST WATER RIGHT(S) 76LJ 147267-00 WHEN SAID WATER RIGHT(S) ARE OPERATING WITHIN THE LAWFUL PARAMETERS OF SAID WATER RIGHT(S).

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE LAKES.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE LAKES WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052672 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners:
USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS HIGH MOUNTAIN LAKE WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE LAKES.

Source Name: JOCKO RIVER

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS HIGH MOUNTAIN LAKES TRIBUTARY TO JOCKO RIVER. THESE LAKE(S) INCLUDE 124 UNNAMED LAKES, BLACKTAIL LAKE, BOLES MEADOWS, BUCK LAKE, CHACOYA LAKE, COLD CREEK LAKES (2), CRAZY FISH LAKE, DRY LAKE, EAGLE LAKE (2), FINLEY LAKES (7), FLOYD LAKE, HIDDEN LAKES, MOE MCCLURE LAKE, LOST SHEEP LAKE, LOUIE LAKE, LOWER RIDDELL/GRIZZLY LAKE, MAD BULL LAKE, MARMOT LAKE, MEADOW LAKE, SA-OL-SOOTH, SCENIC LAKES (2), SUDDEN LAKE, SUMMIT LAKE, SUNSET LAKE, TWIN LAKES, UPPER RIDDELL/GRIZZLY LAKE, WAPITI LAKE, WHITE HORSE LAKE, AND YELLOW LAKE.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INLAKE
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
2						MISSOULA

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INLAKE
Diversion Type: PRIMARY

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
3						SANDERS

Period of Diversion: JANUARY 1 TO DECEMBER 31
Diversion Means: INLAKE
Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				6	14N	19W	MISSOULA
2				3	15N	17W	MISSOULA
3				4	15N	17W	MISSOULA
4				5	15N	17W	MISSOULA
5				2	15N	18W	MISSOULA
6				3	15N	18W	MISSOULA
7				6	15N	18W	MISSOULA
8				1	15N	19W	MISSOULA
9				2	15N	19W	MISSOULA
10				11	15N	19W	MISSOULA
11				14	15N	19W	MISSOULA
12				15	15N	19W	MISSOULA

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
13				3	16N	17W	MISSOULA
14				8	16N	17W	MISSOULA
15				14	16N	17W	MISSOULA
16				15	16N	17W	MISSOULA
17				18	16N	17W	MISSOULA
18				19	16N	17W	MISSOULA
19				22	16N	17W	MISSOULA
20				24	16N	17W	MISSOULA
21				25	16N	17W	MISSOULA
22				33	16N	17W	MISSOULA
23				34	16N	17W	MISSOULA
24				1	16N	18W	MISSOULA
25				2	16N	18W	MISSOULA
26				3	16N	18W	MISSOULA
27				4	16N	18W	MISSOULA
28				5	16N	18W	MISSOULA
29				8	16N	18W	MISSOULA
30				9	16N	18W	MISSOULA
31				10	16N	18W	MISSOULA
32				11	16N	18W	MISSOULA
33				12	16N	18W	MISSOULA
34				13	16N	18W	MISSOULA
35				14	16N	18W	MISSOULA
36				15	16N	18W	MISSOULA
37				16	16N	18W	MISSOULA
38				19	16N	18W	MISSOULA
39				20	16N	18W	MISSOULA
40				21	16N	18W	MISSOULA
41				24	16N	18W	MISSOULA
42				26	16N	18W	MISSOULA
43				27	16N	18W	MISSOULA
44				28	16N	18W	MISSOULA
45				29	16N	18W	MISSOULA
46				30	16N	18W	MISSOULA
47				31	16N	18W	MISSOULA
48				32	16N	18W	MISSOULA
49				33	16N	18W	MISSOULA
50				34	16N	18W	MISSOULA
51				35	16N	18W	MISSOULA
52				36	16N	18W	MISSOULA
53				25	16N	19W	MISSOULA
54				27	16N	19W	MISSOULA
55				36	16N	19W	MISSOULA
56				2	16N	22W	SANDERS
57				11	16N	22W	SANDERS
58				12	16N	22W	SANDERS
59				2	17N	17W	MISSOULA
60				3	17N	17W	MISSOULA
61				6	17N	17W	MISSOULA
62				15	17N	17W	MISSOULA
63				16	17N	17W	MISSOULA
64				28	17N	17W	MISSOULA
65				1	17N	18W	LAKE
66				2	17N	18W	LAKE
67				3	17N	18W	LAKE
68				8	17N	18W	LAKE
69				9	17N	18W	LAKE
70				15	17N	18W	LAKE
71				16	17N	18W	LAKE
72				17	17N	18W	LAKE
73				23	17N	18W	LAKE
74				27	18N	17W	MISSOULA
75				28	18N	17W	MISSOULA
76				31	18N	17W	MISSOULA
77				32	18N	17W	MISSOULA
78				33	18N	17W	MISSOULA
79				34	18N	17W	MISSOULA
80				35	18N	17W	MISSOULA
81				26	18N	18W	LAKE
82				34	18N	18W	LAKE
83				35	18N	18W	LAKE
84				36	18N	18W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

SEE 30052672 MAP EXHIBIT(S) 1.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE LAKES WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE LAKES.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76L 30052673 COMPACT

Version: 1 -- ORIGINAL RIGHT

Version Status:

Owners: USA (DEPT OF INTERIOR BUREAU OF INDIAN AFF)
IN TRUST FOR CONFEDERATED SALISH & KOOTENAI TRIBES
OF THE FLATHEAD INDIAN RESERVATION, MONTANA
911 NE 11TH AVENUE
PORTLAND, OR 97232-4169

ALL COMMUNICATION SHALL BE COPIED TO THE CSKT TRIBAL CHAIRMAN AS THE BENEFICIAL OWNER AT PO BOX 278, PABLO, MT 59855-0278.

Priority Date: TIME IMMEMORIAL

Purpose (use): FISH AND WILDLIFE

Maximum Flow Rate:

NO FLOW RATE IS DEFINED FOR THIS HIGH MOUNTAIN LAKE WATER RIGHT.

Maximum Volume:

THIS WATER RIGHT IS FOR ALL NATURALLY OCCURRING SURFACE AND GROUNDWATER FOR THESE LAKES.

Source Name: MISSION CREEK

Source Type: ALL NATURALLY OCCURING WATER

THE SOURCE IS HIGH MOUNTAIN LAKES TRIBUTARY TO MISSION CREEK. THESE LAKE(S) INCLUDE 70 UNNAMED LAKES, ASHLEY LAKES (2), CLIFF LAKE, DISAPPOINTMENT LAKE (2), DRY LAKE, DUNCAN LAKE, FIRST LAKE, FROG LAKES, ICEFLOE LAKE, LAKE OF THE CLOUDS, LAKE OF THE STARS, LONG LAKE, LUCIFER LAKE, MOON LAKE, NO NAME LAKE, PICTURE LAKE, SONIELEM LAKE, SUMMIT LAKE (3), AND TWIN LAKES.

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1						LAKE

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: INLAKE

Diversion Type: PRIMARY

THE POINT OF DIVERSION IS THE SAME AS THE PLACE OF USE.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
1				8	17N	18W	LAKE
2				4	18N	18W	LAKE
3				5	18N	18W	LAKE
4				6	18N	18W	LAKE
5				8	18N	18W	LAKE
6				9	18N	18W	LAKE
7				16	18N	18W	LAKE
8				17	18N	18W	LAKE
9				18	18N	18W	LAKE
10				20	18N	18W	LAKE
11				21	18N	18W	LAKE
12				22	18N	18W	LAKE
13				27	18N	18W	LAKE
14				29	18N	18W	LAKE
15				4	19N	18W	LAKE
16				5	19N	18W	LAKE
17				9	19N	18W	LAKE
18				16	19N	18W	LAKE
19				21	19N	18W	LAKE
20				22	19N	18W	LAKE
21				27	19N	18W	LAKE
22				28	19N	18W	LAKE
23				29	19N	18W	LAKE
24				30	19N	18W	LAKE
25				31	19N	18W	LAKE
26				32	19N	18W	LAKE

Place of Use:

ID	Acres	Govt Lot	Qtr Sec	Sec	Twp	Rge	County
27				33	19N	18W	LAKE
28				34	19N	18W	LAKE
29				24	19N	19W	LAKE
30				25	19N	19W	LAKE
31				26	19N	19W	LAKE
32				31	20N	18W	LAKE
33				32	20N	18W	LAKE
34				24	20N	19W	LAKE
35				36	20N	19W	LAKE

Remarks:

THE MAP DATA SOURCE FOR PLACE OF USE AND POINT OF DIVERSION FOR THIS WATER RIGHT ARE CONTAINED IN A GIS DATABASE FILE ENTITLED "CSKT-MT WATER RIGHTS COMPACT." THIS FILE MAY BE DOWNLOADED FROM THE MONTANA STATE LIBRARY (NRIS.MT.GOV) OR OBTAINED IN HARDCOPY FORM FROM THE OFFICE OF THE ENGINEER OF THE FLATHEAD RESERVATION WATER MANAGEMENT BOARD.

THIS WATER RIGHT CANNOT BE EXERCISED TO MAKE A CALL ON ANY WATER RIGHT THAT WAS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THE WATER RIGHTS COMPACT AMONG THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA AND THE UNITED STATES OF AMERICA THAT IS OPERATING WITHIN THE LAWFUL PARAMETERS OF THAT WATER RIGHT.

THE PLACES OF USE AND POINTS OF DIVERSION FOR THIS WATER RIGHT ARE LAKES WHOSE PERIMETERS ARE DEMARCATED ON THE MAP(S) ASSOCIATED WITH THIS WATER RIGHT.

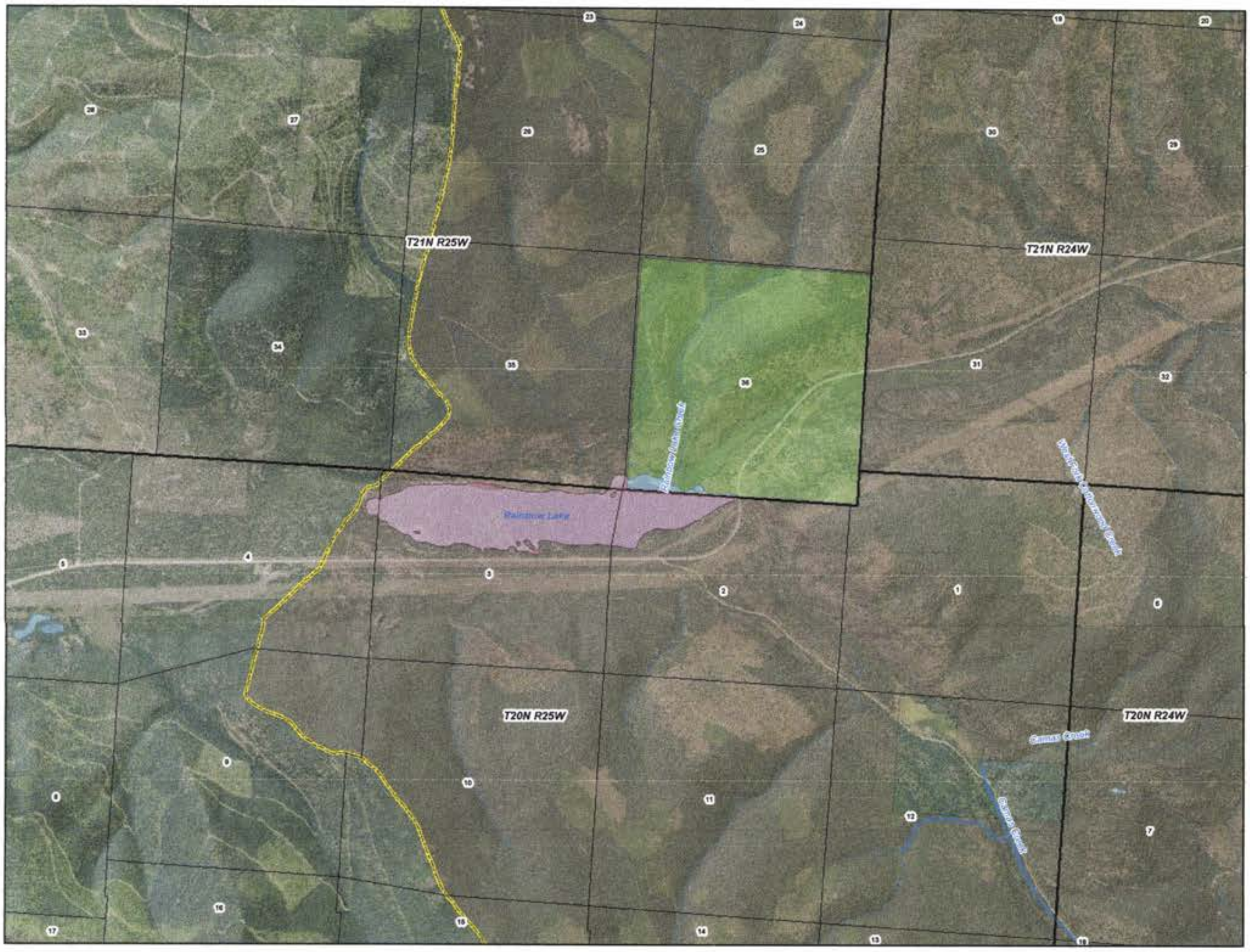
THE EXERCISE OF THIS WATER RIGHT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE WATER RIGHTS COMPACT ENTERED INTO BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES, THE STATE OF MONTANA, AND THE UNITED STATES OF AMERICA.

SEE 30052673 MAP EXHIBIT(S) 1.

THE EXERCISE OF THIS WATER RIGHT CANNOT EXTEND TO REQUIRING THE USE OF ANY OTHER WATER RIGHT SO AS TO MAKE WATER AVAILABLE TO SATISFY THIS WATER RIGHT.

THIS WATER RIGHT HAS NO ARTIFICIAL MEANS OF DIVERSION OR CONTROL OF WATER THAT CAN BE USED TO CONTROL, MANIPULATE OR OTHERWISE AFFECT THE WATER SUPPLY, WETTED BOUNDARY PERIMETER, OR DURATION OF WATER INUNDATION OF THE LAKES.

Appx #17
34-Pages


T21N R25W
T21N R24W
T20N R25W
T20N R24W
Rainbow Lake
Camas Creek
23
24
19
20
28
27
26
25
30
29
33
34
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13
18

Place of Use

High Mountain Lakes

76L
30052668
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

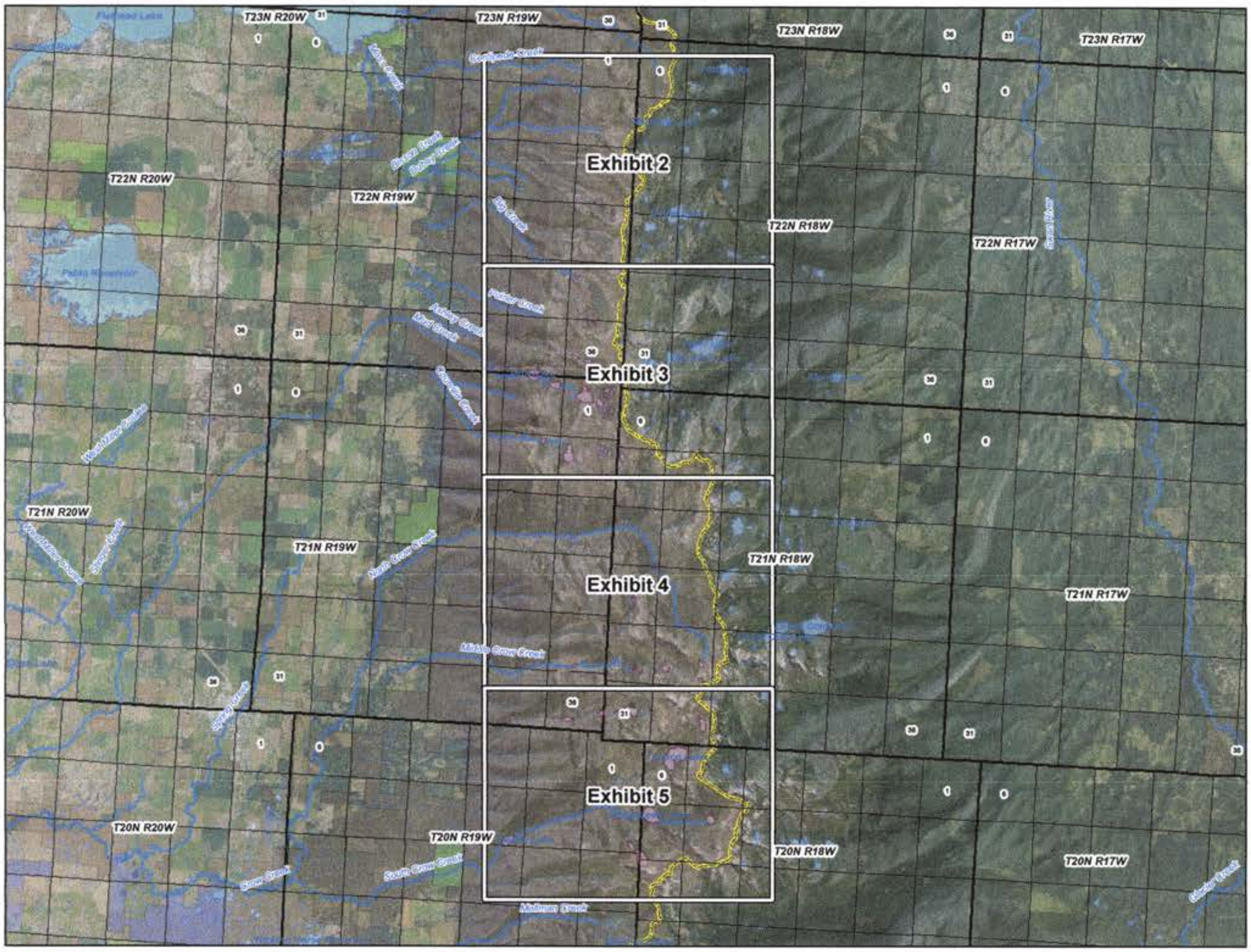
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


Flathead Lake
T23N R20W
T23N R19W
T23N R18W
T23N R17W
T22N R20W
T22N R19W
T22N R18W
T22N R17W
Pablo Reservoir
Big Creek
Ashley Creek
Mud Creek
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
T21N R20W
T21N R19W
T21N R18W
T21N R17W
North Crow Creek
Middle Crow Creek
Spring Creek
T20N R20W
T20N R19W
T20N R18W
T20N R17W
Crow Creek
South Crow Creek
Swan River
36
31
1
6

Place of Use

High Mountain Lakes

76L 30052669

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
2
3
4
5
St Ignatius
Arlee

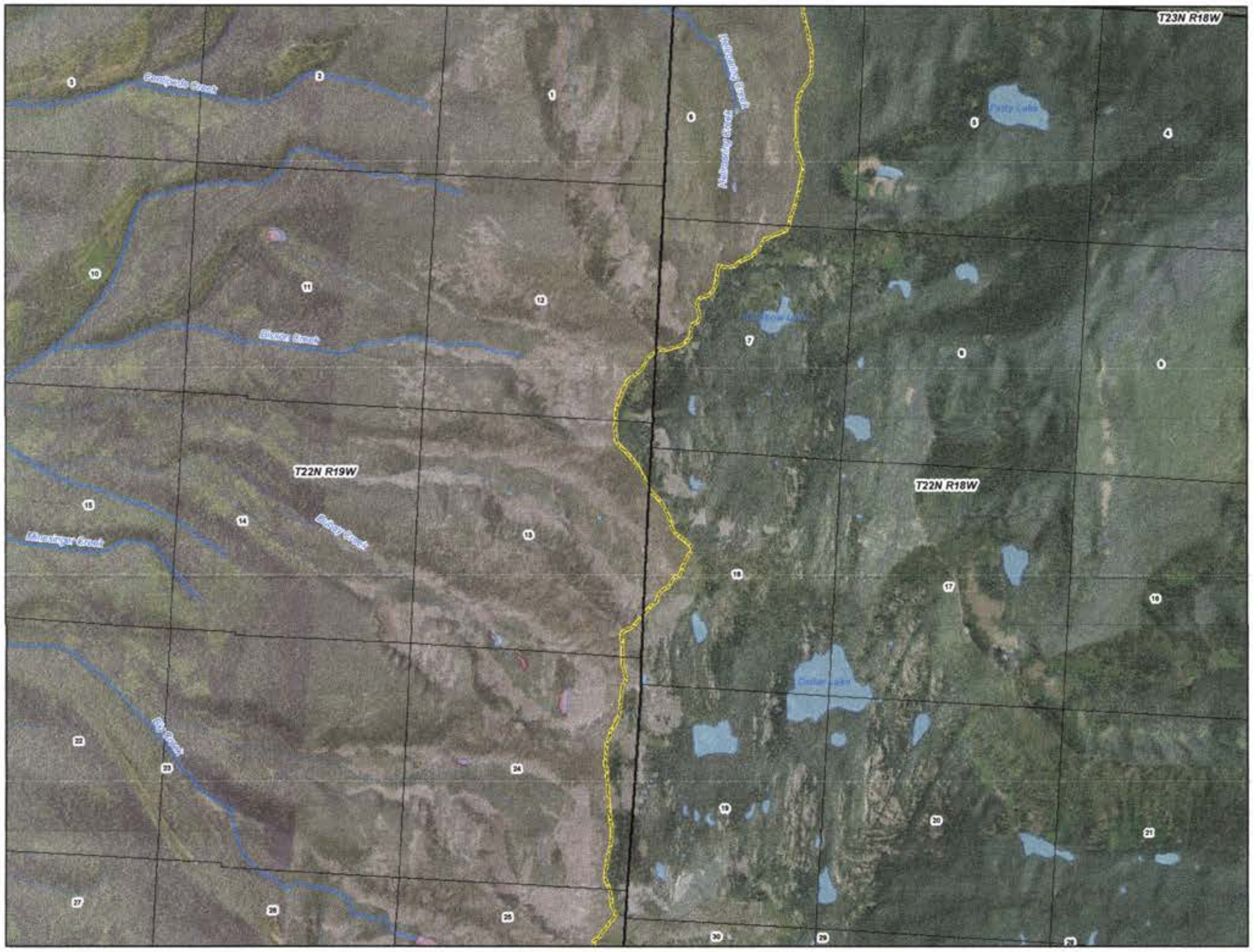
Flathead Indian Reservation

Legend

🟥	Places of Use
▭	Reservation Boundary
Land Owner	
🟫	Tribal
🟦	Federal
🟩	State

0 1 2 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T23N R18W
T22N R19W
T22N R18W
1
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11
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22
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29
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Place of Use

High Mountain Lakes

76L

30052669

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain
Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
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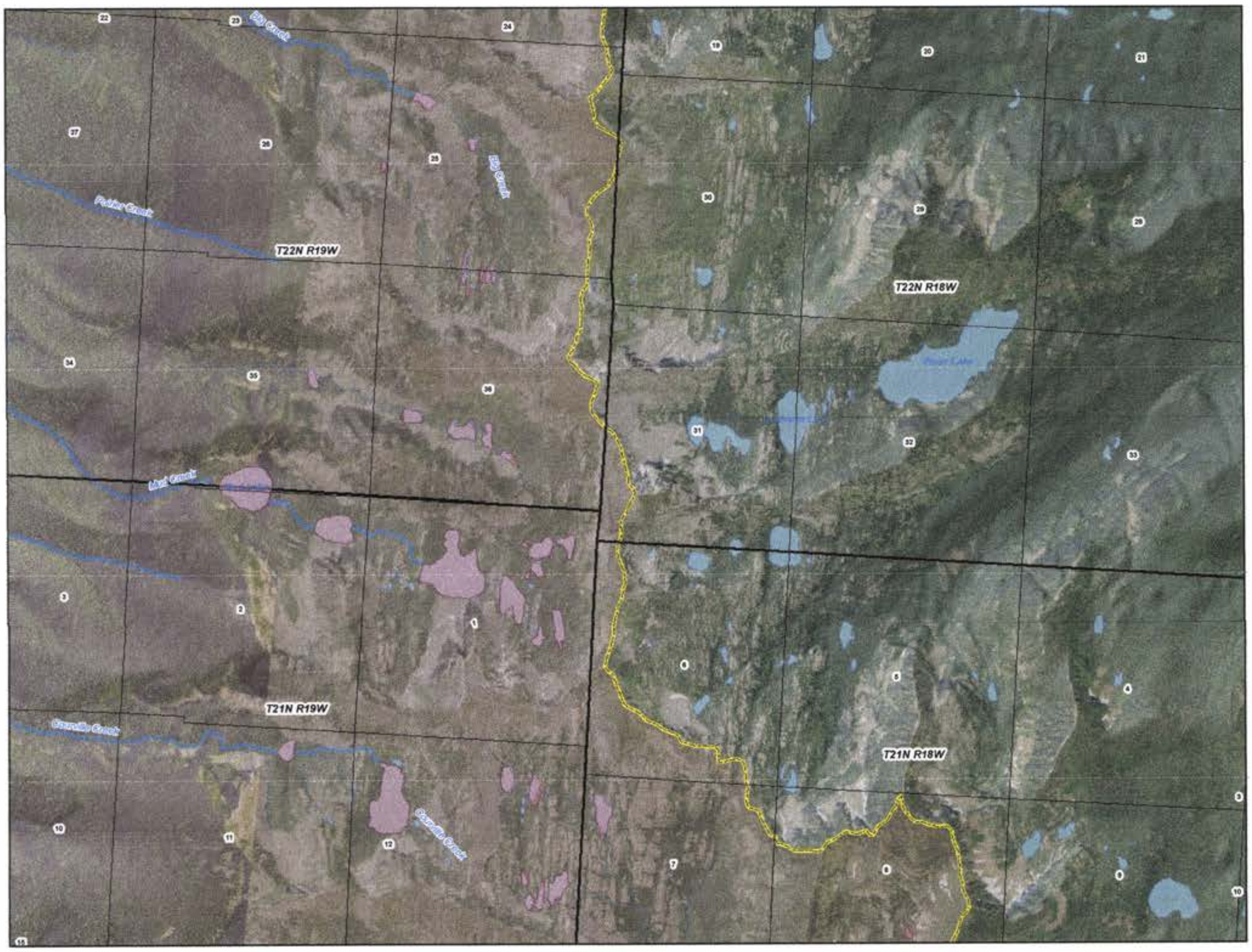

T22N R19W
T22N R18W
T21N R19W
T21N R18W
Mud Creek
Courville Creek
22
23
24
27
26
25
34
35
36
19
20
21
30
29
28
31
32
33
3
2
1
10
11
12
15
6
5
4
7
8
9
10

Place of Use

High Mountain Lakes

76L
30052669

Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

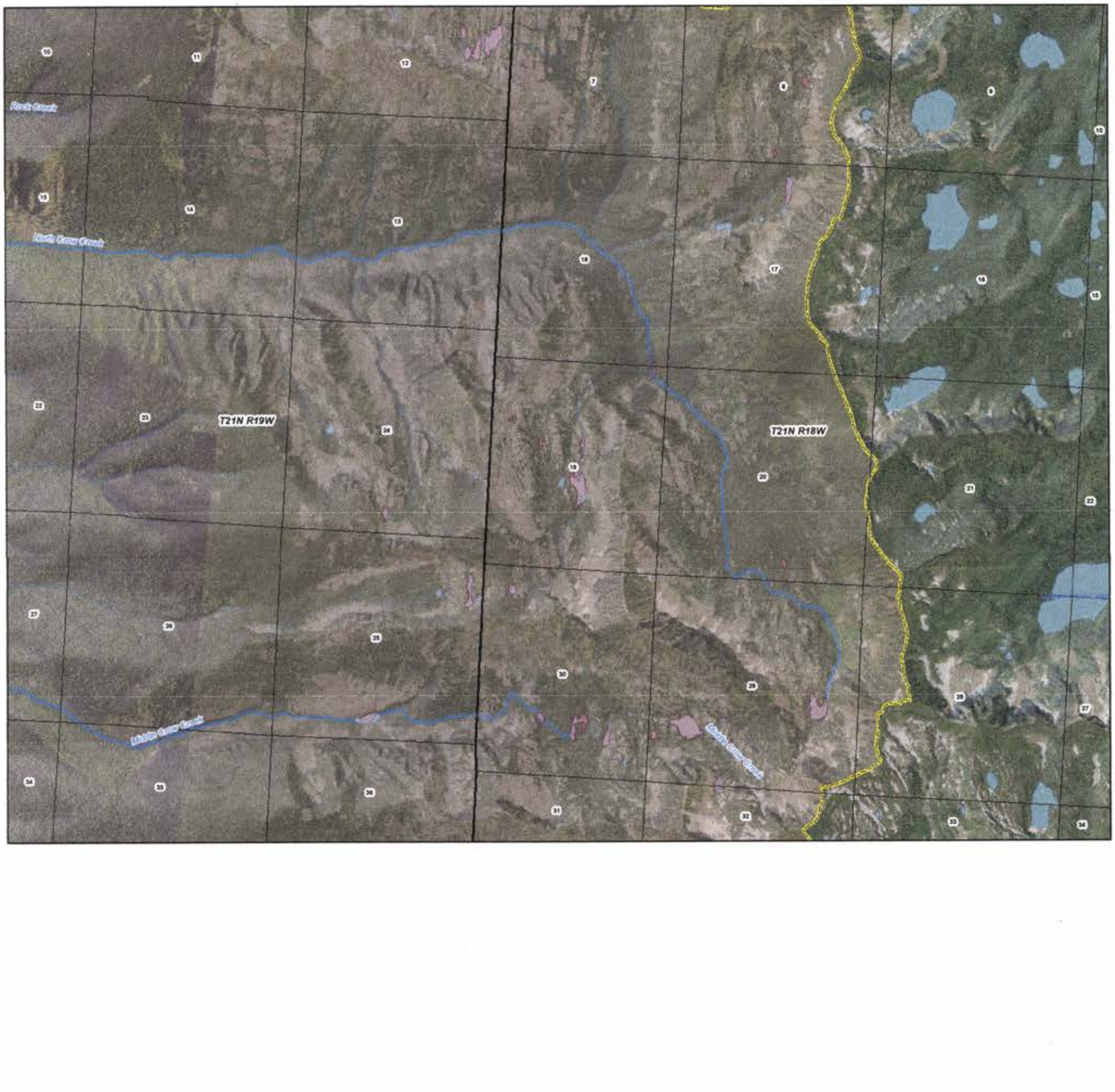
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


10
11
12
7
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9
10
Rock Creek
15
14
13
North Crow Creek
18
17
16
15
22
23
T21N R19W
24
19
T21N R18W
20
21
22
27
26
25
30
29
28
27
Middle Crow Creek
Middle Crow Creek
34
35
36
31
32
33
34

Place of Use

High Mountain Lakes

76L 30052669

Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

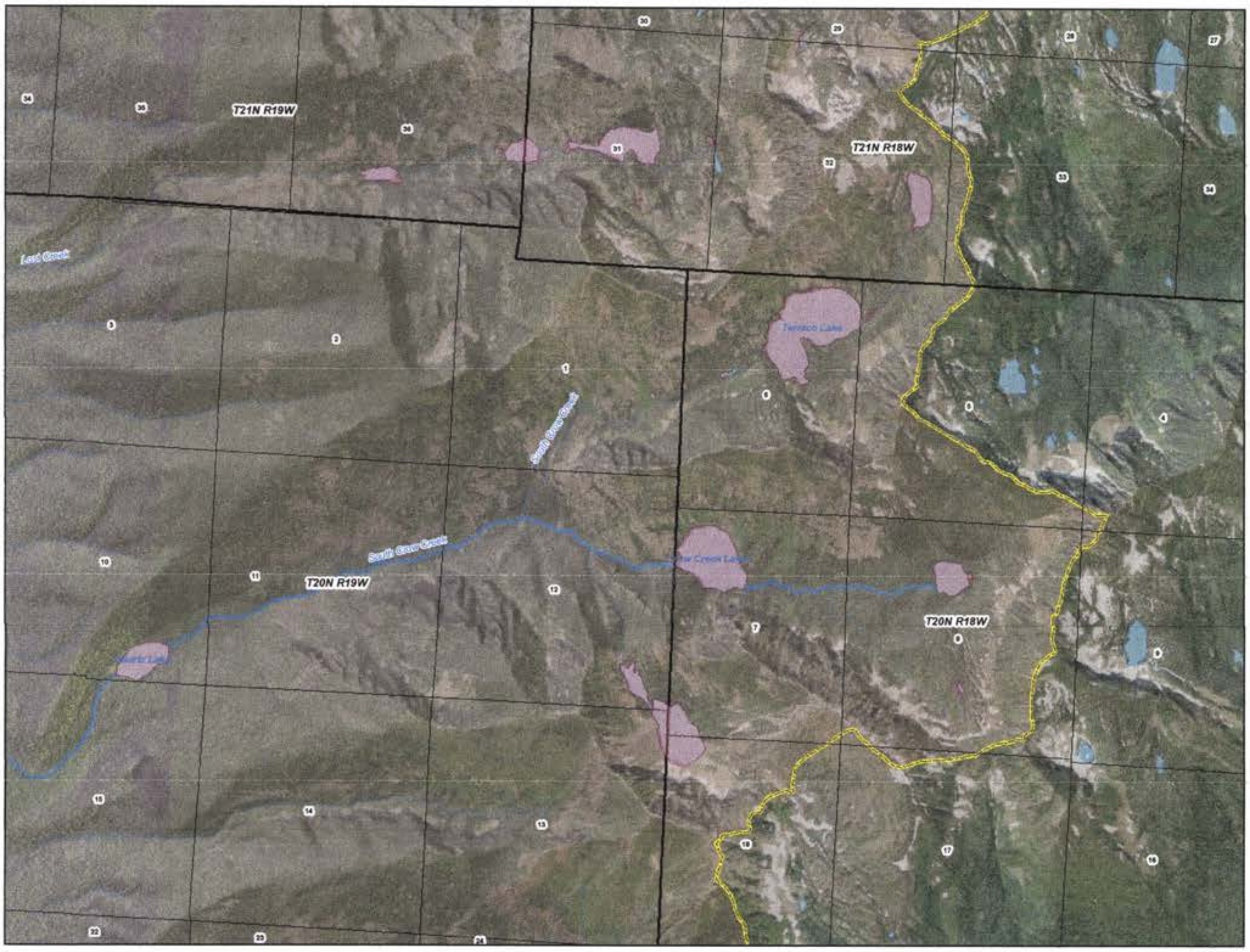
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T21N R19W
T21N R18W
T20N R19W
T20N R18W
Lost Creek
Terrace Lake
South Crow Creek
South Crow Creek
Crow Creek Lake
36
35
34
31
32
33
30
29
28
27
3
2
1
6
5
4
10
11
12
7
8
9
15
14
13
18
17
16
22
23
24

Place of Use

High Mountain Lakes

76L

30052669

Exhibit 5

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

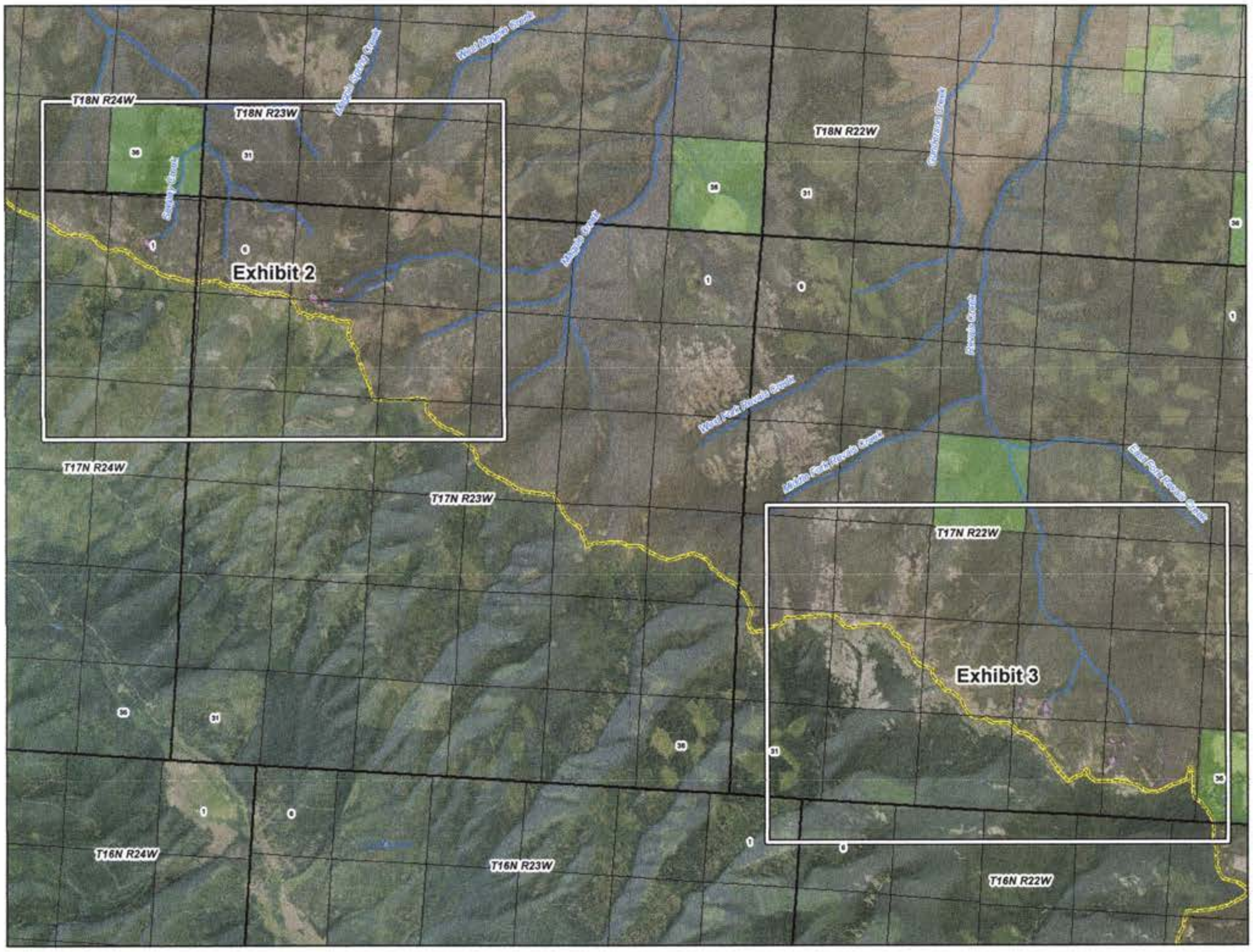
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain
Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


T18N R24W
T18N R23W
T18N R22W
West Magpie Creek
Magpie Creek
Revais Creek
West Fork Revais Creek
Middle Fork Revais Creek
East Fork Revais Creek
36
31
1
6
Exhibit 2
Exhibit 3
T17N R24W
T17N R23W
T17N R22W
T16N R24W
T16N R23W
T16N R22W

Place of Use

High Mountain Lakes

76L
30052670
Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

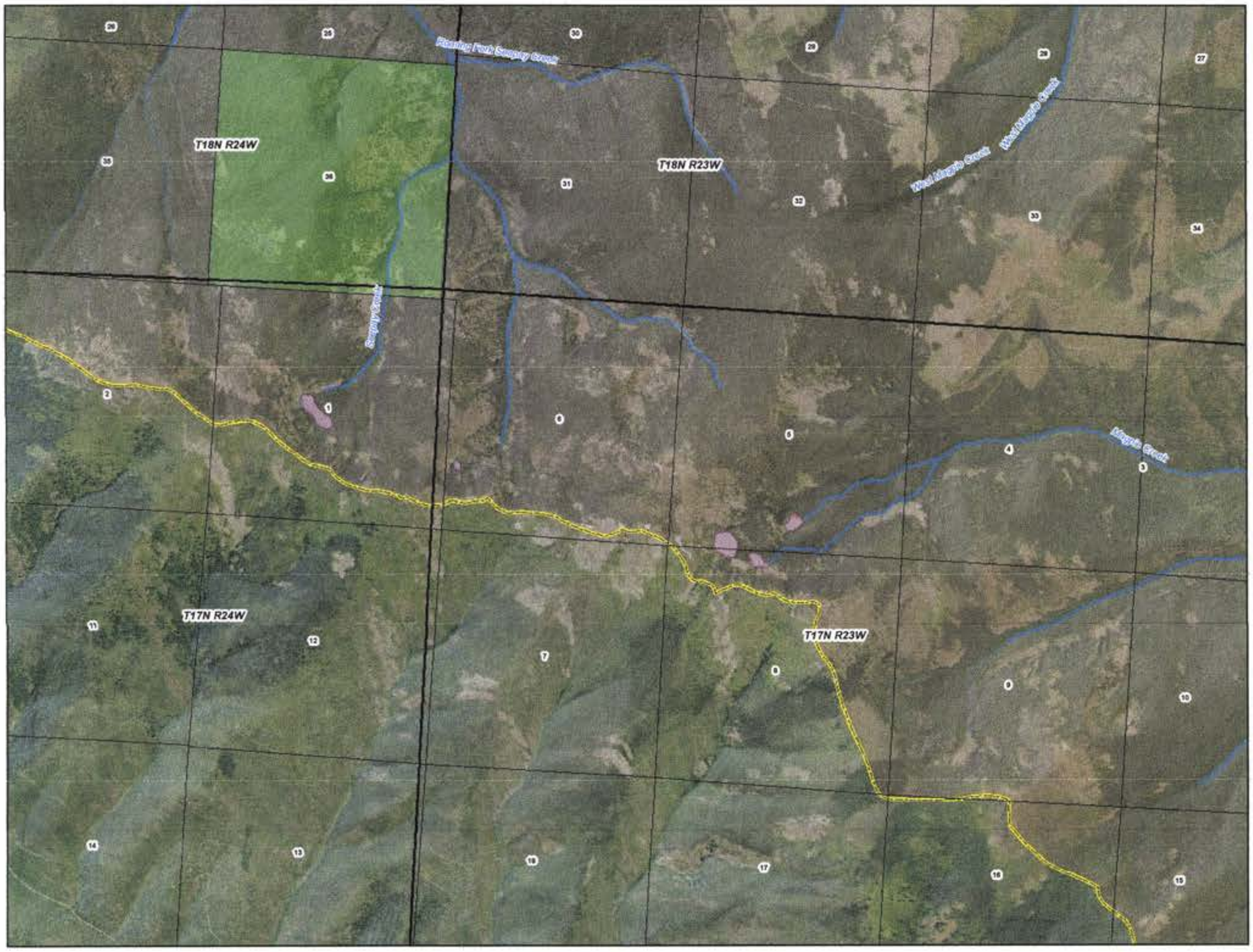
🟫 Tribal

🟦 Federal

🟩 State

0 0.5 1 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


26
25
30
29
28
27
Roaring Fork Seepay Creek
T18N R24W
35
36
T18N R23W
31
32
West Magpie Creek
West Magpie Creek
33
34
Seepay Creek
2
1
6
5
4
Magpie Creek
3
T17N R24W
11
12
7
8
T17N R23W
9
10
14
13
18
17
16
15

Place of Use

High Mountain Lakes

76L
30052670

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▢ Reservation Boundary

Land Owner

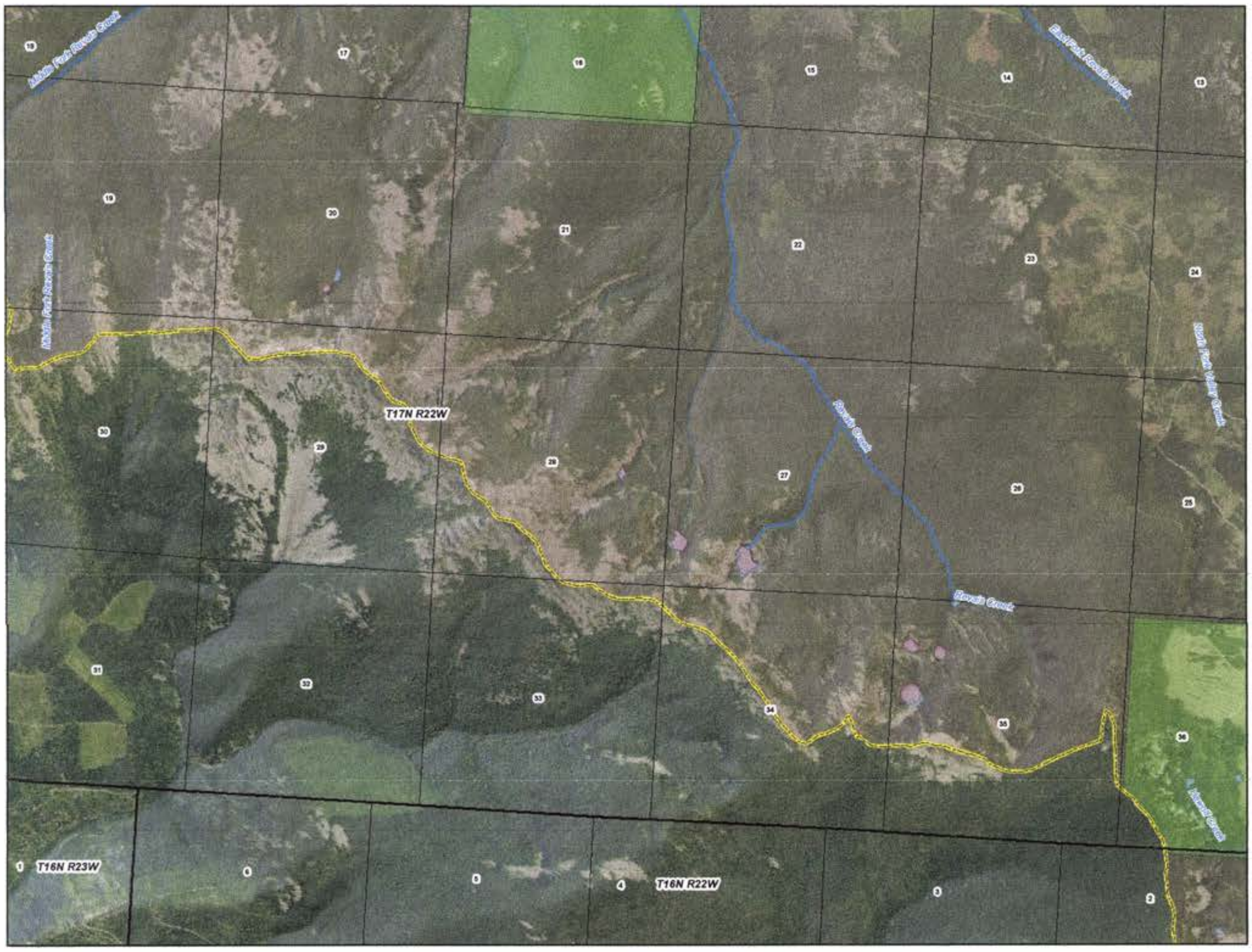
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain
Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


18
17
16
15
14
13
Middle Fork Revais Creek
East Fork Revais Creek
19
20
21
22
23
24
Middle Fork Revais Creek
North Fork Valley Creek
T17N R22W
30
29
28
27
26
25
Revais Creek
Revais Creek
31
32
33
34
35
36
1
T16N R23W
6
5
4
T16N R22W
3
2

Place of Use

High Mountain Lakes

76L
30052670
Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

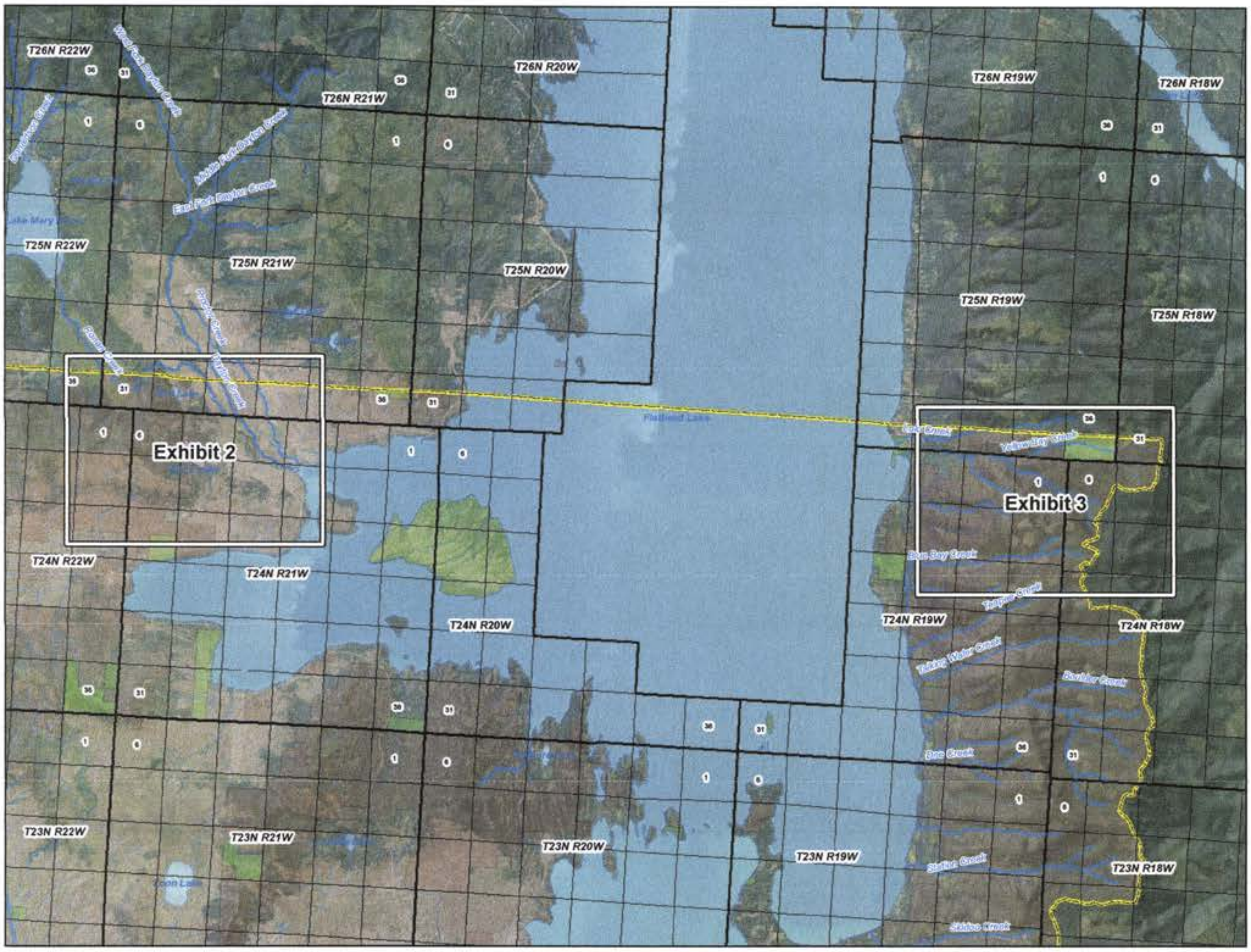
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T26N R22W
36
31
1
6
West Fork Dayton Creek
Middle Fork Dayton Creek
East Fork Dayton Creek
T26N R21W
36
31
1
6
T26N R20W
T26N R19W
T26N R18W
Lake Mary Ronan
T25N R22W
T25N R21W
T25N R20W
T25N R19W
T25N R18W
Exhibit 2
Flathead Lake
Yellow Bay Creek
Exhibit 3
Blue Bay Creek
T24N R22W
T24N R21W
T24N R20W
T24N R19W
T24N R18W
Talking Water Creek
Boulder Creek
T23N R22W
T23N R21W
T23N R20W
T23N R19W
T23N R18W
Skidoo Creek

Place of Use

High Mountain Lakes

76LJ 30052671

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

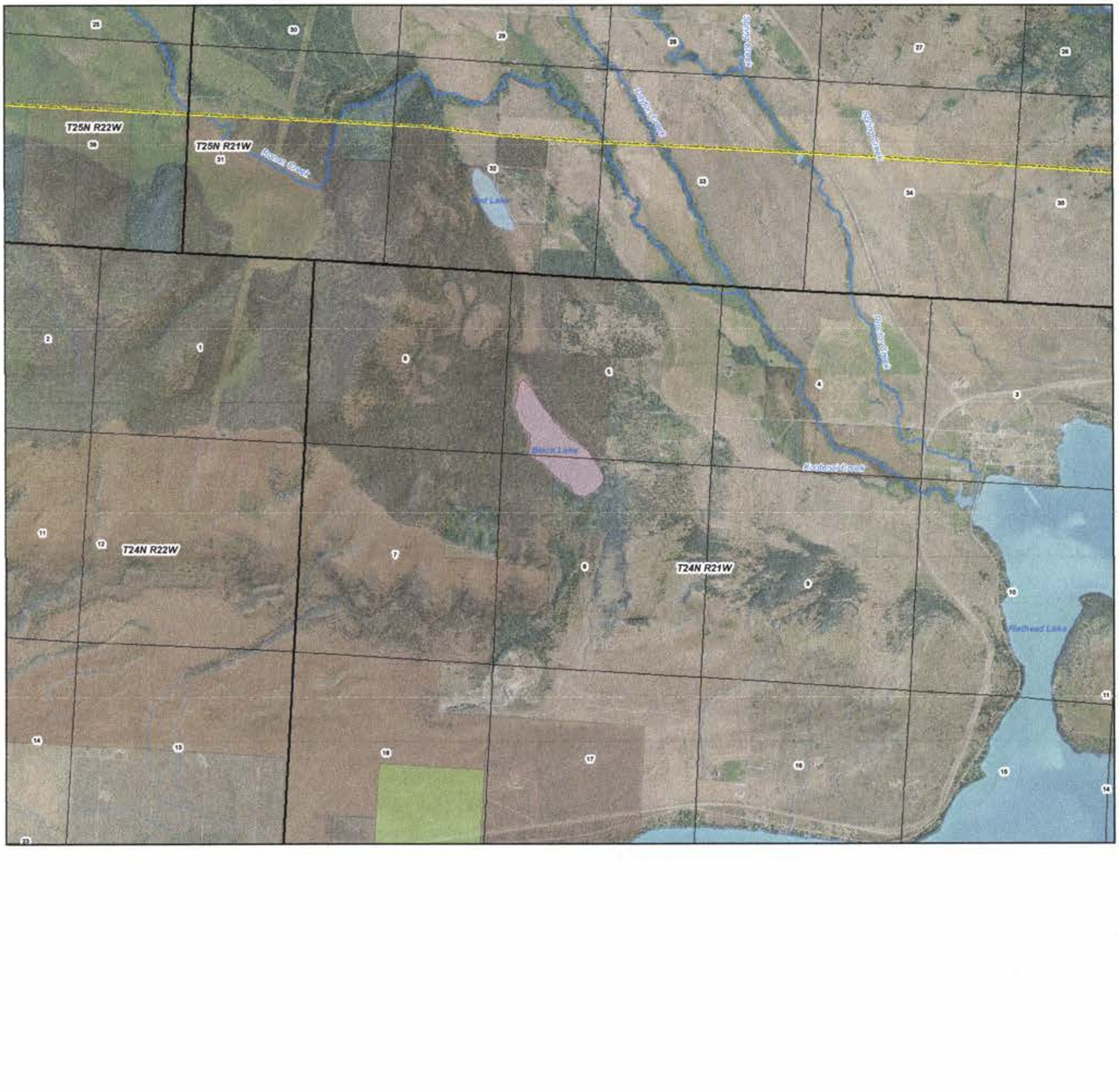
🟫 Tribal

🟦 Federal

🟩 State

0 1 2 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T25N R22W
T25N R21W
T24N R22W
T24N R21W
Black Lake
Flathead Lake

Place of Use

High Mountain Lakes

76LJ
30052671

Exhibit 2

Area of Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee

Flathead Indian Reservation

Legend

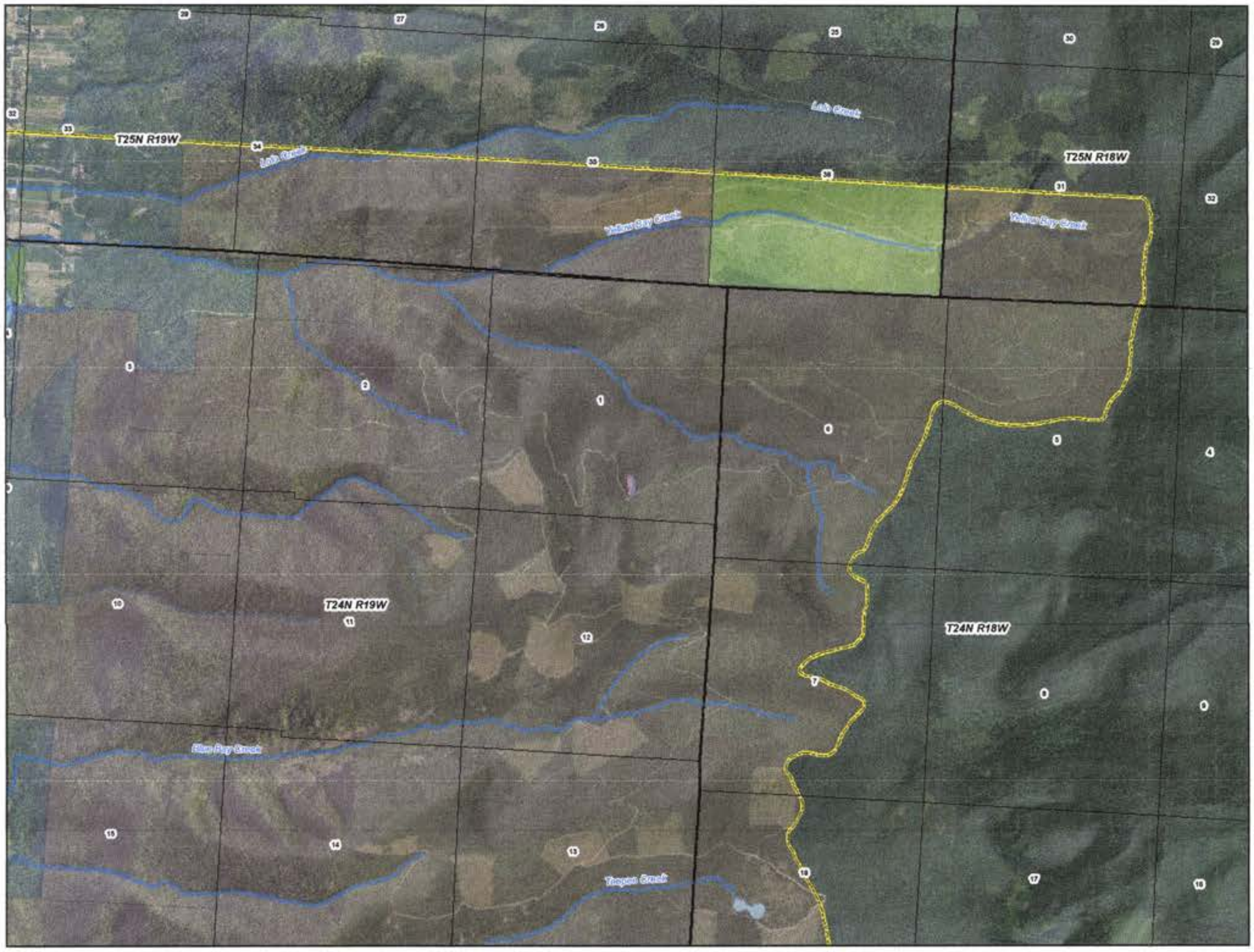
🟥 Places of Use
▭ Reservation Boundary

Land Owner

🟫 Tribal
🟦 Federal
🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T25N R19W
T25N R18W
T24N R19W
T24N R18W
Lolo Creek
Yellow Bay Creek
Blue Bay Creek
28
27
26
25
30
29
32
33
34
35
36
31
32
3
2
1
6
5
4
10
11
12
7
8
9
15
14
13
18
17
16

Place of Use

High Mountain Lakes

76LJ
30052671

Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

▨ Reservation Boundary

Land Owner

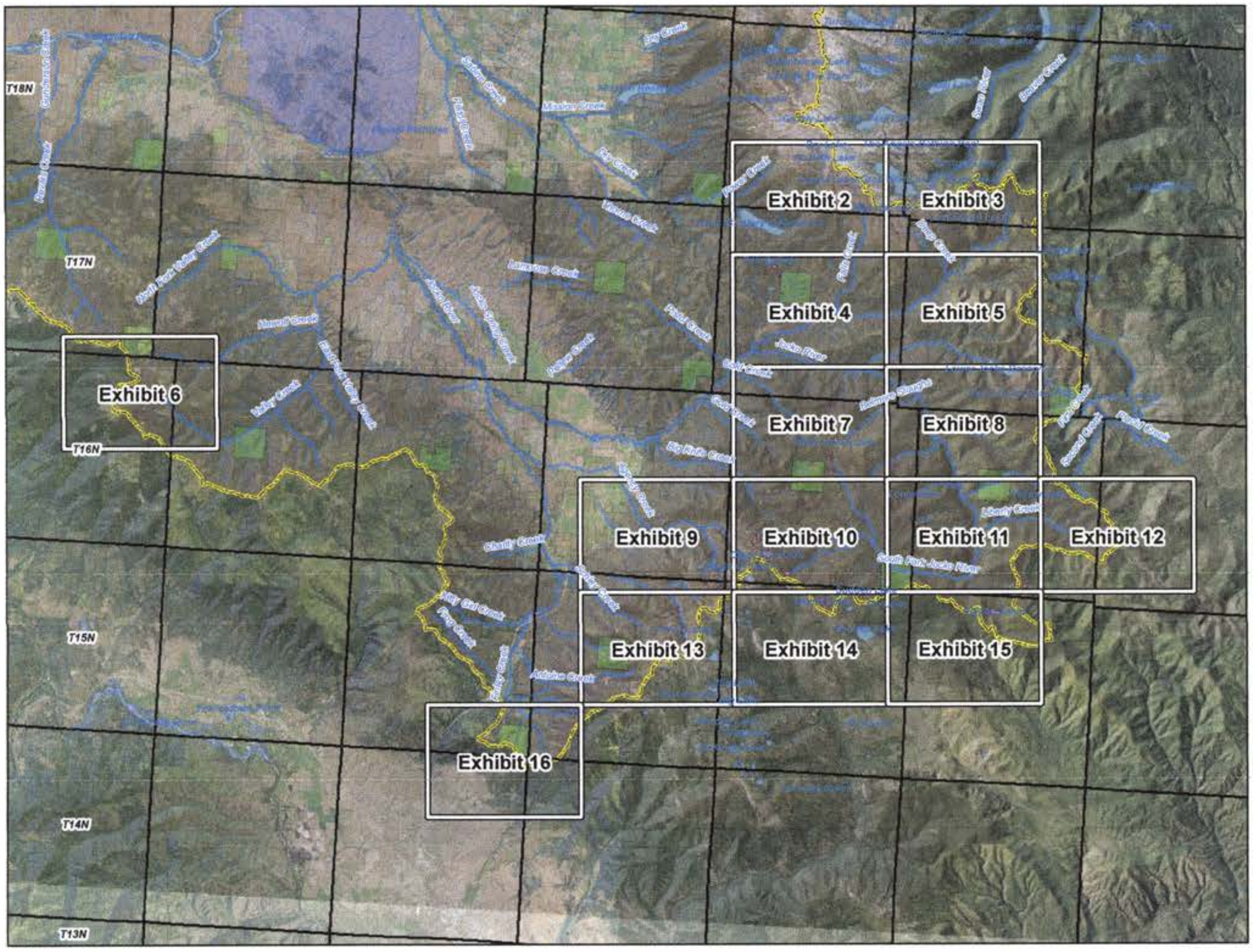
🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N
T17N
T16N
T15N
T14N
T13N
Exhibit 2
Exhibit 3
Exhibit 4
Exhibit 5
Exhibit 6
Exhibit 7
Exhibit 8
Exhibit 9
Exhibit 10
Exhibit 11
Exhibit 12
Exhibit 13
Exhibit 14
Exhibit 15
Exhibit 16
Mission Creek
Dry Creek
Lemay Creek
Jocko River
Gold Creek
Big Knife Creek
Charlie Creek
Liberty Creek
South Fork Jocko River
Finley Creek
Valley Creek
Falls Creek
Second Creek
Antoine Creek

Place of Use

High Mountain Lakes

76L

30052672

Exhibit 1

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Flathead Indian Reservation

Legend

🟥 Places of Use

▭ Reservation Boundary

Land Owner

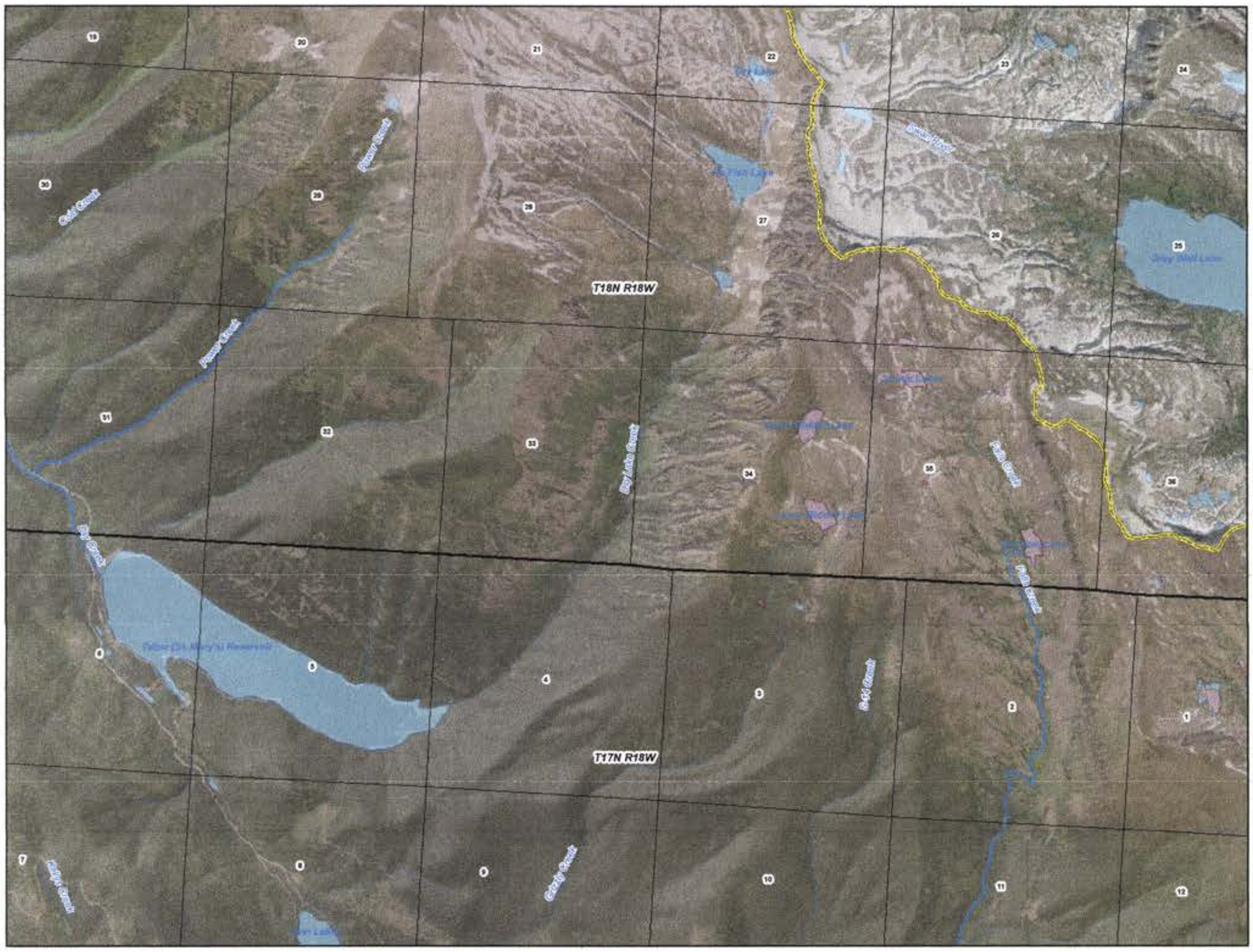
🟫 Tribal

🟦 Federal

🟩 State

0 1.75 3.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain
Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos,
12-Kilometer Tiles" courtesy of USDA-Farm Services Agency
Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of
U.S. Geological Survey (USGS), EROS Data Center
(1-arc second)


19
20
21
22
23
24
30
29
28
27
26
25
T18N R18W
31
32
33
34
35
36
Dry Creek
Big Lake Creek
Falls Creek
Tabor (St. Mary's) Reservoir
6
5
4
3
2
1
T17N R18W
7
8
9
10
11
12
Grizzly Creek

Place of Use

High Mountain Lakes

76L
30052672
Exhibit 2

Area
of
Interest
Hot Springs
Polson
Pablo
St Ignatius
Arlee
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Flathead Indian Reservation

Legend

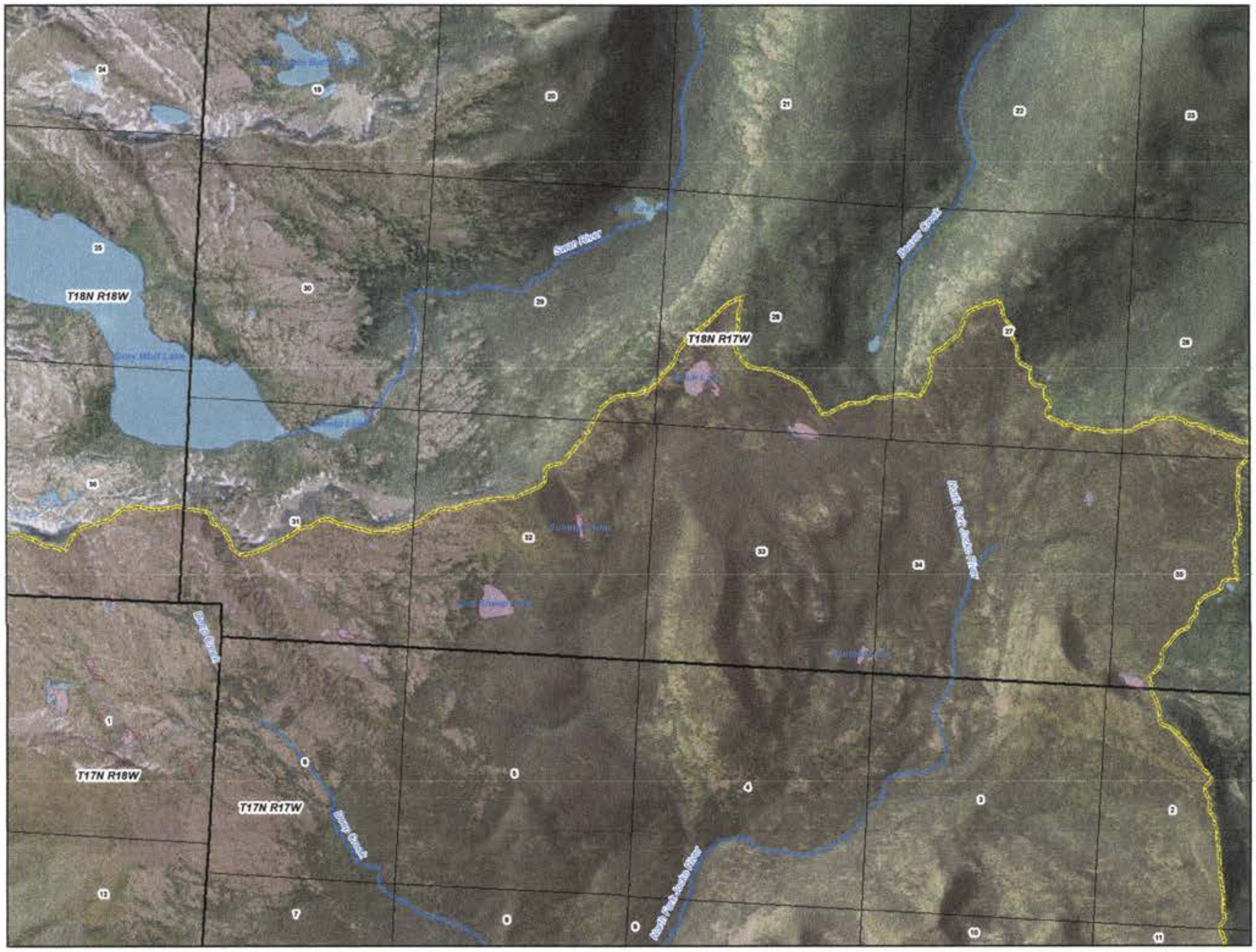
- 🟥 Places of Use
- ▭ Reservation Boundary

Land Owner

- 🟫 Tribal
- 🟦 Federal
- 🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)


T18N R18W
T18N R17W
T17N R18W
T17N R17W
Swan River
Beaver Creek
North Fork Jocko River
24
19
20
21
22
23
25
30
29
28
27
26
36
31
32
33
34
35
1
6
5
4
3
2
12
7
8
9
10
11

Place of Use

High Mountain Lakes

76L 30052672

Exhibit 3

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

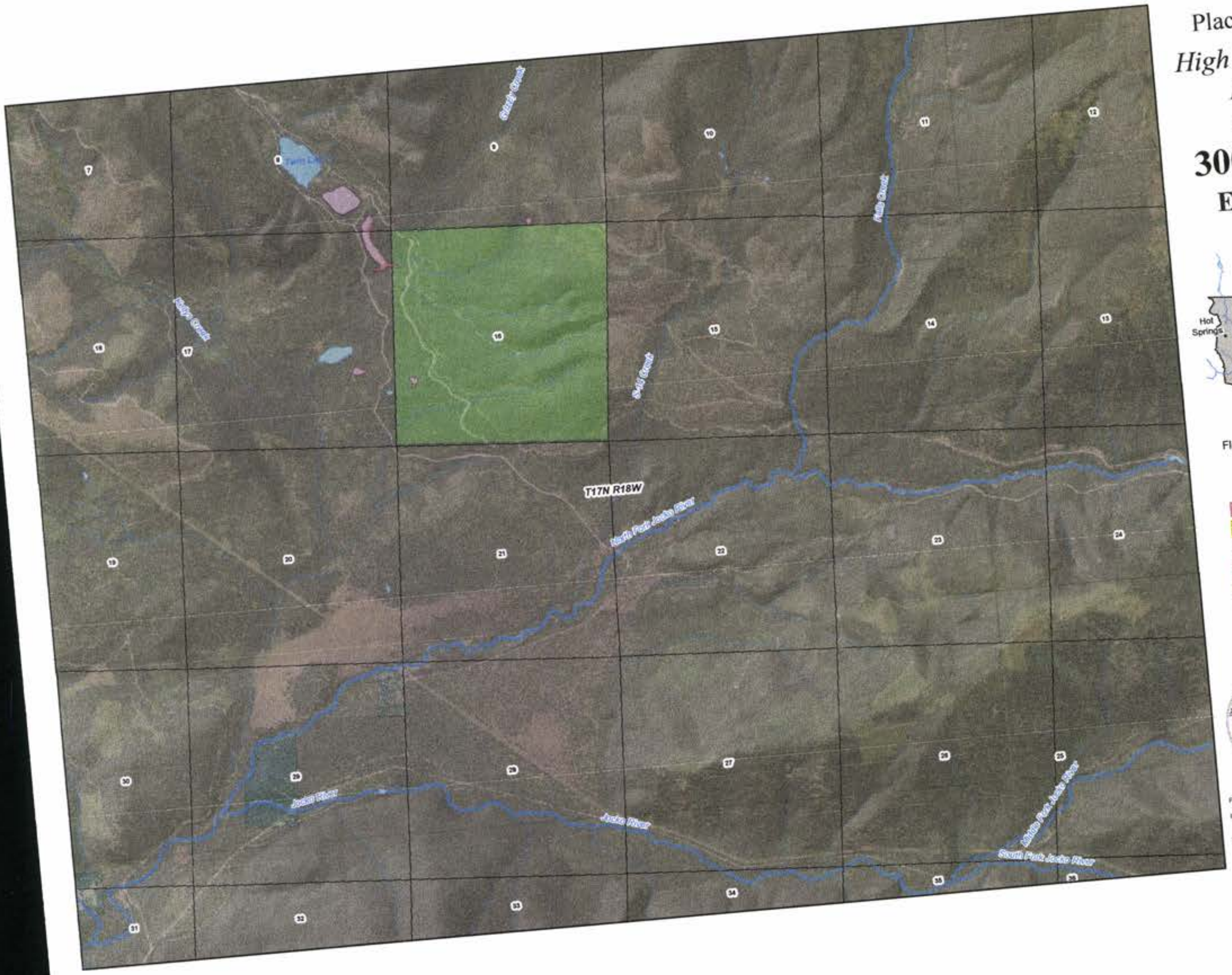
▨ Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library.
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second).


7
8
Twin Lakes
9
10
11
12
Falls Creek
18
17
16
15
14
13
S-10 Creek
T17N R18W
North Fork Jocko River
19
20
21
22
23
24
30
29
28
27
26
25
Jocko River
Middle Fork Jocko River
South Fork Jocko River
31
32
33
34
35
36

Place of Use

High Mountain Lakes

76L
30052672
Exhibit 4

Area of Interest
Hot Springs
Polson
Pablo
St. Ignatius
Arlee

Flathead Indian Reservation

Legend

🟥 Places of Use

☐ Reservation Boundary

Land Owner

🟫 Tribal

🟦 Federal

🟩 State

0 0.25 0.5 Miles

POU/POD Data Source: CSKT-MT Compact High Mountain Lakes (available at nris.mt.gov)
Imagery Source: "Montana 2009 Color NAIP Orthophotos, 12-Kilometer Tiles" courtesy of USDA-Farm Services Agency Aerial Photography Field Office and the Montana State Library
Hillshade created from: "National Elevation Dataset" courtesy of U.S. Geological Survey (USGS), EROS Data Center (1-arc second)